

# Causality and Morality in Politics



The Rise of Naturalism  
in Dutch  
Seventeenth-Century  
Political Thought

Hans W. Blom

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'Burgerzaal' of the Royal Palace (built 1648 till late 1660's as town hall), Amsterdam.

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# Contents

Preface	7
CHAPTER I      Morality and causality in politics	9
A naturalist conception of politics /10/ Passions and politics /13/ Naturalism /16/ Is-ought: some caveats /19/ History of political philosophy: distance and similarity /21/ The historical theses /25/ The core of the argument /29/	
CHAPTER II      Dutch political thought and institutions	33
Causes and intentions explaining Dutch political thought /34/ Between political strength and institutional incompetence /36/ Aspects of a strong state /37/ Difficulties in conceptualizing a strong state /43/ 'Our prince is king!': a new confrontation with absolutism /52/ Absolutism and freedom /55/ Conclusion /64/	
CHAPTER III      Burgersdijk on natural morality and political expediency	67
The books: <i>Idea philosophiae moralis</i> and <i>Idea politica</i> /69/ Central tenets in moral philosophy /75/ A moral theory of politics /89/ Conclusion /100/	
CHAPTER IV      Velthuysen on natural morality in politics	101
Introduction /103/ The birth of a 'Hobbesian' /107/ The <i>Epistolica</i> <i>Dissertatio de principiis justi et decori</i> (1651) /108/ Sociability and conservatio sui /111/ Natural morality and sociability /117/ <i>Conveniens schesis atque</i> <i>relatio</i> /120/ A Calvinist argument about sociability /123/	

CHAPTER V	Two types of teleology	129
	Some English reactions to Velthuysen /129/ The Hobbesian challenge /131/ The purpose of the world /135/ Knowledge of the purpose and the means /140/ Benevolence and property /147/ A last echo /150/ Emotions and rationality /151/	
CHAPTER VI	De la Court and 'interest of state'	157
	Prudentia mixta /161/ Reason of state or Interest of state? /162/ Clapmarius in the Republic /167/ 'Nadien de nood geen wet heeft' /169/ Necessity and virtue /173/ Private and public interest /178/ The spirit of conquest versus the politics of peace /180/	
CHAPTER VII	The moral and political philosophy of Spinoza	183
	Introduction /184/ Aspects of moral and political concern in the Dutch Republic /187/ Spinoza's position /192/ Moral philosophy and politics /198/	
CHAPTER VIII	Spinoza, the ideal state and the reality of republicanism	217
	Republicanism /219/ Historiographical perspectives on Dutch republicanism /223/ Republicanism: some examples /224/ Freedom /228/ Contracts, liberty, and virtue /230/ Best states /234/ Absolutism and republics /235/ Conclusion /238/	
CHAPTER IX	Nature, morality, and politics: problems and prospects	241
	Nature, morality, and politics /242/ A problem of Spinozism /246/ Spinozism and anti-Spinozism /247/ Van der Muelen on natural law, civil society & sovereignty /251/ Simon van Slingelandt /261/ François Hemsterhuis and the state as body: Mes animaux politiques /267/ Conclusion /278/	
Bibliography		281
	Primary sources /281/ Studies /288/	
Index		302

## PREFACE

Getting this book finished was the easiest part of it. The way to its conception, however, was the well-known thorny path. Originally conceived as a study of the methodological origins of the social sciences, working to and fro between philosophy of science, social philosophy and history of ideas made me feel the dangers of anachronism and argumentative incoherence. The decision to take into account the role of Spinoza triggered a fundamental reworking of the original plan. A lecture on Spinoza and De la Court, invited by the 'Vereniging het Spinozahuis', gave me the opportunity to formulate its basic outlines: to uncover the Dutch character of an intriguing contribution to early-modern political thought.

In the gradual articulation of this programme I have greatly profited from generous support from tutors, colleagues and friends. Johan de Vree has, ever since my time at the 'Europa Instituut', University of Amsterdam, shared his uncompromising conception of political science as well as his friendship. Johan gave me free rein in pursuing my interests. His critical comments on various versions of the manuscript have been a great help.

I thoroughly enjoyed and profited from the collaboration on various publication projects with Eco Haitisma Mulier, Wijnand Mijnhardt, Wim Blockmans, Hugo de Schepper, Theo Verbeek, and Henri Krop, all of whom never disappointed in their scholarly advice. Working together on seventeenth-century political thought with successive research-assistants – Gert-Onne van de Klashorst, Ivo Wildenberg, Jaap Kerkhoven, Ronald Janse and Malcolm de Mowbray – has been an enduring stimulus, as are the discussions in the Amsterdam 'conceptual-history' workgroup on liberty.

## Preface

Particularly encouraging has been E.H. Kossmann's benevolent appreciation of some of my publications. A stay at King's College, Cambridge contributed to put my research ideas into an (international) context, and invaluable discussions with Istvan Hont and John Dunn prompted me to further articulate the argument.

The Department of Philosophy of the ERASMUS UNIVERSITEIT ROTTERDAM, and in particular the head of the section 'Praktische Filosofie', Koo van der Wal, deserve credit for a permissive indulgence of my research. The department is involved in highly divergent research and teaching tasks, as it still – and rightly so – aspires to sustain the many and various scholarly contacts in order to live up to the ideal of a 'centrale inter-faculteit'. Fruitful co-operation is hence more difficult than Ministers of Education seem to realise. Working with Jack Vromen in teaching in and publishing on the philosophy of economics is gratefully acknowledged. With the members of the section 'Geschiedenis van de Wijsbegeerte in Nederland' I share a belief in the relevance of the history of philosophy in the Netherlands for the history of ideas more generally.

I heartily thank Malcolm de Mowbray for his meticulous advice on my translations from Latin. Iain Hampsher-Monk commented on the final manuscript and cheerfully went beyond the call of duty in saving me from many an obscure or unidiomatic English sentence. All remaining flaws are necessarily my own.

My parents raised me in a dedicated belief in the importance of 'onderrichting, ervarentheyd and redenkaveling', as De la Court has it.

Alida, *uxor mea*, steered me through a long illness in the early eighties. This book is as much hers as it is mine, not least since we both thoroughly value the historical period this book deals with, and much else besides.

Alida and my parents, each in their own way, have made my research an enjoyable task. I therefore dedicate this book to them.

An earlier version of Chapter 6 was published in G.H.R. Parkinson (ed), *The Renaissance and seventeenth century rationalism* (History of Philosophy IV; London: Routledge 1993) pp 313–348, and was subsequently reworked. Chapter 4 is a revised version of a contribution to E.P. Bos & H.A. Krop (ed), *Franco Burgersdijk 1590–1635* (Studies in the History of Ideas in the Low Countries I; Amsterdam/Atlanta: Editions Rodopi 1993) pp. 119–150.

## MORALITY AND CAUSALITY IN POLITICS

### CHAPTER I

*‘Natura incipit ....*

THE SEVENTEENTH CENTURY, WITHOUT DOUBT, has been one of the great and influential historical laboratories of politics. Institutions as well as theories having been the object of daring and innovative interventions, some of our present-day political arrangements and conceptualisations still bear witness to that period of experiment and change. In particular, the Republic of the Seven United Provinces stands out as a testing place of modern theory and practice for the *res publica*. This study comments on the significance of Dutch political thought and try to provide a perspective on its particular nature.

In several respects, the political practice and political thought of the Dutch seventeenth century have been highly exceptional. Against the tide of growing centralisation and absolutism elsewhere in Europe, a basically federal political system was maintained and the discussion of its opportunities and its shortcomings produced some very intriguing contributions to political theory. The exceptional nature of a federal system in which power was widely distributed throughout the economic and political structure was closely matched by the extraordinary nature of concomitant political theories. Notwithstanding the Republic’s well-known tendency towards oligarchy, many different political actors, groups and social strata were involved in



politics, and the ensuing rhetorical necessity to address broad strata of society, with the expectation of influencing their compatriots' various contributions to the overall result of this intricate system, pressed political thinkers to maintain a delicate balance of common sense and innovation, of ideology and analysis. In the process, genuine theoretical innovation could easily become buried under sweeping commonplaces, which in their turn often strike the reader as hopelessly inadequate from an analytical point of view. Much of the great innovations thus appears as a promise only, as the programmatic insight of a few initiated which only with hindsight can be represented as highly apposite to the political system in which these innovations have been propounded. The wisdom, I shall argue, of the most daring political thinkers of the Dutch seventeenth century was to find its limits and limitations in the nature of precisely the political system which had made the development of this wisdom possible in the first place.

Extraordinary in this sense of being out of tune with dominant European developments as well as having its very development forestalled by the conditions of its appearance, Dutch political thought in the Golden Age differs significantly from contemporary political thought elsewhere. Its naturalism, its analysis of interests and passions, its understanding of its own political institutions, all of these characteristics were coloured by an accompanying awareness that the growing power of countries like France and England posed more than just a threat for the Republic's position in the European balance of power: their ideological challenge was all-pervasive. The historical situation of the Republic, I shall argue, by itself called for a naturalistic theory of politics. The more radical formulations of this theory, however, itself drove others to fall back upon 'time-warranted' notions of Dutch civic virtue and upon proven principles of political liberty, which thus showed in bolder relief the in itself highly innovative endeavours to achieve a new understanding of politics and society.

The rise of naturalism in Dutch seventeenth-century political thought will be traced in the following eight chapters. In this first chapter I shall discuss concepts and interests central to the study and, after a section on the nature of the history of political thought, the main objectives of the present study will be presented together with a summary of its results.

## 1 A naturalistic conception of politics

Like all concepts in philosophy, those of things political allow of a broad variation in definition. Neither the scope nor the position amidst other philo-

sophical sub-disciplines is fixed or settled. Some generalisations are compelling sometimes, even fewer most of the time, but none are accepted all of the time. There may be much truth in Aristotle's definition of politics as the part of ethics dealing with the polis. But the exact relation on hand is subject to change. Aristotle's teleological integration of politics within ethics is so different from the deductive structure within which thinkers like Hobbes or Spinoza link their analyses of politics with a conception of human nature, as to make it a purely formal observation that both approaches agree in this respect. This incongruity stems from the historical indexicality of political philosophy.<sup>1</sup>

Nevertheless, a keen eye to the historical context of political ideas often brings forth isomorphisms that connect otherwise divergent approaches. One of the intriguing convergencies that is suggested in this study has to do with passions or emotions. Others that have been accompaniments throughout its preparation are principles of inter- and supra-systemic organisation and other problems of co-ordination, and matters of aggregation and levels of analysis in general. Abstract theoretical investigation not being the prime interest here, historical research can bring forward relevant observations to the effect of taking issue in modern debates. As a first approximation, I define politics under the guidance of these parallels between seventeenth-century objectives and modern ones as the behaviour of individuals and collectivities which evolves in the process of interaction.

Understanding politics is in the first place understanding political action. From the perspective of present-day political science, it may seem by no means self-evident that conceptions of political action should be derived from what only in a formal sense is its *genus*, human action. Many a theorist of politics may be seen just to presuppose notions of action, but not to be involved in their further analysis.<sup>2</sup> This is not necessarily a lack of profundity or philosophical thoroughness. Any theory will have to presuppose a lot of things, and I venture to say that the more profound a theory, the more it thrives on presuppositions. In political philosophy, where the intended audience is bound to be at least partly non-specialist or meant to be the public at large, conceptions of action can very well take advantage of the received opinions of the day. Such a procedure may be rhetorically inspired by the

<sup>1</sup> That this indexicality goes for philosophy at large as well, is amply demonstrated in Charles Schmitt's study of the fate of Aristotelianism in the Renaissance, and its eclectic adaptation to changing circumstances; see his *Aristotle and the Renaissance*. (Cambridge (Mass.): Harvard University Press 1983) esp. pp. 105-109.

<sup>2</sup> In this respect, political theory is still dominated by behaviouralism. See my 'De grondslagen van de politieke wetenschap - de wetenschappelijkheid van de politicologie', in: *Wijzerig Perspectief*, (1979/80) p. 61-66.

intention to undermine other received opinions in the end. Or, it may only be a convenient way to circumscribe the extent of the theoretical enterprise. We feel attracted by a theory not for its conclusions alone but also for its presuppositions, explicit and implicit. If one abhors moralising, it may be a relevant strategy to prefer a political theory that argues its case from enlightened self-interest. One who holds that morality ought to have its sway in the political domain as well, will rather describe politics in terms of civic duties. But it would be to over-estimate the malleability of both human preference and human experience to suppose that from preferences for models we may deduce the fact of their having been freely chosen. Models are embedded in the history of their practice, and hence selective in the articulation of their own preconditions. This reliance on tacit knowledge can easily have the dismal consequence of shielding the theorist from fundamental requirements of theoretical improvement. The seventeenth-century political theories I will be discussing may suggest to the modern political theorist the importance of a substantial interest in the principles of human action as an element in political theory.

Notwithstanding the inventiveness and independence of the human mind, secular trends co-define their boundaries as well as their results. Reconstructing these secular trends, one might say, is just another way of understanding the process of political philosophy itself. But we are rightly wary of attempts to take secular trends as *pars pro toto* and regard these as the essence of political philosophy itself. In the historical abstractions to which for instance the ‘debate of communitarianism vs. liberalism’ has given rise,<sup>3</sup> we see the need for a naturalistic understanding of political philosophy amply demonstrated.<sup>4</sup> In this debate, the formal argument of the communitarians that to value presupposes values is countered by the equally formal argument that to genuinely value presupposes the individual’s unconditionally free choice of values.<sup>5</sup> If this is meant to depict the situation to which the history of political philosophy has led up, ‘we are not likely to get anywhere in answering it [the question about state vs society, HWB] if we continue to see it as a debate between liberal “atomism” and communitarianism’s “social thesis”’. In fact, Kymlicka continues, ‘both liberals and communitarians have ignored the real issues involved in creating the cultural conditions of

<sup>3</sup> See Jeffrey Stout’s remarks on tradition in his *Ethics after Babel. The languages of morals and their discontents.* (Boston: Beacon Press 1988) pp. 142–144.

<sup>4</sup> See Clifford Geertz, ‘The strange estrangement: Taylor and the natural sciences’, in: J. Tully (ed.), *Philosophy in an age of pluralism. The philosophy of Charles Taylor in question* (Cambridge: Cambridge University Press 1994) pp. 83–95, which attacks Taylor’s derision of naturalism by exhibiting the latter’s one-dimensional notion of natural science.

<sup>5</sup> See Stout, *Ethics after Babel*, pp. 252ff for a discussion this ‘immanent’ style of debate.

self-determination. Both sides need to give us a more comprehensive comparison of the opportunities and dangers present in state and non-state forums and procedures for evaluating the good’.<sup>6</sup>

It is inevitable to discuss these matters as they presented themselves historically, rather than re-invent them in formal disguise. In the heat of present-day philosophical-cum-ideological debate, the historical continuity of our problems is often smothered. Or, what amounts to the same, it is misconstrued. Alisdair MacIntyre’s *After virtue*, though aiming to disclose the history of (political) morality’s derailment, did as much conceal what can only be obvious to the historically informed scholar, viz. that the early-modern debate on teleology is a transformation of categories rather than the rejection of a trans-historical concept.<sup>7</sup> The proponents of the ‘Enlightenment Programme’ have been reduced to ‘actor[s] in a philosophical scenario’, in Pocock’s apt phrase.<sup>8</sup> This scenario of ‘the transition into modernity’, for all its appeal to a historical reality, thrives on what in section five of this chapter I shall call ‘distance’ at the expense of ‘similarity’.<sup>9</sup> MacIntyre’s argument should rather have been devoted to a careful analysis of the extent to which Enlightenment philosophers, like Hume, understood the skeptical challenges of their own programme and prefigured the argument he is propounding himself. Would one really try to analyse the nature of rationalism in present-day ethics and political philosophy, it were more sensible to follow the lead of research on the (non-)rational that has been conducted for decades,<sup>10</sup> as it has been throughout the history of philosophy. An important element in this research is about emotions in a socio-psychological and in a philosophical sense. Moreover, one has not to go back to Aristotle to find historical inspiration to improve one’s understanding of this non-rational side of the human enterprise. It was precisely among the philosophers condemned for their empty rationalism, that emotion – or passion, as the term was then – played a central role.<sup>11</sup>

<sup>6</sup> Will Kymlicka, *Contemporary political philosophy. An introduction.* (Oxford: Clarendon Press 1990) pp. 223 and 231.

<sup>7</sup> Alisdair MacIntyre, *After virtue. A study in moral theory.* Notre Dame: University of Notre Dame Press 1981.

<sup>8</sup> J.G.A. Pocock, *Virtue, commerce, and history* (Cambridge: Cambridge University Press 1985) p. 24.

<sup>9</sup> I ought to add that in the ‘Postscript to the second edition’ of *After virtue*, MacIntyre concedes this point to his critics, justifying his approach by the difficulty of his task.

<sup>10</sup> See the literature cited in note 20 *infra*.

<sup>11</sup> See e.g. Annette Baier, *A progress of sentiments. Reflections on Hume’s Treatise.* Cambridge (Mass.): Harvard University Press 1991. Evidently, MacIntyre does not deny the eighteenth-century interest in emotions, but the his ‘scenario’ requires him to deny its relevance to understanding morality. See on this and on teleology, *infra*, chapters 4 and 5.

# 1 Passions and politics

Ideas about the place of morality within politics oscillate between idealism and realism, between the conception that morality essentially matters to politics and the conviction that politics is *sui generis* and can do without. Idealists deride the passions as destructive of a good political order, whereas realists fear the disruptive effects of lofty moralising.<sup>12</sup> Historical varieties of these positions can be found in early-modern republicanism. On the one hand, some theories take civic virtue as a prerequisite for a strong republic, on the other hand some republican forms of government claim to function on the basis of interests alone.<sup>13</sup> From the point of view of reason of state, the choice between these two mutually exclusive models is purely a matter of efficient causality.<sup>14</sup> A comparable opposition has been replicated in recent times: in the 1960's political scientists noting that although political participation was far behind what it was ideologically supposed to be in a democracy, found that nevertheless – or possibly even precisely for that reason – modern democracies flourish.<sup>15</sup> Not long after, however, the legitimacy-crisis of modern democracy was explained by the lack of institutional avenues for 'real' participation in politics, that is, by the absence of institutional measures intended to promote civic virtue.<sup>16</sup> If only the people at large could again engage in substantial practices of civic virtue, democracy would prosper again. The 'either-or' of this analysis no longer appeals nowadays. The efficient promotion of strong political systems presupposes more intricate measures, and as a consequence the relationship between morality and politics has become much more complex, than either the formally oriented theories of liberal democracy, or the several varieties of participatory democracy presupposed. The modern political theorist cannot escape reference to the 'emotional commitment' in order to deal effectively with values in politics.<sup>17</sup>

<sup>12</sup> This contrast is classically to be found in the Renaissance mirror-of-princes literature in contrast to Machiavelli's *Prince*.

<sup>13</sup> J.G.A. Pocock first discussed this duality in ch. 14 of his *The Machiavellian moment. Florentine political thought and the Atlantic republican tradition* (Princeton: Princeton University Press 1975) esp. pp. 486ff. See also his 'Virtues, rights, and manners. A model for historians of political thought', ch. 2 in *Virtue, commerce, and history*, pp. 37–50.

<sup>14</sup> See I. Hont, 'Free trade and the economic limits to national politics: neo-Machiavellian political economy reconsidered', in: John Dunn (ed.), *The economic limits to modern politics* (Cambridge: Cambridge University Press 1990) pp. 41–120.

<sup>15</sup> Lester W. Milbrath, *Political participation. How and why people get involved in politics?* (Chicago: Rand McNally 1965) pp. 142–153; see also chapter 6, *infra*.

<sup>16</sup> E.g. Carole Pateman, *Participation and democratic theory*. Cambridge: Cambridge University Press 1970; see for a discussion William N. Nelson, *On justifying democracy* (London: Routledge & Kegan Paul 1980) pp. 34–52.

Indeed, part of the problem about morality and politics may be a misconstrual of liberal-democracy itself, i.e. the separation of societal and political values. That is, if one identifies politics – in David Easton's well-known phrase – as the authoritative allocation of values [i.e. valued 'objects'] for a society, then it is by no means evident that this allocation is exclusively or primarily produced by 'government'.<sup>18</sup>

The process of value-formation in a society has to do as much with passions as with authority – be it that of a church, moral philosophers or the state – and hence a theory of passions as valuations is as important in politics as a theory of authoritative allocation. Evidently, this is in contrast with the opinion that it is a choice between politics or the state of nature. It is the political state – be it absolutist à la Hobbes or minimalist in the Lockean 'Grotian' tradition – that supplies the remedies against the incompetencies of the passionate nature of ordinary men. But the issue at hand reveals a different structure if one follows leads from the republican tradition, according to which private and public are much more intricately connected than standard bifurcating approaches suggest. This republican approach, which pervaded much of seventeenth- and eighteenth-century political thought, may provide a helpful *tertium* between liberal theory and the communitarian alternative, precisely because it focuses upon the interdependence of passions and interests within political institutions.<sup>19</sup>

A parallel can be drawn here with present-day approaches to emotions in the theory of action and in psychology, in which in various ways the standard distinctions of mind and body, reason and action, or more in general, action and passion are presented in a different light.<sup>20</sup> Some of these modern theories refer for their inspiration to Spinoza's theory of action, and for good reasons as I shall discuss in chapter 7.<sup>21</sup> Other theories are developed outside of the historical context of political thought.<sup>22</sup> All these approaches to human

<sup>17</sup> Robert H. Frank, *Passions within reason. The strategic role of the emotions* (New York: Norton 1988) pp. 43ff.

<sup>18</sup> David Easton, *A systems analysis of political life* (New York: Wiley 1965) p.21.

<sup>19</sup> See Quentin Skinner, 'The republican ideal of political liberty', in: G. Bock, Q. Skinner, and M. Viroli, *Machiavelli and republicanism* (Cambridge: Cambridge University Press 1990) pp. 293–309; For an altogether different approach of this *tertium* to the 'liberal/anti-liberal debate', see Joshua Mitchell, *Not by reason alone. Religion, history, and identity in early modern political thought* (Chicago: University of Chicago Press 1993) p. 132.

<sup>20</sup> See in particular, Ronald De Sousa, *The rationality of emotion*. Cambridge (Mass.): MIT Press 1987; Frank, *Passions within reason*; Nico H. Frijda, *The emotions*. Cambridge: Cambridge UP 1986; Patricia Greenspan, *Emotions and reasons. An inquiry into emotional justification*. London: Routledge 1993; Andrew Ortony & Gerald L. Clore & Allan Collins, *The cognitive structure of emotions*. Cambridge: Cambridge University Press 1988; *Responsibility, character, and the emotions. New essays in moral psychology*. Ed. Ferdinand Schoeman. Cambridge: Cambridge University Press 1987.

behaviour share the conviction that human nature as a source for knowledge of the complexities of our moral life is by no means exhausted. As we will see, this basic naturalistic conviction has been central to the early-modern philosophers to be discussed in the following chapters. Thus, while modern research is re-establishing their programme, it is appropriate to reconstruct the intentions of their predecessors.

I shall argue that this particular perspective on human behaviour characterises the Dutch political philosophers discussed here. Spinoza formulated this programme in his well-known phrase:

Philosophers conceive of the passions which harass us as vices into which men fall by their own fault, and, therefore, generally deride, bewail, or blame them, or execrate them, if they wish to seem unusually pious. ... I have laboured carefully, not to mock, lament, or execrate, but to understand human actions; and to this end I have looked upon passions ... as properties, just as pertinent to it, as are heat, cold, storm, thunder, and the like to the nature of the atmosphere.<sup>23</sup>

So when Spinoza ends the first chapter of the *Tractatus Politicus* by stating that the task of the political theorist is to explain the customs and form of the state from 'the general nature or position of mankind', I take it as subscribing to the conception of politics as the behaviour of individuals and collectivities in structured forms of interaction.

## 1 Naturalism

Nowadays naturalism is mostly discussed in ethics, as the view that some things are objectively good, or good by nature and as a matter of fact. The reference to 'nature' being central to any conception of naturalism, the ambiguity of 'nature' itself permits some variance in its more precise definition. More particularly, since 'human nature' is prone to a multitude of mutually incongruous definitions, descriptions of naturalism easily multiply accordingly. Along these lines, the term naturalism could quickly lose any discriminating power and be no more than a general denominator of those moral theories that refer to human nature in their quest for moral objectivity. As a

<sup>21</sup> Lee C. Rice, 'Emotion, appetite, and conatus in Spinoza', *Revue Internationale de Philosophie*, 119-120 (1977) pp. 102-116; Jerome Neu, *Emotion, thought and therapy. A study of Hume and Spinoza and the relationship of philosophical theories of the emotions to psychological theories of therapy*. London: Routledge and Kegan Paul 1977; Frijda, *Emotions*.

<sup>22</sup> Mitchell seems to hold that against the 'fallacy of self-assumed action' of modern political theory, one should understand the present 'human condition' from 'the history of God/nature's concealment and unconcealment': Mitchell, *Not by reason alone*, pp. 132-133.

<sup>23</sup> *Tractatus Politicus*, I, 1-4.

matter of fact, the notion is not likely to become so trivial: many a theorist attacks naturalism from the perspective of human nature. Naturalism always seems to be presented in opposition to an alternative, as in the seventeenth century a fashionable pair of opposites has been natural versus revealed religion. If naturalism in ethics is commonly taken to be the kind of argument which attempts to derive moral obligation from non-moral fact, this is just another pair of opposites. Indeed, the naturalist more often than not is motivated by scepticism regarding the lofty, self-congratulatory, and fact-fiendish moral dogmatism of the moral philosophers. But it would be wrong to conclude from this that naturalists intend just to improve on the moral philosophers' programme by adducing a more solid ground for their conclusions. Naturalists understand morality itself as part of nature. Hence they differ fundamentally from philosophers whose moral ontology provides a basic distinction between 'physical things' and 'moral things' like Samuel Pufendorf,<sup>24</sup> or between noumena and phenomena, like Immanuel Kant.<sup>25</sup> In the naturalistic programme, however, morality is part and parcel of nature. It may be presented as an epiphenomenon, as a mode, or even as a form of nature, but emphatically not as different from or outside nature.

I propose to define naturalism as the conviction that:

1. morality is a natural phenomenon, more particularly that
2. moral obligation is a natural necessity, and lastly that
3. understanding the processes involved in 1) and 2) implies moral relativism.

Seventeenth-century references to the term naturalism are scarce. The widely used notion of natural religion – the principles of (pagan) morality and religion based on natural knowledge, not on revelation – does not necessarily refer to naturalism. We shall see that Pufendorf directed the reproach of naturalism at Van Velthuysen, and critics of Spinoza used the term to describe what was more generally decried as fatalism. Given this tinge of anachronism of the term, I mention here some examples of early-modern naturalism: Grotius's treatment of property, the Machiavellian approach to political behaviour, and the Neostoic conception of fate and morality.

All three examples tap some important aspects of naturalism as understood here. Grotius derives his basic concept of property from a wealth of arguments, most of which concern the 'nature of things', particularly as a consequence of his emphasis on 'use' and hence 'disposal rights'. The famous

<sup>24</sup> Samuel Pufendorf, *De iure naturae et gentium*, I, 1, 2.

<sup>25</sup> Immanuel Kant, *Die Metaphysik der Sitten*, 239.

‘etiamsi’, which declared his laws of nature valid ‘even if God did not exist’, both underlined his naturalism but also veiled its basic theological basis. Machiavelli no doubt stands out in early-modern naturalism, most notably in his articulation of the self-stultifying effects of moralities that do not accord with the principles of nature. In showing that a Christian prince is – on his own principles – morally worse than a ‘good’ Machiavellian one, Machiavelli had opened the path to the critique of ideology as we will find it later on in Spinoza. Neostoicism, lastly, did much to bridge the gap between the conceptual world of Christian virtue and that of efficient action. Reference to the Stoic tradition prompted Justus Lipsius to look for a basic unity of moral and causal ontology. These examples, which evidently can be multiplied with comparable ones from early-modern European scholarship at large such as Hobbes, have been the working material of the naturalists central to the thesis of this book. Naturalism transfigured itself into a full-fledged programme, that helped to reshape political thought fundamentally. Some basic traits of this new programme can be elucidated by referring to a modern analysis of naturalism.

To Strawson we owe a very illuminating conception of naturalism that relates essentially to skepticism. On Strawson’s reading, naturalism is first and above all the position that while we may doubt whether we ever have sufficient justification for factual or moral beliefs, we nonetheless experience as a fact of life that we do have these beliefs and that without these beliefs we are unable to make sense of ourselves as human beings.<sup>26</sup> This form of naturalism, however, seems to give occasion to another one, i.e. to an attempt to provide an ‘objective’ explanation of these experienced ‘subjective’ beliefs.<sup>27</sup> Although we are secure that certain beliefs are part and parcel of our life experience, it seems often possible to explain these beliefs in a distanced, ‘objective’ manner in terms of scientific, often biological theories. As when we experience group identification like *amor patriae* as a real part of our personal identity, this nevertheless can be explained away, as it were, by reference to its genetical foundation in evolution.<sup>28</sup> Strawson then poses the problem whether it is possible, after such an explanation is provided, to continue and experience *amor patriae* as we did before. That is, does not the ‘objective’ understanding supersede the ‘subjective’ one, and thereby give rise to the problem of epistemic skepticism again? Popkin believes it does:

<sup>26</sup> Peter F. Strawson, *Skepticism and naturalism: some varieties* (New York: Columbia University Press 1985) pp. 31ff; skepticism will denote here modern anti-foundationalism, while skepticism is reserved for the historical phenomenon in the sixteenth and seventeenth centuries.

<sup>27</sup> Strawson, *Skepticism*, pp. 35–36.

<sup>28</sup> As in Peter Singer, *The expanding circle. Ethics and sociobiology*. Oxford: Clarendon Press 1981.

The exploration of what assurance we could have after sceptically challenging the previously nicely ordered world showed all innocence was gone, and we could only rely on ourselves and our feelings as guides. The modern [i.e. from the sixteenth century onwards, HWB] sceptic has been in the forefront of delineating what this entails, and in so doing has sought for some naturalistically explicable values, or some kind of blind faith.<sup>29</sup>

Strawson’s question is particularly relevant to the naturalistic programme. Can the results of a naturalistic inquiry into moral matters be ‘translated’ into a new morality in which we feel sufficiently at home? Or does such an explanation of morality estrange rather than reconcile? Do not we need the edifying fiction of moral splendour in order to produce some moral behaviour some of the time? Strawson develops this ambiguity by contrasting the causal method of naturalistic inquiry with the hermeneutical understanding of man’s moral experience.<sup>30</sup> ‘Hard’ naturalists, according to Strawson, tend to believe, however, that the experience of the ‘life-world’ can be subsumed under the causal model. The distinction between ‘hard’ and ‘soft’ naturalism can in the seventeenth-century context for obvious reasons have only been present in contemporary terms. There they appeared in the different dress of teleology, efficient versus final causes or of functionalist explanation. Moreover, also conceptual difficulties in for instance free will, human motivation, or power, have been the context in which implicitly these methodological issues of naturalism have been debated.

Lastly, naturalism is often criticised for mistaking moral sociology for moral philosophy, on the understanding that to describe the origins and social institutionalisation of rules is completely different from the analysis of the obligatory force of moral rules.<sup>31</sup> On at least one reading of the term, naturalism and emotion come together in recent ethics.<sup>32</sup> And we may see why: if indeed naturalism entails the dual analysis of subjective experience – folk morality in the jargon – and objective processes, emotion links both elements on the level of experience. Just as people tend to understand their moral preferences in terms of their feelings or comparable interior states, the naturalis-

<sup>29</sup> Richard H. Popkin, ‘Scepticism, old and new’, in: Idem, *The third force in seventeenth-century thought*. (Leiden: Brill 1992) pp. 236–245, esp. p. 242, the quotation is on p. 245.

<sup>30</sup> See also Peter F. Strawson, ‘Liberty and necessity’, in: N. Rothenstreich and N. Schneider (eds), *Spinoza. His thought and work* (Jerusalem: The Israel Academy of Sciences and Humanities 1983) pp. 120–129.

<sup>31</sup> See e.g. Habermas’s critique of Kohlberg’s programme in his *Moral consciousness and communicative action*. Tr. of *Moralbewusstsein und kommunikatives Handeln* (Frankfurt a/M: Suhrkamp 1983) by Chr. Lenhardt e.a. (Cambridge: Polity Press 1990) pp. 35–41.

<sup>32</sup> See next to the literature cited note 20, *infra*: Stephen Satris, *Ethical emotivism*. Dordrecht: Kluwer 1987, esp. pp. 95ff.

tic observer attempts to explain their moral states as valenced reactions to events, acts, and objects. The moral philosopher may well choose his position vis-à-vis this dual scope of morality, either by stressing his role as a moral educator, participating in the debate of folk morality, or by emphasising his role as outside observer, explaining what goes on. The advantage of emotion as the connecting mechanism of both types of moral philosophy is that it may contribute to overcome the fruitless opposition of the ‘two cultures’ of science and humanities. Indeed, it would be not very helpful to try to edify without theory, or to theorise without any attachment to living issues in society. I shall argue that precisely this interdependence of the dual aspects of morality have been central to the authors on political morality to be discussed in the rest of the book.

On this analysis, whatever anachronism apparently inhered in *naturalism* has been dissolved. We will be concerned with philosophers who aspire to contribute to men’s orientation in the world, from this dual perspective of subjective experience and objective understanding. Naturalists neither deride the day-to-day beliefs and passions as they find them, nor take these at face value.

#### 4 Is-ought: some caveats

In present-day philosophy, ‘morality and causality’ may easily be related to the ‘is-ought’ distinction or be connected to the opposition ‘Notwendigkeit-Freiheit’. Although it would surpass the limitations of this study to enter into a full-fledged analysis of the complicated issues involved in these distinctions, it is relevant to indicate the inherent difficulties ‘is-ought’ presents to an historian of early-modern political thought. On the one hand, it is evident that this distinction as we know it, was not available to philosophers before David Hume, to say the least. On the other hand, recent philosophical developments have undone much of this distinction’s paradigmatic character, together with the assault on the analytic-synthetic distinction.

Living in a post-Humean and post-Kantian world, modern philosophers have shown an almost irresistible inclination to reading the history of moral philosophy backwards, to anachronistic representation of their intellectual past. In more recent years, however, this self-confident bifurcation of the world of facts and that of norms, of phenomena and noumena, has been put under pressure.<sup>33</sup> Philosophers of science and epistemologists admit nowa-

<sup>33</sup> Morton White, *What is and what ought to be done. An essay on ethics and epistemology*. Oxford: Oxford University Press 1981, with references to the seminal work of Quine and Putnam.

days that we lack a reliable conception of empirical meaning and hence are no longer sure about the absence of normative elements in science. Some have therefore dropped the fact-value distinction. Moral philosophers have admitted that we have to live with a radical moral relativism, seeing no stronger argument for our moral convictions than the empirical fact that we happen to entertain them.<sup>34</sup> These, and other even more serious relaxations of long-cherished basic conceptions of Western philosophy, are seen to threaten the philosophical project in Western culture as such.<sup>35</sup> Some are trying to explain how the present predicament necessarily follows from shortcomings in previous philosophical programmes, which as a consequence they are ready to dispose of. Others are happy to draw attention to as yet unexplored and overlooked opportunities in the standard programmes in modern philosophy.<sup>36</sup>

It has been rightly remarked that ‘it is impossible to do justice to ethical relativism if one treats it simply as a philosophical theory and ignores the practical context out of which it arises—namely, the moral differences between individuals and societies’.<sup>37</sup> What is more remarkable is that the empirical sciences are made, in one way or another, to play a negative role in this argument, if any at all. Habermas’s strictures on the technocratic encapsulation of the (social) sciences are too well-known to be elaborated upon.<sup>38</sup> as is MacIntyre’s denunciation of the proto-Kantian formalism of the Scottish moral philosophers, overlooking their important contributions to our understanding of the moral world.<sup>39</sup> Present-day philosophers have joined forces in discounting, or even denying, the philosophical element in the (social) sciences. They seem to argue their own autarkic, superior wisdom by denying the sciences any relevant role in the Western philosophical project.<sup>40</sup> But this surely is a misrepresentation of intellectual history, and by implication of philosophy as well. The coming into being of the (social) sciences has been part of the philosophical endeavour, entailing the formulation of both philosophical questions and suggested answers. The claim of much ‘philosophers-philosophy’ that the ‘real’ philosophical problems, the perennial ques-

<sup>34</sup> John L. Mackie, *Ethics. Inventing right and wrong*. Harmondsworth: Penguin 1977.

<sup>35</sup> Richard Rorty, *Philosophy and the mirror of nature*. Princeton: Princeton University Press 1979.

<sup>36</sup> The literature of this debate is prolific. In the first category is Alisdair MacIntyre’s *After virtue*, in the second is e.g. Hilary Putnam’s *Meaning and the moral sciences*. London: Routledge & Kegan Paul 1978. A good introduction is Stout, *Ethics after Babel*.

<sup>37</sup> John Ladd (ed.) *Ethical relativism* (London: Wadworth 1973) p. 11.

<sup>38</sup> J. Habermas, *Zur Logik der Sozialwissenschaften* (Frankfurt a/M: Suhrkamp 1970) pp. 138ff.

<sup>39</sup> MacIntyre, *After virtue*, pp. 234ff.

<sup>40</sup> E.g. Charles Taylor, *The explanation of behaviour*. London: Routledge & Kegan Paul 1964, definitely a most serious attempt to prove this point, attacks the ‘Galilean’ model of science as hopelessly inadequate in comparison to his philosophical, interpretative approach.

tions, in this process were left to philosophy proper, is an unwarranted one, as can be gathered from a careful study of the process in which different answers to pending questions led to different intellectual and institutional arrangements. The present-day strictures on and re-evaluations of the is-ought divide will inevitably lead to a redefinition of the relations between philosophy and the (social) sciences. In fulfilling this task, the naturalistic programme has an important role to play. In particular, the study of both naturalism and emotion in pre-Humean political philosophy could be greatly conducive to a restatement of present-day formulations of is-ought problems in philosophy as well as in political theory.

### 1 History of political philosophy: distance and similarity

The present study addresses its historical material in first instance in order to better understand a series of more or less pertinent questions about seventeenth-century political thought in the Dutch Republic. No historicist perspective, no urge to find out 'wie es eigentlich gewesen', pre-dominates here, if only for the reason that I would rather stress as the fruit of my historical research some insight in 'how it also has been', or even 'how it might well have been'. The variety of historical reality, its imaginative implications and the ensuing opportunities for new ways of relating a distant and fundamentally different past to our present-day occupations, all of this can only be endorsed if we accept the simple truth that our approach to the past, while trying to broaden our view of the world, nevertheless will always be bound to at least some of our current basic conceptions, concerns, or interests. Nevertheless, in second instance, some central convictions about Dutch seventeenth-century political thought are here defended as well.

A discussion, therefore, of some of present-day conceptions of the history of political thought may be said to be preliminary to the study itself. This is not to suggest that the full articulation of this perspective has been antecedent to my study. Many of the following opinions have been articulated as an outcome of research rather than as its presupposition. In the context of the older literature on the 'value-problem', this remark may seem doubtful, to say the least. According to Max Weber, scientific knowledge can only be produced on the basis of a pre-set and preliminarily formulated method, in order to prevent contamination by value interests (*Wertbezogenheit*). As I shall comment on the relationship between 'knowing' and 'willing' in chapter 7, suffice it here to say that, from a methodological point of view I prefer micro-methodology to abstract grand theories that do no justice to the intricacies of

actual research. The distance between researcher and his object is the overriding category.<sup>41</sup> What Weber's distance does not seem to accommodate is a reflective equilibrium<sup>42</sup> of claims made and justifications provided. In such an equilibrium, a certain similarity between object and representation is added to the distance that is inherent in their relationship.<sup>43</sup> In the domain of the history of political thought, analyses in terms of reflective equilibria are well established. Claims, like e.g. 'Spinoza's was (or was not) a theory of contract', refer one to the meaning of his text, that is to the complex structure of Spinoza's intentions as a political philosopher and thus to texts and contemporaries he was criticising or endorsing, to his conception of the characteristics of the kind of things he was engaged in by being a political thinker, all of which also relates to our own understanding of political intercourse and of political philosophy at large. The equilibrium consists in checking our understanding of Spinoza's argument against that of his contemporaries, and in reflecting on Spinoza's conception of political philosophy in relation to our own.

If there are general rules of the game called the analysis of texts in political philosophy, they evidently refer to a host of more specific 'rules', or rather practices, that have to do with the justification of further justificatory claims made in defence of the actual claim at issue. These practices will range from rules of factual evidence, well-endorsed in actual research, to rules of argumentation, to philosophical reflection on argumentative preferences, like the admissibility of reasoning by analogy. In historical methodology as in moral reflection,<sup>44</sup> we are confronted with a whole array of considerations that are more or less relevant and more or less articulate, and serve mainly as a short-list to stimulate the reflective awareness of the scholar at work. Like human behaviour, scholarly research can be more or less virtuous and in both domains judgements can vary according to the varying weight given to aspects of the acts in question. Not denying, therefore, the possibility of a methodology of the history of political thought, I express my conviction that in actually doing the thing it is central to be aware of the variety of justifica-

<sup>41</sup> Luthe terms this Weber's 'Ethos der Distanz', see Heinz Otto Luthe, *Distanz. Untersuchung zu einer vernachlässigten Kategorie* (Munich: Fink 1985) p. 28.

<sup>42</sup> See for the intended 'Quinean' meaning of the term: *Anti-theory in ethics and moral conservatism*. Ed. Stanley G. Clarke & Evan Simpson (Albany, NY: State University of New York 1989) pp. 10-12; a similarly restricted use is in John L. Mackie, *Ethics. Inventing right and wrong*. (Harmondsworth: Penguin 1977) p. 105.

<sup>43</sup> See Steve Woolgar, 'Reflexivity is the ethnographer of the text', in: S. Woolgar (ed.), *Knowledge and reflexivity. New frontiers in the sociology of knowledge* (London: Sage 1988) pp. 14-34.

<sup>44</sup> Annette Baier, 'Theory and reflective practice', in: Idem, *Postures of the mind. Essays on mind & morals*. (London: Methuen 1985) pp. 207-227.

tory moments, to be borne out in the explicit and implicit reflective qualities of the report. We should rather think in terms of a continuum from good to bad scholarship, than stress the 'only' method; a position that implies that there are better and worse 'only'-methodologies in turn, a matter which can be safely left to the philosophers of history to pursue. Distance and similarity, as the prime elements of reflective equilibrium admit of shades. But similarity without distance is uninformative, while distance without similarity will be blind.

Implicit in these remarks is a conception of the history of political philosophy. In Quentin Skinner's writings which did so much to change the landscape during the last two decades, the history of political thought is strongly distinguished from what Skinner regarded as unacceptable deviations from the small and difficult road he advocated himself. *Ideengeschichte*, historicist pre-occupations, history of philosophy as the pursuit of perennial questions or ideas, historically abstracted textual analyses, all of these previously applauded methodological trends were unfavourably contrasted to the methodological rules Skinner was articulating in the early seventies.<sup>45</sup> Since then, two decades of scholarship by historians inspired by Quentin Skinner and also by John Pocock, or informed by their work, suggest that the rallying cry of methodological purity has been replaced by self-confident historical research exemplifying a few simple methodological convictions. One may say that the so-called 'Cambridge methodology' is no longer hostile to different historical interests, provided their results are historically genuine.<sup>46</sup> Claims in the history of political thought presuppose historical evidence mostly consisting of expressions of political opinions and arguments. These expressions are to be understood in a genuinely historical sense. Their meaning is to be excavated by reference to other expressions stemming both from intended audiences and from other actors on the political scene.

No doubt, even on this down to earth reading of it, the Cambridge methodology is implacably critical of grand theses about 'real' meanings lacking

<sup>45</sup> Quentin Skinner, *The foundations of modern political thought*. 2 vols. (Cambridge: Cambridge University Press 1978) Preface; John Dunn, 'The identity of the history of ideas', *Philosophy*, (1968) pp. 85-104. Quentin Skinner, 'Meaning and understanding in the history of ideas', *History and Theory*, (1969) pp. 3-53.

<sup>46</sup> See e.g. Pocock, *Virtue, commerce, and history*, p. 31. Boucher stresses the continuity and criticises the revisionists Skinner and Pocock for too strong a claim to novelty. See David Boucher, *Texts in context. Revisionist methods for studying the history of ideas*. (Dordrecht: Nijhoff 1985) esp. pp. 251ff. Boucher seems to miss the undeniable change of the discipline's general appearance and its results in the wake of Skinner and Pocock, although he may be right that the original methodological principles of 'Meaning and understanding' are less than flawless. But again, the latter is a matter for the philosophers of history to take into account.

historical content. Apart from real, historical and contemporary persons expressing their views and thus involved in at least some political process, there is no political thought, let alone a history of it. But this is not to deny that discourses can have highly different structures, that historical developments can proceed at a discontinuous pace, and that political problems can be addressed at different levels. A historically genuine history of political philosophy is not historicist *per se*. Evidently there would be no good reason for studying the history of anything if the simple rules of historical enquiry were left aside, what still prevails in the history of political thought is 'a persistent tension between the threats of falsity in its history and incompetence in its philosophy'.<sup>47</sup>

There is, therefore, something to be said in favour of grand schemes in political philosophy as well. If we were to lack a strong feeling of present-day relevance in analysing the history of political thought at a philosophical level, we could not but condone the verdict that political philosophy is dead, or at least merely about the deceased. As a matter of fact, it is not. One may recognise two main arguments underlying its present blooming situation.

A first, and classical argument is that precisely the continuity of basic concerns throughout the history of civilisation demonstrates the universality of political philosophy.

A second argument, on the other hand, stresses the gulf that separates us from history.<sup>48</sup> On this reading, the function of history is a negative one, it is to endorse the novelty of our modern approach which has its own history-independent criteria of adequacy. Both positions can be argued. In actual research, the continuity-discontinuity game will readily dissolve into the more basic categories of analogy and contrast where black and white solutions are less easily obtained. We should not be surprised to see condoning reference made to 'the traditional aims of political philosophy' by an author who proudly stressed the novelty of his trade a few pages before.<sup>49</sup>

In order to answer, therefore, the question whether the history of political philosophy is part and parcel of political philosophy or not – whether it is 'history' or 'philosophy' – next to recalling the wide array of historical claims made by political philosophers, it may seem that posing the question is answering it: the history of political philosophy cannot be adequate to its subject-matter if it does not entail an arguable conception of political philosophy

<sup>47</sup> Dunn, 'History of ideas', p. 85.

<sup>48</sup> Will Kymlicka stresses the differences between old and new political philosophy: 'the traditional categories within which political theories are discussed and evaluated are increasingly inadequate', Kymlicka, *Contemporary political philosophy*, p. 1.

<sup>49</sup> Kymlicka, *Contemporary political philosophy*, p. 8.



itself. Whatever the precise relationship between political philosophy and its history, however discontinuous its relationship, it is bound to exhibit some continuity; however continuous on the other hand, some discontinuity will inevitably show. Any decision on the precise relationship is in fact a historical claim, and making this kind of claim, it seems, is something political philosophers of whatever inclination are eager to do anyhow.<sup>50</sup> It may thus be best to put forward my own claims in turn and discuss them, in an attempt to indicate what kind of problems, what type of philosophy is at hand in this study; a study which intends to profit from the laboratory of history in order to better understand the perplexities of our present-day world.

### 1 The historical theses

Which are the main substantial claims made in this study? What contributions did Dutch political thinkers of the seventeenth century make to the understanding of politics as a moral endeavour and as an empirical phenomenon? Moreover, how have these two aspects been interrelated in their interventions in Dutch political life?

We shall see that while various alternative avenues were open to these philosophers, some topics became central in their contributions. To elucidate what these topics amount to, and what makes them interesting as a contribution to our understanding of man and society, is the first object of this study. The second object is to provide an analysis of political thought in the Dutch seventeenth century as it exemplifies these topics. And to the introduction of this second objective I now turn.

My contribution is confined in scope. I will be concerned with the debate on human nature and politics in the seventeenth-century as it developed in particular political circumstances in the Low Countries. Its domain is that of moral and political philosophy as it was understood at the time. Its history is made up of a highly complex set of questions about how man behaves and should behave, how men organise themselves and how they think that should be done, for short, about causality and morality in human society. To illustrate my central concern, I here a short discussion of teleology as it imposed itself on some of the greatest minds in the period at hand. Indeed, the seventeenth-century debate on teleology expresses poignantly the con-

<sup>50</sup> A recent example is the debate on the 'Enlightenment Project', and its supposedly obnoxious consequences for modern philosophy, as started by MacIntyre's *After virtue*, the subtitle of which (A study in moral theory) does not match the historical implications of its title.

cerns about morality and causality, since it not only relates human endeavours to the order of nature, but does so under the uncertain aegis of final and efficient causes.

At first sight there can be little doubt of the paramount role of teleology in any theory of human behaviour. Men act for ends, so it seems, and thus the organisation of human behaviour undoubtedly is readily simplified by three principles: (1) men act in order to attain goals; (2) the goals to be acted for can be articulated; and (3) these articulated goals are adopted. That is to say, to solve the problem of how to act, the concepts of acting for a purpose and of choosing the right purpose are very promising. If a person is in doubt about what he or she should do, the solution is near at hand whenever he or she can be secure that the most important thing is to choose the right purpose or goal. The three principles mentioned, however, are far from evident. Conceptions of goals to be acted for, let alone of the ultimate goal or *summum bonum*, are far from congruous. Besides, knowing a goal may not self-evidently lead to its adoption. Moreover, not all human behaviour is goal-oriented in this conscious sense. As Machiavelli had demonstrated, necessity often forces man to do what he did not opt for. Lipsius, also, regarded fairly large domains of human endeavour as being outside men's power. Aiming at Stoic *constantia*, Lipsius elaborated on the problem of adjusting man's duties to the possibilities of necessity. Man ought not desire what he cannot achieve, and this applies to individual morality as well as to politics. Man has to live according to nature, as Lipsius's Stoic precursors explained.

Therefore, a conception of man as part of nature becomes an inevitable ingredient of teleology. From a different perspective, teleology can be analysed as a way to conceptualise man's need for information in order to reduce the uncertainty surrounding his decisions. If we see information as the set of behavioural alternatives together with their probabilities of success, one may appreciate the opportunities of the teleological mode in organising man's behaviour. In particular the dual reference to an ultimate goal (that is, the overriding behavioural alternative that ought to be successful) and to the order of nature (that is, the full set of behavioural alternatives and their probabilities) provides a richer and more useful informational set than traditional rules of morality can provide. Without being able to actually determine the contents of teleology, however, paradoxically, uncertainty is being increased instead of being reduced.

The Stoic formula *convenienter natura vivere*, therefore, is in the absence of 'full' information quite naturally complemented with the adage of *constantia*, the principle to bear the adverse effects of fortune that nature is bound to produce. The alternative strategy, naturally, was to re-impose man's ultimate

goal on nature's order. Grotius understood the teachings of nature along these lines, underscoring the normative force of natural necessities, like human weakness, or *imbecilitas*, and of right reason, *recta ratio*, as exemplified in the common notions, *notiones communes*. The more audacious natural philosopher, however, did not use nature as a corrective of the *summum bonum*, but as its criterion. Burgersdijk referred to Aristotle to this effect. Morality is not to fight nature, but to perfect it. Looking at the nature of man, he formulated the goal of human endeavour. The subject-matter of morality is the active life, not wisdom. Human action is the outcome of the emotions, that guided by reason, develop into moral practices. But for all his reliance on philosophy as a discipline separate from theology, Burgersdijk, or any of these natural philosophers, would accept the mere possibility of irreligious consequences of their investigations. All did care to make their systems comply with fundamental dogmas of Christian belief. As a further analysis of their conception of *liberum arbitrium* will indicate, they shared the assumption that human decisions are the secondary causes by which God realises his plan. The order of nature, of which God is the first cause, is such that man ought to co-operate in its fulfilment. The analysis of human action as the outcome of human nature therefore brings a further requirement: that of discovering the purpose of this world as God's creation. But unlike theologians such as Thomas Aquinas who would ultimately take refuge in revelation, the emphasis on the causal analysis of human nature made them confront the problem of the rationality of nature from a different perspective. This interconnection between the rationality of nature and human rationality can be described as the naturalists' problem of teleology. What is natural about morality? How moral is nature? The ambivalence of teleology is given by its opening the Pandora's box of uncertainty, at least in the situation of incomplete knowledge. Precisely by investigating the relationship between 'inadequate ideas' and 'adequate ideas' the most uncompromising naturalist, Spinoza, dissolved the implicit bond of teleology with Christian religion. He subsequently was in a position to deconstruct the notion of teleology from which the naturalistic movement started.

Teleology was but an element in the naturalistic movement, albeit an important one. With hindsight one may suggest that solving this problem constituted one of the main avenues in secularizing the Western approach to man and society. I shall in later chapters note the differences between the several attempted solutions. But behind these, a common denominator can be established: the theoretical exploration of the interdependence of structural entities – man, society, state – in both their factual and goal-directed aspects. No doubt many modern analyses of this and comparable sets of

problems are available. I shall be exploring the answers in their historical setting, for specific reasons, and with some explicit expectations. These reasons and expectations can be summarised along the following lines.

#### 1.1 As a mitigation of one-sided views of seventeenth-century Dutch political philosophy

Notwithstanding vehement debate, which enjoyed a remarkable wide impact, some historians still wish to stress that much of Dutch political philosophy is plagued by a lack of practical relevancy. And if it was relevant, they maintain, this is because of its overtly ideological nature which bars it from achieving any impressive level of theoretical profundity. The models for historical analysis inherent in this view, it seems, are either those of established political thinkers in other countries (Bodin, Hobbes), or those of ideological rhetoric in the context of party bickering. In particular the *politica* of the academies suffers the severity of this judgment. However, there has been more coherence among political thinkers of the Dutch seventeenth century than generally is supposed.

Similarly, one should understand the fate of Hobbes in the Republic. The many, often tiresome comparisons of Spinoza with Hobbes, or De la Court with Hobbes, in my opinion misdirect our attention and overlook the fact that unless one understands why it was rhetorically useful for a Dutch political thinker to refer to Hobbes – in order to improve on his text with Hobbes's endorsement or with a refutation of Hobbes – such comparisons lose their historical relevance. Comparison of words alone does not lead to understanding of the meaning of these words.

#### 1.2 As a correction of the misrepresentation of the scientific element in moral philosophy

Some modern qualifications of academic political philosophy reflect the present-day deprecation of teaching among academics. Schoolbook writers and pedantic orators they were, of whom no one could expect great or revolutionary insight. Although some professors in the academies indeed were pedantic and pedestrian alike, this was not generally the case. One may very well take serious their attempts to improve the quality of scholarship, and investigate its consequences in their theories.

Burgersdijk's adage 'to investigate the causes of things' is on a par with Spinoza's wish to study politics according to the practice of natural scientists. Not only were these philosophers conscious of what they intended, they had good reason to believe they were practising what they intended.

1.3 *As a contribution to modern discussions on ethical naturalism by reviving some early-modern attempts*

Naturalism in the early-modern period is too often identified with the tautological contributions of eighteenth-century natural law philosophers like Wolff. This masks earlier more successful attempts and their even more successful outcomes. In particular a more precise understanding of what connects the discussion of teleology in Francis Hutcheson, David Hume, Adam Smith, or Immanuel Kant to their seventeenth-century precursors may prove of value for present-day theory of action and moral philosophy.

1.4 *As a contribution to the historiography of seventeenth-century Dutch political philosophy by opening up a line of research that integrates the supposedly different vocabularies in political philosophy*

A certain taxonomic predilection in the historiography of Dutch seventeenth-century political thought may leave the impression of an incoherent pluralism. Notwithstanding some significant exceptions, the presentation of political philosophy in this respect has suffered from a lack of in-depth analysis of real problems that would permit the integration of a series of political philosophers in the Low Countries around a shared programme. My analysis is an attempt to establish such a discourse.

## 1 The core of the argument

I present the rise of naturalism by discussing Justus Lipsius and Franco Burgersdijk in the first place. We find in their work a highly innovative approach to man and society, to individual morality and political thought. Notwithstanding a predominantly classical orientation, both philosophers were aiming at an emulation of their ‘authorities’, Cicero, Seneca or Aristotle. They restructured and reformulated the ideas and theories of their precursors to the point of changing and redirecting their pursuits.

Lipsius, and more importantly Burgersdijk, set the agenda of seventeenth-century moral and political philosophy. Formulating a philosophy for the young Republic of the United Provinces they came forward with a practical solution of problems that elsewhere in Europe gave rise to a remarkable retreat to the sceptical stance. This is the proper path of political philosophy: problems are solved by *fiat*, but only if supported by the appropriate facts.

Solutions run into their own problems in due course, however, and we shall be dealing with a series of these problems that may be said to belong to

the Lipsius-Burgersdijk research programme. Part of these problems arose in re-thinking the matter of reason-of-state, already so prominent in Lipsius, during the 1640’s and virtually the whole of the second half of the seventeenth century. While Grotius once believed that a strong republic was one based on military virtue and should keep free from commercialism, the Republic became inescapably commercial. So political theorists had to confront the question of a strong republic from a commercial point of view, and to adapt the European vocabulary of reason-of-state to their own situation. De la Court and Spinoza are the outstanding representatives of this development.

Another element of the Lipsius-Burgersdijk programme obtained a new meaning under the aegis of modern conceptions of philosophy. From the perspective of the particular new movement of Dutch Cartesianism as presented by Burgersdijk’s pupil Adriaan Heereboord and the Utrecht professor of medicine Henricus Regius, Lambert van Velthuysen set out re-thinking the basis of politics in terms of an elaborated system of naturalism. This ‘new science’ of politics involved reliance on the self-contained powers of social morality, in order to overcome the dangers of anti-liberal absolutism inherent in the Grotian model. It influenced in its turn both De la Court and Spinoza, in particular in their interpretation of Hobbes.

Although Burgersdijk felt secure about the separation of philosophy from theology, philosophy was not going to be let alone by religion. So, pressed by the old problems of church-state relations, once again political philosophy was permeated by these questions. Velthuysen’s teleology was but one way to formulate the issues and to claim the independence of politics from religion. De la Court rather stressed the political dangers of meddling ministers, preferring political institutions that gave full reign to calculated self-interest. Spinoza’s was a further step in the same direction, combining the naturalism of the ‘new science’ with a fully elaborated conception of God, nature, religion, and politics.

As shall be described in the following chapter, Dutch political philosophy was permeated by the problems of a liberal but absolutist state. In particular, De la Court and Spinoza propounded interesting and daring answers to these vexing problems. It is the irony of history that their original radicalism did not develop into a school of political thought within the Republic. This theme is developed in the final chapter, in a short discussion of the aftermath of naturalism in the work of Willem van der Muelen, Simon van Slingelandt, and François Hemsterhuis.

In short, I have been exploring Dutch seventeenth-century political thought in an attempt to answer my original question about the scientific character of

the political thought of in particular De la Court and Spinoza.<sup>51</sup> Interestingly this question dissolved into a set of particular questions about the substance of their theories, instead of leading to a general discussion of seventeenth-century conceptions of science, as I originally surmised. Presumably both the topicality and the specific conceptual problems of their theories provided more perspective to an understanding of their intellectual pursuit than a methodological approach *tout court*. The intellectual and political context became dominant in the analysis, although connected to methodological questions. Naturalism, the related distinction of normative and descriptive, and teleology in the context of a new approach to causality is at the heart of the matter.



<sup>51</sup> See my 'Political science in the Golden Age. Criticism, history and theory in Dutch seventeenth century political thought', in: *The Netherlands' Journal of Sociology*, (1979) pp. 47-71.

## DUTCH POLITICAL THOUGHT AND INSTITUTIONS

### CHAPTER II

*Concordia res parvae crescunt*

THE ANALYSIS OF DUTCH seventeenth-century political thought cannot shy away from accounting for the peculiar position of the Dutch political system within the European political scene. Much research has been devoted to peculiarities in many domains of Dutch life and society. From seaborne empire to daily life, from a staple market of learning to religious bickering, from humanist erudition to the rise of the mechanistic worldview, from financial clearing house to economic decline, an extensive array of topics has been the subject of specialised research by both Dutch and foreign scholars.<sup>1</sup> Our understanding of the political institutions has profited enormously in the process. On the one hand, since the period under discussion can be generally characterised as that of nation-building and the formation of the modern state, one is impressed by the highly variegated nature of developments that seems to defy subsumption under simple concepts, like centralisation,

<sup>1</sup> For an overview of the literature see *Kantelend geschiedbeeld. Nederlandse historiografie sinds 1945*. Ed. W.W. Mijnhardt. Utrecht: Spectrum 1983. Recent studies comprise Van Deursen, *Plain lives*; Jonathan Israel, *Dutch primacy in world trade, 1585-1740*. Oxford: Oxford University Press 1989.

bureaucratisation and comparable categories. On the other hand, while it may leave the impression that politics never really emancipated itself from this wide array of societal and economic structures, politics cannot be reduced to these structures. Hence it may be expected that the political thought of this merchants' nation in the period reflects this lack of a clearly defined, self-contained political structure in the Dutch Republic.

In this chapter, I shall present some of the relevant history and concomitant considerations in order firstly to admonish against unduly simple reconstructions of the matter, and secondly to present the major political questions that I surmise to have been structuring political thought in the Republic. This approach should, however, not be regarded as an explanation of the political thought discussed in the remainder of this study; that could easily lead to the crude type of explanation by circumstances that is always inconclusive and, leading to grand perspectives, prone to hamper the understanding of political thought. My attempt here is first and foremost designed to give an additional and separate presentation of Dutch politics as a reminder of the kind of problems that in the rest of this study I will be discussing from the different perspective of the history of political thought and in the manner methodologically appropriate to it.

### 1 Causes and intentions explaining Dutch political thought

The historical overview in this chapter is to prepare the way for the political thought of the later chapters. Since I started this research intrigued by Kossmann's well-known verdict that the Dutch had been in great difficulty to establish an appropriate theoretical underpinning to their newly won independence,<sup>2</sup> I have ever been keenly aware of the less than self-evident nature of the relationship between political practice and theory. The remainder of the book will indicate the basic correctness of Kossmann's insight albeit with some important qualifications. Indeed, there is little, if any, transparency in Dutch political thought: desires, traditions, interests, all contributed to confusion and obfuscation of the manifold reality of political life. At least, that is how the writings of these political thinkers appear before the better-informed eye of the modern reader. Political thinkers seldom aim at the same distanced objectivity as their later historians can afford. Moreover, historical interests carry preoccupations of their own. The historian of political thought, in particular, is driven by this one preoccupation to make the his-

<sup>2</sup> E.H. Kossmann, *Politieke theorie in het zeventiende-eeuwse Nederland* (Amsterdam: Noord-Hollandse Uitgeverij 1960) pp. 7-8.

tory of political thought matter for our understanding of the historical world in which it flourished. That is, confusion and bewilderment are bonanza for the historian of political thought, if only he desires and achieves to make them work.

To understand and explain the apparent inconsistency between theory and practice is partly done by reference to down-to-earth interests, seeing political ideas as the ideological expression of socio-economic position. Here, rationalisation and rationality prevail. On the other side, a sociological approach suggests itself, taking the spillover of social norms into the realm of politics as its starting point. A prime example of the first approach – that of intentions – is to be found in the writings of Geyl, while the latter – in terms of causes – characterises the work of Van Deursen.<sup>3</sup> This corresponds to the distinction between pull and push types of explanation, presented by Elster.<sup>4</sup> Whereas evidently pull (intentions) and push (causes) join forces in producing human behaviour, the most interesting explanations are to be found where calculation and norms are integrated into some structural scheme. The theories of ideology one finds in De la Court or Spinoza are of this kind; they expose the dark side of man by stressing his brighter sides.<sup>5</sup>

My first perspective is to look at the meaning and ramifications of the alleged opposition between the Republic's strength and its institutional incompetence. Various qualifications of a 'strong state' shall be considered. Next, I shall go into the problem of absolutism, as an unresolved question in the politics of a 'free' republic. The resulting picture of Dutch political institutions and political thought aims to indicate that a pervasive theme in the Dutch Republic can plausibly be said to have been the development of a viable argument about the preconditions of a strong, free state, and that against all appearances such an argument slides into a discussion of absolutism in the Republic. One will see that Dutch political thought generally did not succeed in breaking out of the boundaries set by more mundane ideological schematisation. Or, to put it differently, I shall argue that the extraordinary political experiment which the Dutch Republic was, permitted as much the development of a novel understanding of politics as it did limit the possibilities of the development of a unified ideological commitment to dogmatic

<sup>3</sup> E.g. Pieter Geyl, 'Het stadhouderschap in de partij-literatuur onder De Witt', in: Idem, *Pennestrijd over staat en historie*. (Groningen: Wolters-Noordhoff 1971) pp. 3-71; A.Th. van Deursen, *Plain lives in a Golden Age. Popular culture, religion and society in seventeenth-century Holland*. Cambridge: Cambridge University Press 1991

<sup>4</sup> Jon Elster, *The cement of society. A study of social order* (Cambridge: Cambridge University Press 1989) p. 97.

<sup>5</sup> This structural interdependence is the topic of Raymond Boudon's theory of ideology in *The analysis of ideology*. Cambridge: Polity Press 1989.

principles that proved so successful in fostering the political strength of other European countries.

## 2 Between political strength and institutional incompetence

Les politiques grecs ... ne reconnoissoient d'autre force qui pût les soutenir que celle de la vertu. Ceux d'aujourd'hui ne nous parlent que de manufactures, de commerce, de finances, de richesses et de luxe même.<sup>6</sup>

It is a commonplace to describe the political structure of the Dutch Republic as an institutional failure.<sup>7</sup> The federal structure and its decision-making rules are regarded as conducive to particularism and immobility, to oligarchic exploitation and general political weakness. Dutch deliberation with its complicated procedures of consultation proceeded while their wars were lost.<sup>8</sup> And, indeed, there is no question that the absence of an unified state and the preciously guarded provincial and local privileges put severe demands on the abilities of the governing bodies of the Generality in The Hague to arrive at decisions in fiscal, military and diplomatic matters. It was definitely going against the grain of the secular trend in other European states where taxation, army and diplomacy, together with other political matters were increasingly ruled from and monopolised by the centre.

In particular the various proposals to change some of these procedures in order to arrive at a more unitary structure that could impose itself on factional interests, and permit swift and adequate decision-making suggest that the Republic's institutions were a failing relict of the past. This has been a dominant view among historians, eager to point out that this incompetence proved itself precisely by an incapacity to adjust to changing circumstances.<sup>9</sup> Since 1648 the Dutch did not win their wars, their economy declined and consequently their international prestige dwindled. A cultural decline is also pointed out. The heyday of the Golden Age being over, the Dutch became tributary to foreign culture, reproduced and vulgarised in an eclectic and complacent way.<sup>10</sup> Needless to say, this gloomy picture was first painted dur-

<sup>6</sup> Montesquieu, *De l'Esprit des Lois*, III, 3.

<sup>7</sup> See, i.a. J.W. Smit, *Fruin en de partijen tijdens de Republiek* (Groningen: Wolters 1958) pp. 155-160.

<sup>8</sup> Although one might discuss the outcome of the second Anglo-Dutch war (1667), in a strict sense of the word 'won' the Dutch never carried the day on battlefield or at sea, though they were not always unsuccessful at the negotiation table.

<sup>9</sup> See for a general overview: Mijnhard (ed.), *Kantelend geschiedbeeld*, in particular the chapters by Wijnand Mijnhard and Eco Haitsma Mulier.

<sup>10</sup> Simon Schama, *The embarrassment of riches. An interpretation of Dutch culture in the Golden Age* (New York: Knopf 1987) pp. 598-600.

ing the nineteenth century, presumably in an attempt to demarcate the promising new unitary state from its dismal predecessor. It has since been repeated, modified and adjusted to new research. But it still attracts, as does the hypothesis of the embarrassment of riches.<sup>11</sup>

This alleged institutional incompetence may well be viewed in another light. Could not it be that, although Dutch politics went against the secular trend, it was precisely in these particularities that its strength and its power for survival have to be located?<sup>12</sup> Moreover, could it not also be that for the very same reasons the analyses of the political thinkers of the period have been more adequate than the bias of hindsight has led modern historians to believe?

In economic history, interestingly, the debate on the decline of the Dutch economy is recently changing in this respect. From describing the overall trend in economic downfall attention is redirected to a more detailed analysis of its causes and a discussion of whether this particular national economy, on this particular geographic location, within the developing international economy, could have performed otherwise. There are now sufficient indications that what seems to be decline may as well be described as return to a more normal functioning after a bountiful flourishing made possible only by very specific circumstances.

The political institutions, although derived from tradition and prolonged by its inherent inertia, were strongly interwoven with the economic characteristics and developments in the Republic. In consequence, one may expect the same to hold true for a political theory based on the commercial nature of the Republic. I shall shortly discuss less obvious ramifications in the various ways in which push and pull processes interlinked in producing the remarkable vitality of the Republic.

## 3 Aspects of a strong state

In a summary review of the fiscal power of the Dutch Republic in the seventeenth and eighteenth century, Wantje Fritschy argued that the per capita expenditure on the army consistently exceeded that of England.<sup>13</sup> Even during the eighteenth century, supposedly the period during which the Republic

<sup>11</sup> Schama, *Embarrassment of riches*, pp. 255-257, for the allegedly stultifying effects of 'self-celebration'.

<sup>12</sup> A positive answer to this question is the guiding principle in J.L. Price, *Holland and the Dutch Republic in the seventeenth century. The politics of particularism*. Oxford: Clarendon Press 1994.

<sup>13</sup> J.M.F. Fritschy, *De patriotten en de financiën van de Bataafse Republiek. Hollands krediet en de smalle marges voor een nieuw beleid (1795-1801)*. Leiden: Hollandse Historische Reeks 1988.

neglected its defence, she estimated that per capita expenditure was approximately 1.4 times that of England. Holland's expenditure per capita was even higher, about twice that of England. She further maintained that it is highly improbable to suppose that a more centralised financial system would have improved matters in the Republic, but more plausibly, would have been conducive to the opposite outcome. Although per capita income in the Republic at the end of this century was slightly higher than in England, total expenditure of course was inferior in proportion to the difference in population between the two countries. The changing practice of sea warfare made this difference more and more to the disadvantage of the Dutch. In so far as a small nation can be strong, the Republic did not show badly, and it is justified to say that the eighteenth-century Republic was producing a war effort that was not below its seventeenth-century performance.

Fiscal strength is one side of national strength but, in a period in which the major part of the state's income was spent on warfare, a very significant one. Of course, the particular employment of this strength, i.e. the military and diplomatic strategy is also a relevant factor, as is its ultimate basis: economic performance. Nevertheless, it seems plausible to suppose that a sustainable high level of fiscal extraction, which does not endanger the economy, is a valid indicator of national strength. Whether this strength conserves itself in the theatre of international politics is related to the power of other nations. It may well have been that in this respect the Dutch expectations exceeded the possible, and that they overlooked Machiavelli's saying that one ought not to desire what cannot be obtained.<sup>14</sup> So it could be a matter of discussion whether this high level of taxation had been put to good use.

The process in which the war effort during the first half of the seventeenth century and after was sustained, is discussed in much detail by Marjolein 't Hart and Eduard Dormans.<sup>15</sup>

The income of governments in the Republic was produced by a great variety of means, had a very broad incidence, and maybe even more importantly, was mainly collected in direct relation to its expenditure. Admiralties collected their own duties, just as drainage boards. Property tax was levied from 'capitalists' when the estimated value of their property exceeded 2000 Guilders. Since the credibility of merchants depended on their wealth, paying

<sup>14</sup> Machiavelli, *Il Principe*, III, 12: ma, quando non possono [acquistare], e vogliono farlo in ogni modo, qui è l'errore et il biasimo.

<sup>15</sup> Marjolein 't Hart, *The making of a bourgeois state. War, politics and finance during the Dutch Revolt*. Manchester: University of Manchester Press 1993; E.H.M. Dormans, *Het tekort. Staatsschuld in de tijd der Republiek*. Amsterdam: NEHA 1991.

property tax was a contribution to the merchant's credit. Similarly, as taxes were used to pay the interest on government bonds – a commodity highly distributed among the population – the system of taxation had an appeal to self-interest as well. Negative attitudes tended to be directed towards the tax farmers – an institution eventually to be discarded after the unrest of 1747.

To give a general idea of the particular sources of national fiscal strength the different sources of income can be summarised as follows:

1. Estates.
2. Direct taxes, excises (as on salt) and customs.

Direct taxes, or *verponding*, was levied on property. In times of great need the ordinary *verponding* was supplemented with an extraordinary one (2nd and 3rd *verponding*).

Excises on beer, grain, salt and cloth were a main source of revenue, together with market duties and deed duties. Indirect taxes in particular were raised drastically in order to meet the growing demand of government.

Duties levied by drainage boards for the maintenance of dikes were a continuation of an old, established practice of Dutch decentralised fiscality. Customs to some extent reflected the same tendency.

3. Debt (including that proceeding from the sale of offices) was incurred on the basis of bonds, *lijfrenten* and *losrenten*, issued by the Holland and Union receivers. Although performing at low interest rates, they enjoyed high credit. Incidentally bonds were issued by the Bank of Amsterdam (est. 1609) as well. By 1648, Holland's debt was between 125 and 147 million guilders, i.e. over 53 % in the 1650's. An important reason for this was a general fear for arrears in payment of soldiers (ca. 1/3 of the debt).

't Hart draws attention to the integrative aspects of high taxation as may arise in specific circumstances:

Yet in more fortunate cases of early modern taxation, institutionalization of taxes within the setting of property rights ensured internal stability and facilitated enduring coalitions between state and domestic élites.<sup>16</sup>

Although the Republic surely was a borderline case in this respect, in that the state itself was more an epiphenomenon of coalitions than a clearly defined partner in such coalitions, the effects of the particular fiscal arrangement were no less integrative. Property and property rights were geared to a high

<sup>16</sup> 't Hart, *Bourgeois state*, p. 121; for a detailed analysis of the processes involved in the articulation and execution of tax policy during the first half of the eighteenth century, see Johan Aalbers, *De Republiek en de vrede van Europa. Deel I: Achtergronden en algemene aspecten* (Groningen: Wolters-Noordhoff 1980) pp 61-150.



level of fiscal extraction and hence more than anything else can be said to have been the basis of the Dutch state.

A second important result of these studies is the establishment of an unexpected relation between taxation and expenditure. Dutch public expenditure had a high incidence of what is nowadays called privatisation: the provision of public services by semi-private organisations on the basis of an appropriate budget, collected according to a fiscal monopoly granted to the association concerned. The main examples here of course are the two Indian Companies and the five Admiralties.

[Holland] acquired the reputation of being the most heavily taxed nation in Europe. Excises came to be thought of as a typically Dutch measure. ... "Dutch" was also the principle of equality in taxation, resulting in a broad tax base, which was a major point of difference from Europe as a whole.<sup>17</sup>

It seems warranted to conclude that the high 'political ceiling of taxation' arose partly from the principles of equity involved, partly from its adaptive interconnection with the economic process itself, and partly from the close relationship of tax collection and expenditure. Not that taxation went without opposition,<sup>18</sup> but while the incidence of outright tax revolts was very low, opposition mainly took the form of bickering about apportionment between and within the seven provinces, and about the relative share of the different tax instruments. Many cross-cutting cleavages prevented the development of straightforward contradictions, as e.g. between city and country.

More importantly, as a consequence of the repeated failure of the provinces to provide their share in the war burden, the Union had been forced to fund the war by loans. The ensuing debt became an important rationale for taxation henceforth. It thereby proved to be a forceful reason for further compliance with high taxation on the part of the magistrates involved, since they themselves had provided the loans.

The ways in which taxes were collected, together with the very close relationship of collecting and spending, made the advanced management of public credit in the Dutch case one of the major reasons why the incidence of bureaucratisation was low.<sup>19</sup> At least from an economic point of view there are strong arguments to support the thesis that the so-called institutional weaknesses of the Dutch Republic were in fact conditions for its strength. To conclude thence that this was evident to the political actors themselves, how-

<sup>17</sup> 't Hart, *Bourgeois state*, p. 137

<sup>18</sup> See Rudolf M. Dekker, "Wij willen al den duyvel aff hebben!" Protesten tegen belastingen in het verleden', in: J.Th. de Smidt, et al. (ed), *Fiscaliteit in Nederland* (Zutphen: Walburg Pers 1987) pp. 33-44.

<sup>19</sup> 't Hart, *Bourgeois state*, pp. 179-180.

ever, is unwarranted. As Fritschy has argued, it had been the absence of a clear insight into the totality of the national debt that made its continuation possible.<sup>20</sup> In this respect, an 'invisible hand' provided its beneficial effects precisely by being unseen. I pursue this line further by discussing general trends in the articulation in political ideology of the principles of political strength. In particular, the connection with freedom will be addressed.

It may be helpful to introduce here some of the historical categories that are used throughout my argument. I shall use Dutch terms where ever I refer to institutions, offices, or movements that would be described in an unspecific way by translations. 'Regenten', the plural of 'regent', refers to citizens who participate in government. These citizens composed the patrician order of society, and were prone to regard themselves as the aristocracy, to which can be added the Dutch nobility in so far as it continued to play a role in politics. 'Stadhouder' describes a political function in the provinces. Originally the lieutenants of the Burgundian and Habsburg lords, stadhouders were appointed by the Provincial States. Since the first Prince of Orange in the Nassau family, William the Silent (1533-1584), it was always invested in a member of the Orange-Nassau dynasty. The periods in which there was no stadhouder, or only in a minority of the seven provinces, hence are called stadhouder-less periods (1650-1672; 1702-1747). Cities were governed by a vroedschap – a college of aldermen – together with two or more mayors or burgemeesters. Cities which had a vote in the Provincial States, would send their deputies to the meetings of the States, together with the nobility. The seven provinces in their turn were represented by their deputies in the States General, the administrative operations of which were run by a Raadpensionaris. This Raadpensionaris was also the Pensionaris of the States of Holland, giving the most important province an advantage, particularly in foreign policy. The party favouring government without a stadhouder were called partisans of the States, or 'staatsgezinden', their opponents 'prinsgezinden' or Orangists. But this distinction along party-lines should not obscure the role of 'faction' in Dutch politics, in many a situation much more influential than 'party'. In times of a stadhouder the army would have the Prince as its captain-general, though not by institution: the captain-generalship was a separate function. Among several agreements of resistance against Spain, the Union of Utrecht (1579) was the most important one. Concluded by a few provinces and some noblemen, other provinces and cities joined during the year. Some, like Antwerp, opted out or were forced to do so, while others joined during the years of the Revolt, making the Union in the end the fun-

<sup>20</sup> Fritschy, *De patriotten en de financiën*, pp. 71-72.

damental document of the United Provinces. Whereas the Union still expresses the climate of religious toleration, so essential to the original coalition against Spain, the later years of the Republic are dominated by the religio-political strife that is epitomized in the Synod of Dordt (1618-9). During the Truce of 1609-1621, while both in Spain and the United Provinces war and peace factions were contending the respective policies, religious and political objectives became more entangled. On the one hand the problems of predestination and grace divided the Reformed Church into the latitudinarian Arminians or Remonstrants and the orthodox-Calvinist Gomarists or Contra-remonstrants. Jacobus Arminius (1560-1609) and Franciscus Gomarus (1563-1641), both professors at Leiden University, had set the scene for this consequential theological conflict. The acting Raadpensionaris Johan van Oldenbarnevelt (1547-1619), with the assistance of Hugo Grotius (1583-1645), attempted to put the principles of toleration of the Union into practice, but thereby became an easy target for the orthodox Calvinists who had become much more powerful than they had been in 1579. This stigmatization created an opportunity for the stadhouder Prince Maurits (1567-1625) to forge a winning coalition to strengthen his own position, to put Van Oldenbarnevelt *cum suis* to trial, and to send the Arminians into refuge. Since then Arminians and staatsgezinden became natural allies, while a suspicion of heterodoxy dogged the regenten in general. To educate the personnel of the emerging state, a series of universities were established during the first half of the seventeenth century, following that of Leiden University in 1575. Here ministers of the church, lawyers and doctors received their training, while latin schools took care of basic education. Literacy evidently was a great asset in a commercial society, but came also to fruition in a prolific production of non-academic writing of pamphlets, broadsheets and booklets on politics and religion. Especially around the middle of the seventeenth century political pamphleteers and the religiously heterodox (like Collegiants and Menonites) claimed and obtained the attention of a wide reading audience.

In this context, liberty and absolutism are central notions of political ideology. In the course of the argument I shall have ample opportunity to present liberty and absolutism in their various shades of meaning. However, it may be helpful to give a general idea before getting to the details. Liberty sometimes refers to religious liberty, as when in the sixteenth century it was taken to consist in freedom from the Spanish inquisition. It sometimes refers to political liberty, as the situation in which local authorities are left the enjoyment of their privileges, or citizens the use of their property, or in general when a political actor or entity is *sui juris*, by right acts upon his own decision. Liberty typically is a relational concept, and hence takes its particular mean-

ing from the context in which it functions. The same applies to absolutism. Since absolutism found its conceptual origins in the notion of *legibus solutus*, developed by 'les politiques' in sixteenth-century France, it is most easily associated with absolutist monarchical rule according to reason of state not encumbered by popular influence, or legal constraints. Since, however, one of the pivotal arguments in defence of absolutist monarchical rule is the ruler's independence in commanding his state, absolutism can also come to designate actual independence of a body politic in decision-making. On this last reading of absolutism, the connection with liberty becomes an interesting one. While on the first reading an absolutist monarch is free vis-à-vis his subjects, which are bound by any law that pleases the monarch, the purpose of this arrangement is that the state as a whole shall be free vis-à-vis other states. But whereas the liberty of citizens is thus endangered by monarchical absolutism, on the second reading of absolutism a free state cannot avoid aiming at its own version of absolutism vis-à-vis other states. This way of distinguishing the normativity of liberty from the actuality of absolutism, however, becomes easily blurred by the further consideration that in free states themselves are likely to arise patterns of absolutist rule, like oligarchy. In using the terms liberty and absolutism, I will be referring to this conceptual space although in each particular case the precise meanings are a function of the context.

#### 4 Difficulties in conceptualizing a strong state

##### 4.1 Constitutional opposition

The Dutch Republic (1579-1795) originated from a war of resistance against tyranny; it ended, according to Adriaan Kluit's Tocquevillian expression of 1805, in an usurpation by popular despotism. The Dutch Republic understood itself as republican and hence embodying the basic principles of a free state, eventually existing amidst absolutist, tyrannical and despotic regimes. But, as I shall argue, the Dutch tended to see the mote in their brothers' eye and not the beam in their own. Precisely because of this duality, they were generally unable to cope theoretically with what elsewhere gave rise to enlightened absolutism or enlightened despotism. In the Republic the notions of both freedom and its preconditions did not correspond to the reality they were supposed to reflect. This process may well be called a dialectic of freedom and dominion (or rule) and has its relevance in particular for the problems of improvement, change and hence enlightened absolutism. Although the vocabulary of liberty was sustained by the political practices

and institutions of the Republic, and in that respect was adequate to the situation, it precluded an enduring incorporation of absolutist theories. It precluded a more useful analysis of the politics of the Dutch Republic, notwithstanding the fact that some of the most outstanding political thinkers indicated why this vocabulary of liberty hindered a better understanding of actual politics and how this situation could be remedied. Indeed, a full understanding of the ambiguities of Dutch liberty was required to find the interconnection with dominion or rule, absolutism, reason of state and other concepts that were elements of the transformation of the constitutional heritage in other European states. The remarkable tendency among run-of-the-mill political writers in the Republic to transpose liberty as the original argument for the Revolt into an attribute of the Republic issuing from that Revolt, produced a simplified world view of Dutch freedom against foreign absolutism and tyranny.

So – in stressing the dialectics of the ‘we–them’ distinction – I shall be dealing with the process by which the Republic alienated itself from its former (Spanish) Habsburg status, replacing it by a system of aristocratic rule. Discussion will concentrate on the Dutch conceptions of despotism and of notions related to these. A short comparison with the Brabant revolution against the Austrian dominion of the Southern Netherlands at the end of the eighteenth century will close the circle of two centuries of republican tendencies in an absolutist world. As I will discuss naturalistic political theory as a successful dissection of this puzzle of liberty and absolutism in the subsequent chapters of this book, in the remainder of this chapter the emphasis is on political writers outside the naturalistic stream. I intend thereby to give a first indication of the puzzles of Dutch republican thought, and sketch the opportunities for naturalism.

Discussion of constitutional matters in the Dutch Republic of the United Provinces (1579–1795) reflects its position in international politics, as foreign affairs both shaped and interfered with the traditional particularism of local politics and ‘nationalism’ of city and provinces. As Franco Venturi has forcefully indicated, republics and related republicanism have exerted a remarkable influence in eighteenth-century political thought, in particular as a countermodel for revolutionary purposes in otherwise monarchical countries. Here, the relationship will be inverted, and attention will be paid to the conceptual influence on Dutch political writing of their own singularity in the international context. Looking at the form of government of the Dutch Republic ‘which was considered abnormal, strange and increasingly incomprehensible by those whom the absolutist state was amalgamating and enclosing’,<sup>21</sup> I discuss both ‘absolutism in a republic’, and ‘absolutism as per-

ceived from within a republic’.

In order to point out how Dutch political writers experienced and (selectively) perceived political systems abroad, it will be helpful to concentrate on a few crucial episodes in its history:

- a. the institutional and ideological elaboration of the Republic following the Union of Utrecht (1579): § 4.2
- b. the discussion of monarchy and sovereignty in the first half of the seventeenth century: § 4.3
- c. the Dutch perception of the Glorious Revolution: § 5
- d. the attempts to repair the evident shortcomings of the institutions of the Republic: § 6.1
- e. the final breakdown of the ‘staats-stadhouderlijke stelsel’, with some reference to comparable developments in the Austrian Netherlands: § 6.2

#### 4.2 Being forced out of the Empire

The principal actors of the first phase of the process that in the end was going to result in a break away from the Habsburg regime never had the intention to lay the foundations of a new republic. In the first place, any clear ideological foundation for such a move was absent. Republics as they existed in the sixteenth century argued their independence, i.e. their sovereignty, from one of two bases: original occupation (like the Roman Republic, the serenissima Republic of Venice, or the Swiss Confederacy) or cession (*de jure* or *de facto*) of sovereignty by its original possessor (like Florence).<sup>22</sup> A republic founded in an act of rebellion would have been like denying the principles of sixteenth-century politics altogether. Indeed, resistance in the monarchomach tradition presupposes a monarchical regime; it exalts the constitutional bond between prince and people. The fact that the Revolt against Spain ended in a republic therefore was definitely springing the against the confines of tradition.

Who were the principle actors concerned? Let us first look at the position of the Low Countries in the political order of the Spanish kingdom: a king involved in stabilising and maintaining his multi-national empire and its religion; its nobility, consisting of the *grandees*, those directly involved in governing (their part of) the empire; and the lesser nobility whose scope of action

<sup>21</sup> F. Venturi, *Utopia and reform in the enlightenment*. Cambridge 1971, p. 24. See also E.H. Kossmann, ‘The singularity of absolutism’, in: R. Hatton (ed.), *Louis XIV and absolutism*. London 1976, pp. 3–17.

<sup>22</sup> Cf. E.O.G. Haitsma Mulier, *The myth of Venice and Dutch republican thought in the seventeenth century*. Assen 1980; Q. Skinner, *The foundations of modern political thought*. Cambridge 1978, esp. vol. I on Bartolus, pp. 11–12.

was limited to their local situation; furthermore, the commercial cities; and lastly, the catholic church and various protestant groups, both within the country and in exile abroad. These were the different orders and groupings that made up this part of the realm of Philip II, much as any other part. Albeit with a difference: *les pays de au delà* had not previously experienced the attempts at centralisation and standardisation that Philip was making in the wake of the successes of his forbears within the Spanish homelands proper. Without a uniform system of government or standardised relations between each of the seventeen regions or provinces and the administrative centre in Brussels or the juridical one in Malines, the counties, baronies, a bishopric and a duchy, the regions and quarters identified themselves much more with their local customs and practices than with being part of the Spanish empire or, for that matter, of that superficial unity, the seventeen provinces.<sup>23</sup>

There would have been no reason to expect Philip would fail to do in the Netherlands what he did successfully in his other countries: to suppress the unrest that arose in the wake of his policy of controlling taxation and religion. Nevertheless he was going to fail, due to a fateful coincidence of circumstance and misapprehension. And the impossible happened: the birth of a republic, unable to find a replacement for the Spanish monarch, in desperate need of a legitimization that was not among the standard repertoire. In a short ideological reconstruction of this first of the 'democratic revolutions', the following episodes may be distinguished.

The first period, that of confrontation and attempts at accommodation, lasted from roughly 1560 to 1576. It follows the lines of constitutionalist remonstrances and Spanish royal intransigence. As a consequence, the alienation of the dominant political forces from the Spanish monarchy proceeded at a rapid pace. The second major phase that helped to shape the ultimate outcome of the conflict between local Dutch government and the Brussels centre of power was the virtual lack of Spanish control over the troops in the years following 1576, leading to the ousting of the Spanish troops (1576-1581). The third major phase was that of the full-scale outbreak of the war of independence (1581-1648).

Out of a coalition attempting to restore order and peace that failed on the intransigence of Philip, arose a coalition of defence against the Spanish troops and its leaders, and in the end, against the king of Spain himself. In this process, the traditional political actors got entangled with political forces (economically and religiously motivated burghers, cities and provinces), implying a new balance of power. Religious and economic cross-cut-

<sup>23</sup> Cf. e.g. G. Parker, *Spain and the Netherlands 1559-1659*. Glasgow: Collins 1979.

ting cleavages made for an intricate network of relationships that provided for conflict and cooperation between provinces, between the States General on the one hand and Holland and Zeeland on the other, and all of this complicated by the varying position and role of stadhouders and military leaders.

In the old order, the sovereign had a dual function to fulfil: to maintain the laws and privileges of the country, as well as to take care of the unexpected, the extraordinary.<sup>24</sup> Whereas the sovereign as a matter of principle would cooperate with the representatives of the body politic in promoting the first goal, by the logic of the principles involved his extraordinary role had to be *legibus solutus*, as the need for that role would arise if and only if the laws and privileges could not provide a solution to the problems at hand. This dual face of sovereignty as ordinary and extraordinary rule contains the principles of its own dynamic: the maxims of ordinary rule, the laws and customs of the country, are in constant need of interpretation, can be re-negotiated, and no doubt are influenced by the actual exercise of extraordinary rule by the sovereign.

In identifying somewhat simplistically the different dynamics that presented themselves during the first moves towards absolutism in Europe, one might say that in Spain Isabel and Charles V managed to redefine the laws and customs of Spain (more particularly, Castile) in accordance with their centralizing policy, whereas in seventeenth century England the conflict between Charles I and Parliament resulted in an unsuccessful attempt by Parliament to extraordinarily redefine the laws and customs of the country.<sup>25</sup> The architects of the Union in the Netherlands may not have seen their problems in either of these perspectives but nevertheless managed to give due weight to the extraordinary side of sovereignty in the principle of arbitration in their constitutional arrangements. Arbitration between provinces, between States General and provinces, and even, as it happened, within a province, it is all explicitly dealt with in the text of the Union.<sup>26</sup> This system

<sup>24</sup> This line of analysis was first proposed by E.H. Kantorowicz, *The king's two bodies: a study in medieval political theology*. Princeton 1957 and has since been applied to early-modern political theory as well, as e.g., in modified form, by Glenn Burgess, *The politics of the Ancient Constitution. An introduction to English political thought, 1603-1642*. London: Macmillan 1992. Cf. H.G. Koenigsberger, 'Dominium regale or dominium politicum et regale: Monarchies and parliaments in early modern Europe', in: Idem, *Politicians and virtuosi. Essays in early modern history*. (London: Hambledon Press 1986) pp. 1-25.

<sup>25</sup> Cf. for Spain, i.a. J. Perez, *La révolution des 'comunidades' de Castille (1520-1521)* (Bordeaux: Université de Bordeaux 1970) esp. pp. 67-77; P. Croft & I.A.A. Thompson, 'Aristocracy and representative government in unicameral and bicameral institutions. The role of the peers in the Castilian Cortes and the English Parliament 1529-1664', in: H.W. Blom, W.P. Blockmans and H. de Schepper (eds), *Bicameralisme* (Den Haag: SDU 1992) pp. 63-86; for England, Burgess, *Politics of the Ancient Constitution*, pp. 162-167.

of arbitration may have been the outcome of mutual distrust among its participants, or more probably, have been necessitated by the open-ended character of the Union as an ad-hoc coalition of very different political entities. However that was, this mechanism of arbitration contained the kernel of the extraordinary powers of a sovereign, albeit divided among several political bodies in the union: provinces, the States General, the stadhouder, sometimes as well the Council of State. Moreover, it made for a situation that could very well give rise to highly divergent claims about the exact location of sovereignty in the Republic, in the end stimulating modern commentators to deny the existence of an adequate theory – or exercise – of sovereignty in the Republic. In providing for a functional equivalent of the sovereign's role of arbiter in extraordinary cases, however, the Union tapped one of the central elements of sovereignty. In the further history of the Republic, under the threat of arbitration developed a tradition of consultation, accommodation and consent that prevented for more than a century the indefinite location of sovereignty in the Republic to become a stultifying factor in political life. Except for a few abnormal and traumatic outbursts of conflict, the problem of sovereignty was buried in the institutional practices of the new Republic.<sup>27</sup> Arbitration as the resolution of political stalemate thus not only replaced the monarch's extraordinary power in its functions, but at the same time created a peculiar style of politics. While the seventeenth century will witness attempts to provide this new style with a theoretical underpinning, the eighteenth century is ridden by attempts to establish arbitration in its full force.

Evidently, the union might still have lost its war against Spain, and thereby forfeited its *de facto* independence. As a result of several circumstances abroad and at home, it did not lose its military and economic advantages over the Spanish adversary. In waging the war, however, another problem of some importance arose: that of providing a justification for the defiance of Spain's claim to sovereignty. In obtaining support from other countries, evidently the Union had to be able to put forward a sustainable argument about its right to separate. In principle, this was a different question from that of the

<sup>26</sup> On this principle of arbitration (article 9 of the Union), see A.Th. van Deursen, 'Tussen eenheid en zelfstandigheid. De toepassing van de Unie als fundamentele wet', in: *De Unie van Utrecht. Wording en werking van een verbond en een verbondsacte*. Ed. S. Groenveld & H.L.Ph. Leeuwenberg (Den Haag: Nijhoff 1979) pp. 143 ff.

<sup>27</sup> Cf. J.C. Boogman, 'The Union of Utrecht: its genesis and consequences', in Boogman, Van spel en spelers. (Den Haag: Nijhoff 1982) pp. 53-82; the most important episodes of return to the principle of arbitration were William II's attempt at Amsterdam (1651), his son's 'wets-verzettingen' in 1672, and the enforcement of the Republic's fiscal policy on Groningen after the Spanish War of Succession.

location of sovereignty within the Republic itself. Yet in due course it became evident that the answers to the former question had a direct effect on the latter. Relying on the medieval institution of the *Joyeuse Entrée* or *Blijde Incomste*, it was argued in three basic texts – the *Placaat van Verlatinge* (1581), the *Apologie* of William of Orange (1581) and Vranck's *Deductie ofte Corte Vertooninche* (1587)<sup>28</sup> that the actual exercise of the king's ordinary power was codified in an explicit recognition of the laws, customs and privileges of the Low Countries. As in Burgundian times, Philip II as the successor of Burgundian rule, must be understood as having sworn to uphold the ancient privileges and customs of the country. This 'contract' could not have meant that the king was not sovereign, nor that he no longer had extraordinary powers. But it was the expression of the *dominium regale et politicum*, central to much of medieval constitutional thought.

In the early years of the seventeenth century, Grotius will trace this constitutional conception backward to Batavian times. So what was described above as an institutional way of functional adaptation to the requirements of order (i.e., arbitration), returns here in its ideological form: the Batavian Myth. On this principle had been based the construction of the right of disobedience: the right to disobey a king who acts against the ancient law. The dual face of sovereignty fitted in with this construction in an admirable way: by maintaining the fiction that acts against the ancient law were not acts by the king, but by his ministers, disobedience would not be flying in the face of royal sovereignty, but only be meant to redress the incorrect policies of the king's ministers. What was to happen in case no resolution of the grievances was arrived at remained unresolved. But such was exactly the situation in which the Low Countries found themselves, after twenty years of misapprehension and outright malevolence on the side of the royal administration. Remonstrances directly to Philip did not help to remedy the unduly harsh policies. So the move from passive disobedience to active resistance was close at hand. This development was helped by three other circumstances. First of all, an important feature of the events was the fact that the nobility was taking so active a part in the mobilisation of forces. Secondly, democratic movements in the Flanders towns against the generally pro-Spanish city aristocracy, enhanced by the religious conflict, started to develop a theory of

<sup>28</sup> Cf. H. Kampinga, *De opvattingen over onze oudere vaderlandsche geschiedenis bij de Hollandse historici der XVIe en XVIIe eeuw*. Den Haag 1917 (repr. Utrecht: HES 1980); I. Schöffers, 'The Batavian Myth during the sixteenth and seventeenth centuries', in: J.S. Bromley e.a. (eds.), *Britain and the Netherlands*, vol V (Den Haag: Nijhoff 1975) pp. 78-101; Martin van Gelderen, *The political thought of the Dutch Revolt, 1555-1590*. Cambridge: Cambridge University Press 1992; E.O.G. Haitsma Mulier, 'De Bataafse mythe in de patriottentijd: De aloude staat en geschiedenissen der Verenigde Nederlanden van E.M. Engelberts', *Theoretische Geschiedenis*, 19 (1992) pp. 16-34.

resistance of their own.<sup>29</sup> Thirdly, the sheer fortune of having the ‘opportunity’ to fight off the rioting Spanish troops that without direct command from Spain ravaged the country was but an additional element to further what became a war of independence.

According to Van Gelderen, the spokesmen of the Flemish guilds developed around the issues of taxation and religion an ideology of the individual right of resistance against abuse of sovereignty. This was a theory as alarming as it was novel. Until then, and even after, Huguenot theories of resistance stayed within the medieval pattern of the mystic body: their notion of resistance burdened the magistrates as representatives of the body politic with the right and duty to summon the king to rule in accordance with the laws and customs of the realm. Never had there been, nor was there for a long time to be, an individual right of resistance among Huguenot monarchomachs or their kindred, like Johannes Althusius.<sup>30</sup> The Flanders radicals, like Van Wesembeke, thus posed a threat to medieval constitutionalism, as much as their aggressive promotion of protestantism did to the catholic order.

By the later 1570’s, Holland and Zeeland had also been definitely established on the radical side. Both by their successes in war and by their staunch defence of protestantism they changed the balance of power in their favour. Although the ideological self-understanding of the Union presented itself as traditional constitutionalism, and the Abjuration of Philip II in 1581 was but the expression of the failure of the mystic body to remain intact, the path had been set to something definitely new. The case against tyranny had been build up successfully, while in the meantime an alternative political organisation had emanated.

4.3 *The dialectics of political thought: from constitutionalism to monarchy without a king*  
If the Dutch Republic ultimately found its rationale in the defeat of tyranny,

<sup>29</sup> Cf. Van Gelderen, *Political thought of the Dutch Revolt*, pp. 115–119.

<sup>30</sup> Cf. Junius Brutus, *Vindiciae contra tyrannos*. Traduction française de 1581. Introduction, notes et index par A. Jouanne e.a. Genève, 1979. Hubert Languet, the author of this very influential tract of 1579 – or was it Philippe du Plessis Mornay? –, was summarising much of medieval constitutional thought into his defence of the prerogative of the mystic body over the person of the king. In writing in the aftermath of St. Bartholomew, in France, he confronted problems comparable to those of the Low Countries: religious cleavages that called for compromise and toleration, provincial grievances that had to be redressed preferably by summoning Parliament. But in terms of the mystic body, *salus populi* can never be understood as the sum total of private interests, as was the suggestion of much of the Flanders radicals. It remains to be investigated if the ample contacts between Flanders and the commercial centres in Italy have been relevant to this upsurge of republicanism. Cf. Kossmann, E.H., ‘Bodin, Althusius en Parker, of: over de moderniteit van de Nederlandse Opstand’, in: *Opstellen aangeboden aan F.K.H. Kossmann*. Den Haag: 1958) pp. 79–98

in the process it had developed a sense of community that, consisting in a joint effort to bring together the funds necessary to successfully wage the war, can very well be described as one of republican virtue. By gradually making (transit) trade the stronghold of this financial policy, by establishing ‘publicly’-owned trading companies, by taxing consumption instead of import and export, by making available to the population lifebonds to strengthen the treasury, the energy of the country was geared to one single purpose. The political structures reflected this public spirit. Political leadership was to be found among the successful entrepreneurs who established this political wealth. But their leadership did not go uncontested, countered by the continuing importance of guilds on the one hand, and by religious activists on the other. Both felt they could bring forward their demands to the system on the basis of constitutional rights. They had been welcome to do so (to some extent) while their complaints could help the local governors to defend their case against the Spanish regime. But now that these local rulers had assumed sovereignty themselves, it no longer served their purposes. At the most, local unrest could help in blocking undesired policies of the Republic. On a central level, therefore, theories were articulated intending to undermine traditional constitutionalism. Referring back to the Batavian origins, political writers like Hugo Grotius, after 1621 when the Truce had ended, passed by the earlier constitutional implications in their analysis of the political principles of the Low Countries in a very effective way. By arguing that after the abjuration the sovereignty in these countries had returned to the Provincial States, as its original incumbents, they effectively replaced a constitutional theory by an absolutist theory.<sup>31</sup>

As a matter of fact, Orangists and ‘staatsgezinden’ agreed in their emphasis on strong sovereignty. Political leadership, without disturbance by the lower rank and file of the people, was seen as a prerequisite for successfully upholding the newly won independence of the Republic. But since it had its origins in a war against tyranny, it could not possibly be tyrannical itself. The popular call for influence on the aristocrats’ rule, especially in the form of demands for greater religious strictness, was more often than not fought off with the argument that this might easily lead to the kind of tyrannical inquisition the Dutch had only recently escaped.

In the eclectic political philosophy of the first decades of the seventeenth century one easily recognises the different pressures that guided the professors in the internationally oriented university in Leiden in dealing with the notion of sovereignty. Against the neo-Stoic background of their sixteenth-

<sup>31</sup> Grotius, *Verantwoording aan de wettelijke regering van Hollandt ende West-Vrieslands*. Paris [Hoorn: J.W. van der Beek] 1622.

century predecessor Justus Lipsius, the Aristotelian fashion of the day was combined with a clear understanding of the intricacies of the existing religio-political structures, as may be illustrated by the works of the Leiden professor *ethice* Franco Burgersdijk.<sup>32</sup>

In the 1660's this apparent unanimity is totally absent. The vehement debates about the relative merits of rule with or without a stadhouder created an ideological tension in Dutch society in which the politics of surrounding states became increasingly important.<sup>33</sup> Spokesmen of the 'staatsgezinden', like Pieter de la Court, hammered out a basic distinction between (despotic) monarchies that are always ineffective, and free republics where the disruptive effects of private interests are absent because of the balancing functions of institutional arrangements.<sup>34</sup> In the eyes of the Dutch audience at large, Spinoza joined De la Court in this analysis.<sup>35</sup> But there were also staatsgezinden who kept to the more traditional view of the 'aloude vrijheid', or age-old freedom. Writers like Rabold Schele defended against his prinsgezinde opponents the superiority of regenten-rule on the argument that the regenten are the best guarantee against both arbitrary government and popular licence.<sup>36</sup> The Orangist party clung to the doctrine of *respublica mixta*, in order to discriminate the Republic from suppressive monarchies and stubborn regenten alike. In their view the monarchical element, represented in 'an eminent head' of state in the person of the prince of Orange, was, together with the aristocratic element of the States and the democratic element of the city-governments, a necessary mitigating element in the state.<sup>37</sup>

In these critical years, new ideologies were introduced and corresponding principles of rule and obedience proffered, while old ideologies were sharpened in the heat of the debates.

## 5 'Our prince is king!': a new confrontation with absolutism

When prince William III was staging his role in the Glorious Revolution, it

<sup>32</sup> See chapter 3, *infra*.

<sup>33</sup> Geyl, 'Het stadhouderschap in de partij-literatuur'.

<sup>34</sup> Cf. H.W. Blom & I.W. Wildenberg (eds.), *Pieter de la Court in zijn tijd (1618-1685). Aspecten van een veelzijdig publicist*. Amsterdam/Maarssen: APA1986, and chapter 6, *infra*.

<sup>35</sup> Cf. H.W. Blom, *Spinoza en De la Court: politieke wetenschap in de zeventiende eeuw*. [Mededelingen vanwege het Spinozahuis, XLII] Leiden: Brill 1981.

<sup>36</sup> Rabold Schele, *Libertas publica*. Amsterdam 1666.

<sup>37</sup> G. O. van de Klashorst, '“Metten schijn van monarchie getempert”'. De verdediging van het stadhouderschap in de partijliteratuur 1650-1686, in: H. W. Blom & I. W. Wildenberg (ed), *Pieter de la Court in zijn tijd (1618-1685). Aspecten van een veelzijdig publicist* (Amsterdam: APA 1986) pp. 93-136.

had become as clear as ever for the adherents of the Orangist party that the Republic was quite distinct from tyrannical governments like that of James II or Louis XIV. The upholding of the fundamental laws and of freedom of religion, still linking the present to the 'good old cause' of the sixteenth-century Revolt, were central to the arguments presented.<sup>38</sup> Increasingly, this self-complacent approach to the republican valour of the United Provinces won the day. E.H. Kossmann and E.O.G. Haitsma Mulier have repeatedly stressed this peculiar feature of Dutch republicanism.<sup>39</sup>

During the exiting first years of the dynastically based coalition with England expectations raged high. Some aimed at a radical interpretation of Dutch republicanism, by stressing its inherent democratic elements.<sup>40</sup> Soon it became evident, however, that William's active involvement of the Republic in European power politics was slightly beyond Dutch capabilities.

The challenges of the other European powers posed great problems. In particular since the death of William III in 1702, introducing a second stadhouder-less period of government (1702-1747), the toll of continuous warfare and involvement in international power politics became almost too heavy a burden for the Republic. For at least one politician this discrepancy between policy objectives and the actually available means indicated the necessity for a drastic change in institutional practices: Simon van Slingelandt,<sup>41</sup> then secretary of the Council of State, from 1727 onwards raadpensionaris of Holland and thus the most important minister of the Republic, argued for a more efficient decision-making procedure and for more ample executive power on the central level. Jealous of their traditional rights enshrined in the 'true freedom' of aristocratic rule, local and provincial 'regenten' had arrived at a point at which private interests tended to separate instead of unite and were no longer promoting the common interest of the Republic. More importantly, they had devised a series of practices that made them profit at the expense of the existing political system. Offices had been made profitable, state monopolies had been put to private benefit. In one word, the Republic was in the situation that Montesquieu shortly after would describe as the worst of des-

<sup>38</sup> Cf. H.W. Blom, 'Our Prince is King. The impact of the Glorious Revolution on political debate in the Dutch Republic', *Parliaments, Estates and Representation*, 10 (1990) pp. 45-58.

<sup>39</sup> Cf. E.H. Kossmann, 'Dutch republicanism' in *l'Età dei Lumi*. (2 vols. Napels 1985) I, pp. 453-486; E.O.G. Haitsma Mulier, *Het Nederlandse gezicht van Machiavelli*. Hilversum: Verloren 1989.

<sup>40</sup> See e.g. the discussion of Ericus Walten in my 'Our Prince is King'.

<sup>41</sup> Simon van Slingelandt was born in 1664 in Dordrecht, town of John de Witt. In 1727, Van Slingelandt became like his famous compatriot 'raadpensionaris' of the States of Holland. In 1690 appointed secretary of the Council of State, he wrote in that capacity between 1717 and 1719 -reflecting on the consequences of the Spanish War of Succession- the papers posthumously published in the four volumes of his *Staatkundige geschriften* (Amsterdam: P. Schouten 1784).

otic systems: that in which merchants rule.<sup>42</sup> Moreover, the aristocracy was not prepared to face the choice between ‘political virtue’ and ‘moderation’ that Montesquieu prescribed to aristocratic regimes. Whereas Van Slingelandt urged the States General to re-enforce article 9 of the Union to the effect that arbitration would take precedence over the tedious and often unsuccessful procedures of consensus-building, political opinion had turned upside down the adage of De la Court that ‘in a good constitution the rulers promote the general interest by following their private interest’ into: the private interest of the rulers is the common interest of the state.

By identifying the national interest with that of the economy, or more precisely, with the mercantile interest, debate was switched away from more contentious topics such as introduced by Van Slingelandt. Instead of discussing constitutional reform, the dominant pastime of the second half of the eighteenth century was to propose measures to redress the supposedly decaying economy. Drastically out of line with the general debate on the relationship between economy and state going on in France, England and the German countries, the terms of this Dutch debate on the economy may seem misdirected from the start. According to conventional wisdom, the analysis would start with a basic distinction between ‘natural’, ‘moral’, and ‘accidental’ causes of economic welfare. In a ‘natural’ sense the Dutch economy was determined by its location at the North Sea, its lack of natural resources and its barren soil, thereby destined for a mercantile economy of transit trade.<sup>43</sup> This natural endowment (or more precisely lack of endowment) demanded a complementary moral characteristic: the personal moral values of entrepreneurship and frugality and the political values of freedom. The accidents of history that had been so favourable in the seventeenth century no longer obtained since Britain had become a rival naval and commercial power, and likewise the French and the Danes. The majority of these authors did not regard the domination of politics by economics as an important problem of the eighteenth century, nor did they believe that solving this problem might have been the surest way to sustained economic prosperity. The story of the ‘involution’ of Dutch politics from this perspective is deceptively simple. The inadequate government of the oligarchic ruling class, incapable of adapting itself to the increasingly ‘enlightened’ middle classes urging change and greater political involvement as well as the foreign examples in America, Eng-

<sup>42</sup> Montesquieu, *Esprit des Lois*, Bk V, ch. viii.

<sup>43</sup> See Ida J.L. Nijenhuis, *Een Joodse Filosofie. Isaac de Pinto (1717-1787) en de ontwikkeling van de politieke economie in de Europese Verlichting* (Amsterdam: NEHA 1992) pp. 87-95; H.W. Blom, ‘Het maatschappijbeeld van de Nederlandse achttiende-eeuwse Verlichting’, in: W. Arts and J.K.M. Gevers (eds.), *Rede, sentiment en ervaring. Sociale wetenschap in de 18e eeuw* (Leiden: Van Loghum Slaterus 1983) pp. 51-65.

land and France gave rise to a confrontation between the aristocrats’ oligarchy and the not yet enfranchised population, a confrontation philosophers like Spinoza and Montesquieu, each in his own time and his own vocabulary, warned against.

## 6 Absolutism and freedom

### 6.1 Fear of freedom?

In the midst of the patriotic agitation of the 1780’s, ‘une dame hollandaise’ publishes a little booklet on the occasion of the claims of Joseph II in relation to the Scheldt.<sup>44</sup> She uses the occasion to contrast the political qualities of the Emperor to those of the ‘regenten’ at home. The latter speak but of historical rights and political convenience, the former stands for equity. If only the Dutch would embrace the Prince of Orange, ‘ils apprendront sous son gouvernement qu’il est plus doux d’avoir un père pour maître, que d’être gouvernés par soixante tyrans déguisé sous la qualité précieuse de citoyens’. The enlightened monarchs show the way: Catharine, Gustave, Louis and Joseph, ‘[t]ous ces souverains joignent l’humanité à la sagesse’.

Understandably, the general inclination in the Republic was to scorn Joseph for his impudence and lack of loyalty to the Austrian-Dutch alliance, but in the writing of the ‘dame hollandaise’ one is confronted with the expression of uneasiness and discomfort about the politics of the Republic. Her critique of bourgeois tyranny seems to disclose some understanding of ‘modern’ monarchy as different from tyranny, and it suggests to take a closer look at the way in which in the Dutch Republic absolutism and enlightened despotism were perceived and were related to their own political practice. Apart from its characteristic anti-French overtones, the lady’s pamphlet is largely about the relationship with the Habsburg monarchies. For not only did the Republic originate in a process of emancipation from (Spanish) Habsburg rule, but also the Southern Netherlands, which did not join the Union of Utrecht in 1679, were to assert their independence from (Austrian) Habsburg rule at the end of the eighteenth century. The Low Countries show a remarkable consistency in their political identity by the arguments put forward in these confrontations. The inherent dialectics of these arguments is

<sup>44</sup> *Les trois Puissances ou Correspondance directe entre le temps, la politique et l’équité. Par une dame hollandaise. Utrecht 1785*. Possibly by Belle van Zuylen. The argument is no doubt that of a democratic patriot, criticising the Dutch oligarchy’s reliance on historical privileges and Machiavellian argumentation in defiance of enlightened reason. It justly underlines the importance of an Innovator in the application of the modern principles of equity, i.e. democracy and equal distribution of burdens.



also very much the same, although it took the Dutch two centuries to bring to a conclusion what the Belgians did within the compass of a few years.

Adriaan Kluit (1735–1807), professor of history and statistics at the University of Leiden, wrote a monumental five-volume history of the Dutch Republic in his years of idleness, whilst expelled from his chair for his well-known and widely publicised pro-Orangist standpoint.<sup>45</sup> He wrote his history as a final attack on all kinds of radical political opinion, more in particular those of the ‘new’ patriots, as well as of the ‘staatsgezinden’ of the previous century, like Johan de Witt (1625–1672) and Pieter de la Court (1618–1685). This final attack, which has all the features of scholarly detachment after his earlier strongly partisan interventions of the 1780’s, tries once and for all to define the real historical origins of the Dutch Republic and the fundamental laws that arise therefrom. Furthermore, Kluit engages in some very interesting analyses of the politics of main political figures of the seventeenth century like Oldenbarnevelt, prince Maurits and De Witt.

From his first attack on radical patriotism in his highly polemical *De rechten van de Mensch, gewaande rechten in Frankrijk* of 1784, Kluit had centred his critique on foreign authors that threatened the Dutch political system as it historically had developed. In particular, radical democrats like Thomas Paine, Richard Price, and Jean-Jacques Rousseau with their unacceptable notion of popular sovereignty had to suffer his severe criticism. Kluit asked: How can popular sovereignty be a principle of government for a country, unless this popular sovereignty were represented by a group of representatives that execute it according to their best understanding of the public good? He was eager to point out that Rousseau was so much opposed to representation that in the end this defendant of equality would prefer a monarch to a representative system. And Paine could well defend representative government, but in his zeal to have the people’s sovereignty untouched, he outlined a representative democracy that, according to Kluit, is truly ‘despotic, because it is always speaking in the name of the people, and can suppress, even murder, as long as it lasts; but is very instable, even more insecure, and therefore the more dangerous’.<sup>46</sup> Such a system is nothing more than the despotism of the unstable and passionate opinion of the people. That would be a far cry from the definition of representative sovereign that Kluit borrows from the French philosopher of natural law Emer de Vattel: a sovereign who represents the

<sup>45</sup> A. Kluit, *Historie der Hollandsche Staatsregeling tot aan het jaar 1795*. 5 vols. Amsterdam: Wouter Brave 1802–05.

<sup>46</sup> despotiek, omdat zij altijd den naam van 't volk in den mond heeft, en ... verdrukt, ja moorden kan, zolang zij voortduurt; maar die zeer wankelbaar ... veel onzekerder ... zoveel gevaarlijker [is], Kluit, *Historie*, IV, p. 22.

will and intellect of the moral body. Kluit accepted that the people have the *majestas realis*. But this *majestas* has to be embodied by a political leadership of some sort.<sup>47</sup>

As a clear expression of his total devotion to the principles of the Republic that no longer was, in his publications of the early-nineteenth century, Kluit is liberal about the form of government that holds good: ‘For it is a quite generally accepted truth, that it is not the *form of government*, but the *person or persons* that rule, which most promotes the welfare of a society’.<sup>48</sup> If the Republic was a failure, it was a failure of persons, not of institutions, he tells us. But what he does not seem to be aware of is that the persons who rule are at least partly shaped by the system they rule. Now, why did Kluit overlook this in his insistence on the (lack of) moral qualities of the representatives of the body politic? And what were the implications? The introduction of the notion of despotism into a debate that until then had known only absolutism in contrast with republicanism, radically changed the dimensions of the debate. Despotism is different from absolutism, but neither can it be conflated with tyranny. Despotism, indeed, is unbounded rule, but in contradistinction to tyranny, despotism is undisputed rule. It is the kind of rule people are lured into, against their real, or best, interests. They may be subdued by sheer force, but equally by false promises or by any scheme based on superstition. That, in my opinion, is why Kluit believes representative government to be a despotic system: it makes people believe that they ought to obey because they are commanding themselves. In Kluit’s view, that is a false belief, because they in reality are only obeying the passions of the majority among themselves, i.e. the less enlightened, instinctive desires available, instead of obeying laws that are designed by those who really understand. Despotism is licence transformed into a system.

Now, it is not difficult to realise that under certain presuppositions Kluit’s own preferred model becomes a form of despotism itself. Just two conditions have to be fulfilled. Firstly, the rulers should rule without regarding the desires or wishes of the people, but only regarding their own; secondly, the people have to be lured into obedience in ways that do not essentially depend on their rational consent. The first requirement is seen to be fulfilled quite straightforwardly, as part of the contention is about rulers not doing what the people want them to do. The second requirement, however,

<sup>47</sup> Th.J. Veen, ‘Van Vanranck tot Kluit. Theorieën over de legitimatie van de soevereiniteit der Staten Provinciaal (1587–1795)’, in: *Freonen om ds. J.J. Kalma hiene* (Leeuwarden 1982) pp. 302–324.

<sup>48</sup> ‘t Is toch eene vrij algemeen aangenomen waarheid, dat niet de *vorm* van Regering, maar de *persoon* of *personen*, die regeren, tot de welvaart eener maatschappij het meeste toebrengen, Kluit, *Historie*, IV, p. 8.

contains some hidden difficulties. Being lured into obedience is supposedly with reference to some ideal state in which one is obeying in some conscientious, explicit way according to acceptable and accepted principles of obedience. In other words, the whole notion of despotism in so far as this second requirement is concerned can be seen to play a game on the basic meaning of the notion of consent, thereby opening a field of analysis and debate that has to do with more broadly conceived theories of politics than the voluntarist tradition provided.

Kluit is thus looking for an analysis of Dutch politics that can provide him with arguments to show that obedience is due to the ruling class of the Dutch Republic on both acceptable and basically correct grounds. To preclude the question in what sense this analysis differs from any other discussion of political theories (i.e., what is the relevance of despotism to this argument), I once again may stress the polemical use of the notion of despotism as something the Dutch agreed they did not want. So the debate is on two points: a) whether the rulers effectively procure obedience; b) whether they do so on good grounds.

Kluit's theory of obedience basically is an argument from tradition, based on the legal consequences of contracts made in the past. It is a restatement of the historical argument in historiographical more correct terms. On this analysis, contracts do oblige later generations; rulers have been appointed because they were politically virtuous, and therefore their successors have to be virtuous as well; or, if they are not, who else would be? This is essentially linked with the notion of unitary leadership. This principle becomes evident from his very fine analysis of the rule of Johan de Witt, who without any legal foundation, as a minister of the States of Holland, in effect was controlling Dutch foreign policy for almost two decades.<sup>49</sup> The history of De Witt's rule (1653-1672) shows that there is no danger in having an eminent head in the Republic, as long as he is up to the job. But, while Kluit was presenting these views (1802-1805) the Dutch, equipped with a new constitution, were entering a new phase in their history in which the old notions of tyranny, absolutism and despotism as well as its supposed opposite, 'true freedom', were going to be replaced by representation, efficiency and nationalism. In effect, Kluit was stunned to find out that the political order he described and defended was in some irretrievable way an *ancien régime*.

The publicist and political philosopher Elie Luzac (1721-1796), although ideologically very close to Kluit, showed a better grasp of the peculiarities of Dutch society in his *Hollands Rijkdom* of 1780-3.<sup>50</sup> Political virtue, he argues,

<sup>49</sup> Kluit, *Historie*, III.

originated from external threat, from necessity. In the war against Philip II, the responsible leaders of the country chose to serve the common good ['algemeen best'] to the detriment of their own interest, and developed patriotism that drove people to excel in their political functions ['ambten']. Patriotism called forth 'acts of generosity, courage, prudence, bravery, and constancy ..., of which examples can be found nowhere but in Free States'.<sup>51</sup> In other words, the fight against tyranny necessarily produces political virtue, and hence the claim to justified obedience. Nevertheless, this condition of necessity did not last till eternity: 'This love of one's fatherland, this duly called patriotism, this powerful drive ... of all the civic virtues, seems to uphold its vigour only until the civil society has established its perfect growth and the highest stage of splendour'.<sup>52</sup>

In other words, political virtue becomes corrupted as soon as necessity no longer requires it. I now will point out how Luzac seeks to remedy this corruption.

His answer is as simple as it is revealing: the loss of unity of the Republic, being the central effect of the corruption of political virtue (apparently, since political virtue is equivalent to serving the common interest ('algemeen best'), its corruption means dispersal of a political orientation according to private interests), should be restored by the one and only means available: to have a pre-eminent head. Especially, in the case of a stadhouder one has a political leader who always identified his private interest with that of the Republic. Luzac does not want us to believe that it is all heaven on earth: citing Cicero he accepts that every solution has its imperfections.<sup>53</sup> More in particular, there seems to be no inherent guarantee against the *malum* of a failing sense of duty: 'Princes or rulers of civil societies, who have executed arbitrary power, are liable to transgressions such as any man commits who does not know his duties, or knowing them is driven along by his passions'.<sup>54</sup>

The monarchical principle, according to Luzac, is always on the brink of

<sup>50</sup> [E. Luzac] *Hollands rijkdom, behelzende den oorsprong van den koophandel*. 4 vols. Leiden 1780-1783. See on Luzac, Wyger R.E. Velema, *Enlightenment and conservatism in the Dutch Republic. The political thought of Elie Luzac (1721-1796)*. Assen: Van Gorcum 1993.

<sup>51</sup> *daden van edelmoedigheid, hartigheid, beleid, dapperheid, en standvastigheid doen bestaan, van welke weinig anders voorbeelden dan in de Vrije Staaten gevonden worden, Hollands rijkdom*, III, p. 122.

<sup>52</sup> *Deze vaderlands-liefde, dit eigenlijk gezegde patriotschap, die krachtige drijfveer ... van alle burgerlijke deugden, schijnt haare kracht slechts te behouden, tot dat de Burgerstaat deszelfs volkomen wasdom, en den hoogste trap van luister, bereikt heeft, Hollands rijkdom*, III, p. 122.

<sup>53</sup> *Sed bonum quod est quaesitum in ea, sine isto malo non haberemus, De Legibus*, III, 23: 'but we could not have the good aimed at when the office was established without the evil you refer to'.

degenerating into a despotic system. The monarchical principle relies upon government by *arcana*, the hidden rules of power politics. It presupposes the general acceptance of the principle that 'the actions, done by the politician, and the plans he devises, however wrong these may seem to us, are for reasons that are unknown to *private men*, and must be unknown to them, mostly absolutely necessary for the preservation of the commonwealth'.<sup>55</sup> Three major factors apparently tend to interfere with the correct functioning of the monarchical principle: flattery, foreigners and faction. Two major goals of policy should be kept in mind: freedom and equality. It is Luzac's conviction that the corruption of these ideals is equally probable in the 'stadhouderlijke stelsel' as in the 'staatse stelsel', although a stadhouder is less prone to become a party in factional strife. But more important for him is that both freedom and equality are better off in the first than in the second system. Indeed, freedom is not the same as licence, thereby denying the Dutch aristocrats the right to do as they please. They should, in accordance with the definition of freedom by Montesquieu, take freedom not to consist 'in doing what we like', but 'in the competence to do what we should do; and in not being forced to do, what we should not want to do'. One should not take freedom to be equivalent to popular government, thereby 'mistaking the potential of the people for its freedom'.<sup>56</sup>

It has been remarked that Luzac's is a reactive analysis, trying to remedy what seems wrong in the Dutch political system.<sup>57</sup> Relying on a general feel-

<sup>54</sup> Vorsten of beheerschers van burgerstaaten, die een eigendunkelijk gezag geoefend hebben, vertoonen, [sic] dan geven zij enkelijk blijken van overtredingen, tot welken den mensch vervalt, die zijne plichten niet kent, of dezelve kennende door zijne driften vervoerd word, *Hollands rijkdom*, III, p. 207; This restatement of the virtuous Prince is underlined by two references: one to Gerard Noodt, *De jure summi imperii* (1699), the other to John Locke, *Du gouvernement civil*, an interesting illustration of the peculiarities of the continental Locke reception.

<sup>55</sup> [d]e stappen, die hij [the 'staatsman'] doet, en de schikkingen, die hij beraamt, hoe verkeerd die ons toeschijnen, zijn, om redenen die aan particulieren onbekend zijn, en onbekend moeten blijven, veeltijds allernoodzakelijkst, om de algemene zaak te behouden, *Hollands rijkdom*, III, p. 189.

<sup>56</sup> 'in het doen van 't geen ons lust ... in de bevoegdheid van te doen hetgeen ons betaamt te willen; en van niet gedwongen te kunnen worden, tot hetgeen waar toe de wil niet op moet vallen ... 't vermogen des volks dus met zijne vrijheid verwarrende', *Hollands rijkdom*, III, pp. 214-215. See for the influence of Richard Price esp. M. Evers 'Angelsaksische inspiratiebronnen voor de patriottische denkbeelden van Dirk van der Capellen', in Th.S.M. van der Zee e.a. (eds.), *De Nederlandse revolutie? 1787*. (Amsterdam: De Bataafsche Leeuw 1988) pp. 206-217. Dirk van der Capellen tot den Poll translated Price's *Observations on the nature of civil liberty* into Dutch in 1776, reprinted in 1777. Price's 'omnipotence of the people' was duly translated as 'alvermogen van het volk', but it should be added that Van der Capellen, although a democrat, was no revolutionary: he abhorred the extraordinary power of the Prince of Orange, but accepted his institutional role.

<sup>57</sup> Velema, *Enlightenment and conservatism*, p. 180.

ing of political impotence, most forcefully analysed by Van Slingelandt earlier in the century, Luzac's is an attempt to cure the symptoms instead of attacking the disease as such. But this is to overlook some important premises in Luzac's approach.<sup>58</sup> Underneath his analysis is still working that 'logic of negation',<sup>59</sup> that defined the polarities of liberty and absolutism and pervaded the concept of despotism as well.

#### 6.2 False patriots, and the foundation of political power: polarities

It has been stressed, first, that 'liberty' is opposed to tyranny. But it was much too easily taken for granted that this notion of tyranny, taken from medieval constitutionalism, continued to correctly describe what established itself as monarchical absolutism. Moreover, by identifying absolutism as tyrannical, the mainstream of Dutch political writers did not understand the absolutist character of their own political system. If they had, they would have become aware of the necessity to supplement their ideology of 'true freedom' with those elements from absolutism that would have pointed to a series of indispensable societal structures and mechanisms: honours, distinctions of class and order as means to provide the incentives to replace republican virtue, as well as regulated structures for consultation and compromise.<sup>60</sup> Spinoza, however, understood these problems where he stated that a) aristocratic government is more absolute than monarchy, and b) monarchy implies a system of consultation with the 'people' (i.e. the orders of society), whereas aristocracies have to fear the ordeal of the 'multitude' concerning the legitimacy of their policies. Spinoza attempted to bridge the ideological cleavages in Dutch society. He wrote his *Tractatus Politicus* (1677) in the wake of the 'war of pamphlets' between Orangists and 'staats-gezinden'. He himself was conversant with proto-democratic circles of Collegiants and Mennonites. Spinoza's theory of truth led him to believe that all ideas contain at least a kernel of truth; that these only have to be adequately articulated so as to bring the concealed insight into the open. In the *Tractatus Theologico-Politicus* (1670) he had already indicated how inadequate ideas can function as 'ideology', in making people do the right things for the wrong reasons. But what he did not develop or may not have foreseen was the extent to which 'party-politics' was going to be an essential complement of ideology. Had he done so, he would have had to develop a form of state that integrated, instead of juxtaposed, the various

<sup>58</sup> See E.H. Kossmann, 'Enlightened conservatism: the case of Elie Luzac', *Acta Historiae Neerlandicae*, (1973) pp. 67-82, where the novelty of Luzac's organicist conservatism is emphasised.

<sup>59</sup> Jon Elster, *Political psychology* (Cambridge: Cambridge University Press 1993) pp. 70ff.

<sup>60</sup> Cf. M. Richter, 'Despotism', in P.H. Wiener (ed.), *Dictionary of the history of ideas*, vol. II (New York: Scribner 1973) pp. 1-18.

basic insights in the functioning of politics.

There are several plausible reasons for Spinoza's decision to come forward with an analysis in which different forms of government express the concealed truth that the ideological cleavages of a society represent.<sup>61</sup> The first reason stems from Machiavellian *obiter dicta* as they were received in contemporary analysis: fear of factions and of the distorting effects of clientele; the notion of an original constitution, that made the debate on the best constitution a topic not suitable for ideological dissension. But had not that been a good reason to formulate a constitution that could bury these ideological divergences? Whether such a move would have been a consistent one in Spinoza's political theory is something to be discussed in chapters 7 and 8. One may surmise that on a practical level such a compromising constitution would inevitably have had a very strong resemblance to the mixed constitution favoured by the Orangists, and thereby be partisan again.

Luzac, a century later, would run into the very same problem while he tried to propose such a compromise model: his theory was inevitably partisan as well. But then the circumstances were hardly favourable for the enterprise in the first place. Luzac understood, like Spinoza before him, that interest and common good are separated by the mechanism of aggregation and that identification with a political community (*pietas*, love of the country, patriotism, republican virtue) in a mercantile society is a function of the efficiency of the system. Luzac tried to convince his readers that precisely the countervailing power of an executive would better promote the interests of the citizens, since there would at least be a chance to define the common good independently from the private interests of the ruling class.

What Spinoza had done, and this is the second general point to be made, was to distinguish between the ideology of the original constitution and the actual impact of institutions.<sup>62</sup> He had arrived at this distinction by his criticism of voluntarist explanations of state formation, together with the Machiavellian notion of the original constitution as an expression of the viability conditions of a political system. In his opinion the original constitution should not be upheld because of 'original' obligation, but out of necessity. Indeed, since obligations bind only for reasons of utility, he was keen to point out that the function of the foundational Myth is to impress citizens with the constitutional rules lest they incur the moral indignation of their fellow citizens, i.e. lest they incur disutility.

<sup>61</sup> Indeed, Spinoza's metaphysics would not oppose the notion of knowledge on a societal level: *Ethics* IID7 together with IIP135. Neither would it be impossible to speak of societal passions.

<sup>62</sup> See chapters 7 and 8, *infra*.

This approach to politics must have been a highly disconcerting way of thinking to his contemporaries. Not, in the first place, for its utility-based conception of politics: that was nothing new in Dutch neo-Stoic, Tacitean and Machiavellian political thought, as is evident *par excellence* in the works of Pieter de la Court. The disconcerting element was the undermining of the Batavian Myth, that central piece of the ideology of all political factions in the free Dutch Republic. Spinoza introduced a modern notion of politics that was no longer compatible with the constitutionalist tradition in which the Batavian Myth had had its origins. I pursue this head-on attack on conventional wisdom along two lines: the theory of contract and the Batavian Myth itself. It may be seen how ultimately the development from 'tyranny' via 'absolutism' to 'despotism' is the outcome of the theoretical ramifications around contract and Batavian Myth.

Modern historians have been very much concerned about the historical adequacy of the Myth. This reflects one of the main concerns of eighteenth century Dutch historiography, as Leonard Leeb has shown.<sup>63</sup> But, as the historical writings of Wagenaar,<sup>64</sup> Luzac and Kluit may demonstrate, the real political issues, as distinguished from the purely 'antiquarian' ones, are about the basics of politics as such. For what purpose do political institutions exist, why do people comply with the laws, what separates the political from the non-political sphere, what makes for strong political systems, what is the relationship with other, possibly differently-structured states in terms of economy, warfare and so on and so forth?

Demolishers of the Batavian Myth could have different theoretical convictions; they could have shared partisan attitudes at the same time. Kluit and Luzac are good examples. Both want to show that with the Revolt everything basically started anew. Both are pro-Stadhouder, but their arguments are totally different. In the standard historiographical and ideological approach to Dutch republican thought this is difficult to accommodate, let alone put to any positive use. A conceptual analysis can elucidate what political thinkers like Kluit and Luzac really made of the Republic. Kluit basically takes a Huber-Pufendorf approach to the matter: original sovereignty in the people, alienated to the States for the purpose of state formation (absolutist interpretation of the *lex regia*), States invited a Prince to accept the sovereignty on certain terms, Philip II did not keep the contract, for lack of other means

<sup>63</sup> I.L. Leeb, *The ideological origins of the Batavian Revolution. History and politics in the Dutch Republic 1747-1800*. Den Haag: Nijhoff 1973.

<sup>64</sup> Jan Wagenaar (1709-1773), an autodidact historian wrote a *Vaderlandsche historie* (1749-1759) in 26 volumes and took part in de Witten-war with his *Het egt en waar karakter van den heere raadpensionaris Johan de Witt*. Amsterdam 1757.

to save their lives the Dutch returned to the state of war; after which they instituted the sovereignty in the States and prince of Orange together.<sup>65</sup>

Luzac on the other hand, denies the possibility of original popular sovereignty. Rights cannot be imagined apart from political society, but property can, since scarcity does. Exactly because there are no rights outside society, there cannot be a transference of rights to establish a theory of obedience. The multitude has no rights, only states have the possibility to introduce a system of rights. The expediency of any system is a function of time and circumstances. By natural necessity, the Dutch are bound to a mercantile state. Consequently, this necessitates the rule of law and the provision of other institutional measures to overcome the devastating effect of strong private interests in politics (i.e. of 'republican despotism').

## 7 Conclusion

From a comparative point of view, it is quite remarkable that so much more energy went into the critical promotion of monarchical politics by learning from republics, rather than the other way around. Enlightened absolutism was in a way the ultimate outcome of this predominant trend in European political thought. But its republican counterpart clearly lost out. One could venture the explanation that after all Spinoza and Luzac were right. Republics are more absolute than monarchies: the critical, inquisitive and innovative political philosophy of Scotland and France often found its printing presses in what was 'Eleutherapolis' in name only, but exception made for the few independent minds that knew how to present their views in harmless language, it did not find there its most interested audience.

The growing Dutch involvement in the political developments in Europe from 1688 onwards may have suggested to some the shallowness of 'true liberty', as was seen in the arguments of the 'dame hollandaise'. It might have prompted a growing awareness of the importance of sheer power politics, as it surfaces in the debates on the political ends pursued by Frederick II and the House of Austria. Prussia's expansionist politics was defended as a counterbalancing force against the Austrian drive for hegemony, 'to defeat the dangerous attempts of the Austrian power, directed to suppress their liberties, and to put limits to that House, that since has never been able to consider despotic domination'.<sup>66</sup> It led to a self-conscious policy of Dutch neutrality, that tried to maintain equal relations with both Prussia and Austria. When Joseph

<sup>65</sup> Veen, 'Van Vranck tot Kluit'; Fabrizio Lomonaco, *Lex Regia. Diritto, filologia e fides historica nella cultura politico-filosofica dell'Olanda di fine seicento*. Napels: Guida 1990.

II visited the Republic in 1781, he was warmly welcomed. The Leiden professor of jurisprudence, F.W. Pestel (1724-1805) symbolised the good relationship by presenting the Emperor with a roman stone with the inscription 'Gens Batavorum Amici et Fratres ... Imp. Rom.'. <sup>67</sup> But shortly hereafter, the Dutch defied the Austrian demands to open the river Scheldt to the trade of the Austrian Netherlands, justifying themselves in terms of opposition against Habsburg despotism.

It was the same reaction Vienna was going to experience during its last years of rule in the hereditary Southern Netherlands. Despotism and arbitrary government were the rallying cry, the 'Brabant Myth' of a contractual relationship between States and the Austrian monarch was the argument. The Belgian jurist and pensionary in the Sovereign Council of Brabant Van der Hoop had revived this strand of mediaeval constitutionalism in his *Catéchisme constitutionnel à l'usage de la nation Belgique* (1787). He deployed a three-tier contractual structure: societal contract; contract of submission, relegating the right to represent the nation to the States; contract of sovereignty, by which obligations and rights obtaining between the States and the Monarch were instituted. The political utility of this construction becomes evident at once:

Ce même Peuple, malgré sa Souveraineté inaliénable, ne peut point révoquer son consentement ou mandat pour changer sa Forme de Constitution qui sert de moyens à parvenir à la fin proposée; & c'est ce qui distingue la Liberté avec la Licence en mettant des bornes aux Volontés effrénées. ... En un mot, si le Peuple a déposé le Souverain à cause des infractions opposées à la fin de la Société; comment ce même Peuple pourra-t-il à son tour bouleverser une Constitution qu'il a voulu maintenir pour cette même fin, sans enfreindre les liens de la Société générale?

In other words, 'le Souverain une fois déposé ... le pouvoir législatif, comme dans toute République, réside dans les Etats de la Nation'.<sup>68</sup> History repeats itself sometimes, as the defendants of the oligarchic States in the Southern Netherlands were soon to discover. An inconclusive series of coalitions between 'statists', 'democrats' and 'populists' proved unable to defend the newly won freedom against the Austrian troops. The ancien régime élite no longer was able to maintain its privileged position by pointing to a foreign despot, for one thing because liberty no longer was identified with privileges, but with the

<sup>66</sup> om de gevaarlijke pogingen van de Oostenrijkse macht, gesmeet tot onderdrukkingen van hunne vrijheden te verijdel, en het Huis in zodanig limieten te brengen, dat het zedert nooit meer aan eene dispotique overheersing heeft kunnen denken, *Aanmerkingen over den aanwasch der Groothheit en Ontzachelijke Oppermacht van ... den Koning van Pruissen* [Knuttel 18726], p. 13.

<sup>67</sup> The story is related in *Precis du voyage de L'Empereur. 1781* [Knuttel 19497].

<sup>68</sup> H.J. van der Hoop, *Catéchisme constitutionnel à l'usage de la nation Belgique* (Liere 1787) p. 17.

opposite: the absence of privileges. For the Low Countries, the Empire had fulfilled its function, it was no longer needed as a specimen of despotism nor as the motor of enlightened innovation. Their special relationship was over.

As Schama rightly, albeit somewhat imprecisely, remarked, the Dutch ‘imagined that they might transcend the grubby battering of *raison d’état*’.<sup>69</sup> Complacent belief in liberty and rule of law prevented for most political writers the development of an accepted concept of a strong state. Arbitration – originally formulated in the Union of Utrecht – as the republican equivalent of extraordinary rule had been quickly buried in a wide array of mechanisms of consensus formation, notwithstanding attempts by politicians like Van Slingelandt to invigorate anew this element of the original constitution of the Republic. However, there were other attempts, more audacious and radical. In the following chapters I present a connected series of attempts at theoretical reflection of the possibilities and conditions for a free republic to be a strong state as well. Central to these attempts of Burgersdijk, Van Velthuysen, De la Court and Spinoza is a reformulation of the very concept of liberty, in its different aspects, in order to bring it into consonance with the ‘reality’ of Dutch political life.



<sup>69</sup> Schama, *Embarrassment*, p. 254.

## BURGERSDIJK ON NATURAL MORALITY AND POLITICAL EXPEDIENCY

### CHAPTER III

☞ *Felix qui potuit rerum cognoscere causas*

IN A FEDERAL REPUBLIC LIKE THE DUTCH, during Burgersdijk's lifetime (1590-1635) still in the process of its definitive establishment, the conceptual problem of how to define the relationship of particular and general interest, of political diversity and unity, is likely to be of central concern for political thinkers. The modes of argumentation available for this task are first of all historical and juridical, or given the predominant understanding of the nature of law, the historico-juridical mode of argumentation. But this mode has an important draw-back because of the historical discontinuity in the domain of central power in the Low Countries. This may explain some of the attractions of different vocabularies, or rather, the efforts to develop and promote them. More especially the appeal to 'nature' has the advantage over the historico-juridical approach as nature invariably has the connotation of independence of man's scheming. Justus Lipsius had taken this line,<sup>1</sup> both in his political writings and in his analysis of *secundum naturam vivere* in his publi-

<sup>1</sup> M.E.H.N. Mout, 'In het schip: Justus Lipsius en de Nederlandse Opstand tot 1591', in: S. Groenveld, M.E.H.N. Mout and I. Schöffer (ed), *Bestuurders en geleerden* (Amsterdam: De Bataafsche Leeuw 1985) pp. 55-64

cations on Stoic philosophy. Neo-scholastic natural law has comparable implications. In particular the latter's reliance on Aristotle was an additional means to sustain a detached view of politics. The specific form this Aristotelian revival in the Protestant countries in Europe has taken was highly diverse, and dependent on specific circumstances.<sup>2</sup> Neo-aristotelianism in the Republic bears the undeniable stamp of the writings and teaching of Franco Burgersdijk, professor at the University of Leiden from 1620 until his death. Burgersdijk held various appointments: in ethics, logic and philosophy. His writings cover all of these, and enjoyed a remarkable success.<sup>3</sup> To understand the causes of things was his motto, and while here he meant the Aristotelian *causae*, he showed a particular interest in efficient causes both in his moral and his political philosophy. Although Burgersdijk died a few years before Dutch academic life was caught by the Cartesian frenzy, his influence in important ways survived the triumph of the new philosophy. This was due to the fact that one of the important heralds of Cartesianism was his pupil Adriaan Heereboord, who in his *Meletemata* (1659) continued his master's philosophy in many respects.<sup>4</sup> Moreover, Neo-aristotelianism seems to have provided a naturalistic approach to moral philosophy that accorded quite well with the new philosophy.

Until recently, the historiography of Dutch seventeenth-century philosophy has mainly concentrated on the new philosophies of the seventeenth century. Descartes and Spinoza, and their followers, have been researched with much acumen by Louise Thijssen-Schoute and Paul Dibon. Less attention has been given to the continuities in Dutch philosophical life. Little has been done on the role of humanist, Stoic, and Aristotelian traditions in the shaping of the two great seventeenth-century systems: Cartesianism and Spinozism. In the history of political philosophy, the situation is slightly different. Gerhard Oestreich's 'Niederländische Bewegung' – which might be called more appropriately the 'Brandenburg-Preussische Bewegung' – has put Lipsius on the agenda, while in Grotius one finds embodied the very transition from tradition to modernity. Historians of philosophy and of poli-

<sup>2</sup> See for Germany, Horst Dreitzel, 'Der Aristotelismus in der politischen Philosophie Deutschlands im 17. Jahrhundert', in: E. Keszler, Chr. H. Lohr and W. Sparr (eds.), *Aristotelismus und Renaissance. In memoriam Charles B. Schmitt* (Wiesbaden: Steiner Verlag 1988) pp. 163–192.

<sup>3</sup> Moti Feingold, 'The ultimate pedagogue. Franco Petri Burgersdijk and the English speaking academic learning', in: E.P. Bos and H.A. Krop (eds.), *Franco Burgersdijk (1590–1635). Neo-aristotelianism in Leiden* (Amsterdam: Rodopi 1993) pp. 151–165.

<sup>4</sup> Adriaan Heereboord (1614–1661) was Burgersdijk's successor in Leiden, on Heereboord: C. Louise Thijssen-Schoute, *Nederlands Cartesianisme*. Utrecht: HES 1989 (1954<sup>1</sup>); Herman de Dijn, 'Adriaan Heereboord en het Nederlands Cartesianisme', in: *Algemeen Nederlands Tijdschrift voor Wijsbegeerte*, 75 (1983) pp. 56–69.

tics agree, however, in their verdict upon the second half of the century, where they see a *philosophia novantiqua* take shape, re-integrating non-Cartesian and Cartesian approaches.<sup>5</sup>

Recent tendencies in the history of philosophy – and the present study takes this line – aim at discovering the continuities between tradition and innovation behind the undeniable political confrontations that accompanied the rise of the new philosophy.

In this chapter, I discuss the character of naturalising tendencies in Burgersdijk's philosophy, in both morality and politics. Natural morality shall then be taken up when discussing Lambert van Velthuysen in chapters 4 and 5, while the writings of Johan and Pieter de la Court provide an opportunity to sketch a radical alternative to Burgersdijk's conception of political unity (chapter 6).

## 1 The books: *Idea philosophiae moralis* and *Idea politica*

Burgersdijk's achievements<sup>6</sup> can best be presented by a close analysis of his writings. Both books to be discussed were published for academic purposes. The chair of moral philosophy had by institution been instructed to teach Aristotelian ethics according to the original text. Burgersdijk tells his readers that he grew tired of reading Aristotle's *Nicomachean Ethics* [EN] to his students in the propaedeutical philosophy classes. Most of his students prepared for careers in other academic fields – medicine, law, or theology – and felt pestered by these, in their view, impractical philosophical matters. Their interest and their attendance proved to wane quickly during the semester, and Burgersdijk looked for other methods to perform his teaching duties.<sup>7</sup> Although humanist teaching methods had only recently emphasised the use of original works in their original language,<sup>8</sup> Burgersdijk nonetheless opted for systematic courses summarising and commenting on the *corpus Aristotelicum*. The resulting compendia or *tyrones* were meant to ease the understanding of Aris-

<sup>5</sup> P. Dibon, *L'Enseignement philosophique dans les universités néerlandaises à l'époque pré-cartésienne (1575–1650)* Utrecht 1954; Ferd. Sassen, *Geschiedenis van de wijsbegeerte in Nederland tot het einde der negentiende eeuw* (Amsterdam: Elsevier 1959) pp. 131, 153–155.

<sup>6</sup> Cf. for the general background of the teaching of moral and political philosophy at the University of Leiden, and Burgersdijk's position in it: H. Wansink, *Politieke wetenschappen aan de Leidse Universiteit 1575–1650*. Utrecht: HES 1981; P. Dibon, *L'Enseignement philosophique dans les universités néerlandaises à l'époque pré-cartésienne (1575–1650)* (Diss. Utrecht 1954) esp. pp. 1–127.

<sup>7</sup> Cf. Burgersdijk's vivid description of these circumstances in the Preface to the *Idea philosophiae moralis*. Cf. Dibon, *Enseignement*, pp. 97–98.

<sup>8</sup> In 1595, Petrus Bertius (1565–1629) was ordered to teach Aristotle's *Nicomachean Ethics*. Cf. Dibon, *Enseignement*, pp. 59 ff; Wansink, *Politieke wetenschappen aan de Leidse Universiteit*, pp. 64ff.



tote by presenting his philosophy in an expository and systematic way. In due course this gave Burgersdijk an opportunity to present his own interpretation of Aristotle and, in some important respects, a vehicle for his own systematic vision.

The *Idea philosophiae moralis* was first published in 1623, had a second edition in 1629, and was reprinted both in Holland and England quite a few times.<sup>9</sup> The *Idea oeconomicae et politicae doctrinae* was published posthumously in 1644 and the political part – pages 32–129 of the first edition – was reprinted in an annotated edition by the Leiden professor of history Georg Hornius (1620–1670) in 1668, as well as in other editions.<sup>10</sup> The second book may be seen as a sequel to the first, in accordance with the set Aristotelian doctrine that moral philosophy consists of ethics proper, as well as of the theory of the household and that of the polis. But although Burgersdijk professes this view repeatedly, he did not treat the latter two in as detailed and extensive a way as the former. His ‘economics’ is a very sketchy and uninspired outline of familial relations, of types of trade and transactions. The discussion of justice in the *Idea philosophiae moralis*, for instance is more explicit on prices and interest than this short exposition on ‘economics’ in the *Idea oeconomicae et politicae doctrinae*. One won’t have to look for another explanation of this part not being reprinted by Hornius.

A further difference to be noted is the absence of any show of learning in the second *Idea*. In the first book all references to Aristotle had been given in full, that is, in Greek accompanied with a Latin translation. Moreover, a select group of other philosophers is adduced: in the second book references are almost totally absent. There, beside Aristotle, only Bodin and Machiavelli are mentioned, the latter two in a deprecatory sense. No textual references or quotations are provided. I venture to suggest that the second book was never properly finished, as a consequence of Burgersdijk’s assuming the duties of professor in logic and metaphysics in 1630. But one may add that Burgersdijk may also have shied away from the toil of defending his abstract from Aristotle’s writings on politics, for reasons to be mentioned shortly. Whatever the circumstances of the noted difference in referential elaboration of the two books, for a modern commentator this poses problems in their own right. This lack of consistency, indeed, puts some noticeable restrictions on the possibilities of interpretation.

The *Idea philosophiae moralis* is a compendium in every respect. And as in

<sup>9</sup> Further editions are: Leiden 1640, 1644; Oxford (in an edition containing also his *Idea philosophiae naturalis*) 1631, 1637, 1654, 1667.

<sup>10</sup> The *Idea oeconomicae et politicae doctrina* was reissued in Leiden in 1649 and 1657. Hornius’s edition was reprinted in 1688.

Burgersdijk’s political booklet, there are significant departures from what one would expect of an Aristotelian compendium. Moreover, in the book on morality his own ideas can be traced more explicitly as he is more liberal in giving references, and from time to time shifts from the expository mode to propounding rather specific points of view of his own. In addition one can learn something from the general structure of his argument, which in some respects seems to follow his master in some detail, but must nonetheless be regarded as a reconstruction of Aristotle’s philosophy according to the need of its author.

In any case, Burgersdijk is doing something rather unexpected in the (self-)imposed Aristotelian context. He comes close to denying important Aristotelian distinctions, as between the different parts of the soul (rational and irrational) and between the faculties (intellective and appetitive). In doing so, he opens up a new field of research, which in the end he may not have elaborated in a totally satisfactory way, but by which he inspired later philosophers.

In presenting the *Idea philosophiae moralis*, in my opinion, Burgersdijk attempted to give, be it within the confines of general Aristotelian philosophy, a defence of a non-theological moral philosophy that had strong naturalist leanings. The core of this position depends on his analysis of the structure of moral action within the context of a more general notion of action as such. He presents a series of arguments that aim at showing that morality is not opposed to the nature of man, but on the contrary is the fruit of nature. He was not a *modern*, for sure, nor did he feel the temptation to elaborate a moral philosophy on his own account. His duties as a professor may even have shielded him from seeing this as a shortcoming. In explaining Aristotle, he formulated his own ideas, that by most contemporaries must have been seen as just Aristotle’s ideas.

Another consequence of Burgersdijk’s professional position was that he was very strict in separating and subdividing the subject-matters he dealt with. He would not mix morality with metaphysics or politics. This will pose some problems for my interpretation and in addressing the question about the relationship between morality and politics.

For what would one expect from a Leiden professor in the years after the Synod of Dordt (1618–1619) in the domain of morality in relation to politics? Some modern commentators have lamented the alleged irrelevance of much of seventeenth-century political thought, including especially the Leiden tradition.<sup>11</sup> But was it only in order to revive classical learning that Leiden professors studied their Aristotle? If true, Burgersdijk is barely reacting to contemporary circumstances in teaching the worn point of view that ethics deals

with morality as such, whereas economics and politics discuss moral matters in the household and the body politic. Burgersdijk tells the reader that the problem of justice will be dealt with more extensively in the book on politics, and that 'natural' forms of friendship are to be found in the family and the state. These traditional topics are in my opinion less relevant to understanding the actual meaning of Burgersdijk's enterprise. When discussing his analysis of justice below, it will be pointed out that his conception of the relationship between morality, politics and private affairs is much more adequate than the simple Aristotelian *topos* would suggest. A somewhat different point is his discussion of friendship. I will have ample opportunity to notice his high estimate of *concordia* in politics. In morality, a quite convenient place to discuss *concordia* is under the heading of *amicitia*. Both Aristotle and Cicero paved the way, but Burgersdijk doesn't mention the topic of *concordia* in that context. To understand this lapse, what one would like to know is how Burgersdijk's moral philosophy relates to the context in which he worked. Was he aiming at support for one or another of the several moral stances in seventeenth-century Dutch society? Was he defending the point of view of the commercial interests, or of orthodox religious groups? When he defends Aristotle against the Stoics in respect of the external goods as relevant to the *summum bonum*, he might be taken as pleading for property. But does he defend property on purpose, or by accident, as a consequence of presenting Aristotle?

One can hardly overlook his precise conception of the relation between moral philosophy and religion. Burgersdijk is very strict in separating philosophy from religion. Philosophy is a pagan affair, it deals with felicity, not with grace. The arguments for the separation are different according to the occasion, the position is unflinching. This position, moreover, is not Aristotelian, nor Scholastic, but more in line with Neostoic teachings. But let me first introduce his writings in more detail.

#### 1.1 The politics of morality and the morality of politics

The *Idea philosophiae moralis* contains 26 chapters, which may be grouped under the following headings. 1) the definition of moral philosophy; 2) felicity, the *summum bonum*, as the *finis* of morality; 3) moral acts; 4) the emotions ('affectus'); 5) the intellectual virtues; 6) moral virtue; 7) the particular moral virtues ('pietas', 'fortitudo', 'temperantia', 'liberalitas' and justice, to name

<sup>11</sup> E.H. Kossmann, *Politieke theorie in het zeventiende-eeuwse Nederland*. [Verhandelingen der Koninklijke Nederlandse Akademie van Wetenschappen, afd. Letterkunde, NR 67, 2] (Amsterdam: North-Holland 1960) esp. p. 19; Wansink, *Politieke wetenschappen aan de Leidse Universiteit*, esp. pp. 148-150.

the most important ones).

Moral philosophy is the 'study of the art of acting virtuously'. Prudence, a practical intellectual virtue, is directed to the final goal of man (felicity), by making use of the moral virtues which are the means to the goal proposed. Human action is partly voluntary, partly forced. Involuntary action cannot be the subject-matter of morality. Elicited or voluntary human action is a matter of appetite. Appetite can be rational and is called the will; it can be irrational (*alogos*) or a matter of sensuous desire ('*appetitus sensitivus*'). Human action, as it always involves the movement of bodily parts, of necessity therefore always comprises sensuous desire. Therefore, Burgersdijk believes that in voluntary action as the domain of morality, an irrational element is always involved. Or, formulated the other way around: in sensuous desire a moral, and hence a rational element is always involved. Particular affections of the sensuous desire are passions, or emotions. These emotions are not natural faculties of the soul, but functions of a natural faculty. Moral virtue is a disposition of the sensuous desire together with a practical judgement, and consists in the Aristotelian mean, or measure (*mediocritas*, *μεσότης*) in emotions or actions. Hence follows of the catalogue of virtues. Cicero's cardinal virtues are important but not sufficient. Thomas Aquinas incorrectly excluded justice. The catalogue starts with piety, and ends with justice. Lastly, Burgersdijk discusses the degrees of virtue and friendship, which is not a virtue but necessary and useful for human life.

Two points deserve attention in Burgersdijk's moral philosophy: the strict separation between philosophy and theology mentioned before, and the use of other philosophers than Aristotle in solving specific problems in moral philosophy. Burgersdijk's most influential predecessors in Leiden were Justus Lipsius (1547-1606) and Petrus Bertius (1565-1629). The first was very effective in the development of the propaedeutical philosophical curriculum at Leiden in its specific humanistic-philological form.<sup>12</sup> The second put to practice the University's decision to have moral and political philosophy taught according to Aristotle. Both were well-known for their defence of philosophy as concerned with natural morality, in contradistinction to the theological contemplation of eternal bliss. Bertius, in addition, unhappily subscribed to conditional predestination, a matter that proved sufficient for his being fired in the aftermath of the Synod of Dordt. One may note a tendency among modern commentators to read the situation in the early 1620's by

<sup>12</sup> G. Oestreich, *Neostoicism and the early-modern state*. Cambridge: Cambridge University Press 1982; G. Abel, *Stoizismus und frühe Neuzeit. Zur Entstehungsgeschichte modernen Denkens im Felde von Ethik und Politik*. Berlin: Duncker & Humblot 1978; Dibon, *Enseignement*, pp. 16-19; Wansink, *Politieke wetenschappen*, pp. 67-85.

hindsight in terms of the 'battle of the faculties' that waged in the context of the penetration of Cartesianism. But, as the case of Gerard Vossius (1577–1649) shows abundantly, it was possible to be a professor at Leiden during these early years of vehement Contra-remonstrant orthodoxy even without subscribing to the canons of Dordt, as long as the principle of unconditional predestination was not disputed.<sup>13</sup> The notion of philosophy as concerned with things natural was not at that time understood as a threat to theology. A conflict in this respect was only to arise later on, when both philosophy and theology became to have more universalistic aspirations.<sup>14</sup>

Thus, Burgersdijk was neither in conflict with orthodoxy, nor deviating from established practices in defending a separate domain for philosophy. As a matter of fact, he proved to be a good Christian by referring himself to Scriptural texts about as often as to the works of Cicero, who is the second most often cited author in the *Idea philosophiae moralis*. The author cited most often evidently is Aristotle, whom he praises as the 'prince and dictator (I would not dare to say the God) of human wisdom. Because God certainly seems to have invested in this one man whatever human nature can conceive without the benefaction of the Resurrection'.<sup>15</sup> Nothing that this author wrote fails to attract the admiration of his readers, exception made for the infelicitous and uncivil Ramist sectarians.

Burgersdijk had a theoretical interest in Aristotle, he was less in line with the predominant philological approach to his writings. He was not interested in philological matters as such, unlike e.g. his colleague in Leiden, the philologist Daniel Heinsius (1580–1655), professor from 1612 until 1655, who presented a new Latin translation of the *Politica*. Burgersdijk, although complying with the notion that Greek was a language essential to philosophy in giving his quotations from Aristotle and Plutarch in Greek, rendered them rather by way of reconstructions than by literal translations, giving the spirit rather than the words.

The *Idea Politica* of 1644 consists of two parts. The first is on the organisation

<sup>13</sup> Cf. C.S.M. Rademaker, *Gerardus Joannes Vossius (1577–1649)* (Zwolle: Tjeenk Willink 1967) pp. 91–126.

<sup>14</sup> Cf. for a full study of 'war of the faculties', see *La querelle d'Utrecht. René Descartes et Martin Schoock. Textes établies, traduits et annotés par Theo Verbeek*, Paris 1988. The strife surfaces in many biographies of professors teaching around the middle of the century. It is plausible to date the origins of the conflict to Heereboord's oration (1640): see Theo Verbeek, *Descartes and the Dutch. Early reactions to Cartesian philosophy* (Carbondale: Southern Illinois University Press 1992) p. 35.

<sup>15</sup> *Principem atque Dictatorem (Deum non aüssim dicere) humanae sapientiae. Nam certe in hunc unum hominem videtur Deus contulisse, quicquid humana natura, paliggenesius beneficio destituta, capere potest*, *Idea phil. mor.*, preface [p. 5].

of the household, mostly on marital affairs.<sup>16</sup> It is a short and not very fundamental part of the book that did not survive later editions. The second part, on politics, contains 24 chapters. Following the introductory chapter on the body politic in general ('de republica in genere') we have six chapters on monarchy, princely virtues and monarchical institutions. Then twelve chapters on different matters of political concern, including such as the prince's court, war and warfare. The twentieth chapter is on religion. The last four chapters discuss aristocracy, democracy and mixed constitutions.

Its organisation seems to follow Lipsius's *Politica* rather than the several Aristotelian books on politics of his day. One may point to Guillaume de Val's introduction to his edition of the *Politics* in his *Aristotelis Operum* of 1629, or to Philip Scherbius' *Discursus politici in Aristotelis de Republica libros* of 1610, or for that matter to Heinsius's extensive comments to his Latin edition. They all follow Aristotle in structure no less than in content. Burgersdijk on the other hand does definitely not follow the well-trodden path. Heinsius emphasises the Aristotelian principles of virtue, freedom, and vigour ('virtus', 'libertas', 'opes'), and although he praises virtue as the most natural and simple principle of political organisation, he does not deny the relevance of the other two. Burgersdijk, however, centres immediately on politics as the art of governing and being governed, of 'jubendi et parendi', on *concordia*, and on the virtues necessary to these purposes.

I may notice then, in concluding this short introduction of both books, that Burgersdijk presumably cloaks his own arguments, or those of authors he agrees with, in an Aristotelian garb. As such this is possibly all there is to 'neo-Aristotelianism', but this evidently does not excuse us from investigating the specific form of neo-Aristotelianism involved.

First, I present what seem to be the central tenets in Burgersdijk's moral philosophy. On the basis of that analysis, I shall turn to his politics, more specifically to its so-called monarchical tendencies.

## 2 Central tenets in moral philosophy

### 2.1 Virtue

In a central argument in caput XI, 'on the nature of the moral virtues in general', at about the middle of his book, Burgersdijk goes somewhat out of his way in presenting a quotation that does not stem from Aristotle. He cites Plutarch in the Greek original on the subject of the soul.<sup>17</sup> Without much

<sup>16</sup> I.e. Brunner's 'ganze Haus', cf. O. Brunner, 'Das "ganze Haus" und die alteuropäische "ökonomik"', in: *Neue Wege zur Sozialgeschichte* (Göttingen 1956) p. 33–61.

ado, he introduces the threefold distinction Plutarch made between *dunamis*, *pathos en hexis*, or in his own terminology, between *facultas*, *affectus* and *habitus*. The first remarkable thing about this quotation is that he could as well have cited Aristotle for this distinction (i.e. EN, II,iv; 1105b20). In the second place, the threefold distinction performs a different role in Aristotle than in Plutarch. It seems as if Burgersdijk aims at profiting from both.

In EN, II,iv, Aristotle starts the discussion of the location of virtue. He argues quite straightforwardly to the conclusion that virtue resides in *hexis*, disposition or acquired state. According to Aristotle, we are not good or bad according to our emotions, but for the way we apply them; we are neither good nor bad according to our faculties, since these are by nature, and 'we are not born good or bad by nature'. Burgersdijk seems to comply, by agreeing that the *genus virtutis*, the kind of thing virtue is, consists in deliberate or considered disposition ('*habitus prohairetikos*'), but Plutarch was heading for something different.

Plutarch did not follow Aristotle in locating virtue in disposition, but started a long argument against philosophers who attempt to deny and annihilate the irrational element in man: 'for ethical virtue is, to sketch the subject, a quality of the irrational, and it is so named because the irrational, being formed by reason, acquires this quality and differentiation by habit ('*ethos*'), since reason does not wish to eradicate passion completely (for that would be neither possible nor expedient)'.<sup>17</sup> The whole argument in Plutarch's *De virtutibus moralibus* is one strong defence of the essential nature of passions: 'if the passions could in reality be entirely done away with, in many persons reason would be too inactive and dulled, like a pilot when the wind dies down'.<sup>18</sup> '[man] is controlled by his acquired disposition, nurtured by his natural disposition, and makes use of reason and intellect. He has, therefore, some portion of the irrational also and has innate within him the main-spring of emotion, not as an adventitious accessory, but as a necessary part of his being, which should never be done away with entirely, but needs have careful tending and education'.<sup>20</sup> This argument by Plutarch that moral virtue is a quality of the irrational, of the emotions, is then so it seems, taken up by Burgersdijk in that he too commences a long elaboration of the precise

<sup>17</sup> In the Latin translation of Burgersdijk: 'Tria sunt in animo, facultas, affectus, & habitus. Facultas est principium & materia affectus; affectus, motio quaedam facultatis; habitus, robur & conformitas facultatis consuetudine parata.' For the original: Plutarchus, *De virtutibus moralibus*. In *Moralia*. Loeb-edition, vol IV, 443D, pp. 36-37 [references to chapter/paragraph in the Xylander edition, and pages in the Loeb-edition].

<sup>18</sup> *De virtutibus moralibus*, 443C, p. 35; Cf K. Ziegler, *Plutarchos von Chaironeia*. Stuttgart: A. Druckenmüller Verlag 1949, esp. pp. 132-133.

<sup>19</sup> *De virtutibus moralibus*, 452B, p. 83. <sup>20</sup> *De virtutibus moralibus*, 451C, p. 79.

nature of virtue. In Ziegler's formulation, Plutarch's position is one of the hylomorphism of passion and reason, in which passions are the matter ('*hylē*') that obtain their essential form ('*morphē*') from reason. Thus reason leads and structures the passions to a disposition to virtue. He also points out that by regarding the passions as a natural endowment of man, Plutarch can argue for the use of the passions in attaining political goals.

Following his quotation from Plutarch, Burgersdijk arranges his further exposition of moral virtue according to the division of *subjectum*, *objectum*, *finis* and *causa efficiens* since, as he posits, the *differentia* of virtue are to be looked for in matter and form. The subject or seat of virtue is the *appetitus*, and more in particular, the *appetitus sensitivus*, or sensitive appetite. In thus determining the seat of virtue, Burgersdijk explicitly points to the irrational part of the soul ('*pars animae ratione carens*', or *alogos*), since in his opinion rational appetite is identical with the will and the will is theoretical, not practical. Nor can the will deviate from the urge of reason, hence no moral problems can arise concerning it.

Burgersdijk's position is not new or revolutionary. He conforms to those who regard the human passions as ineluctable element of human nature. But in his evaluation he is Thomistic rather than Augustinian, in that he presents the passions not as the dark side of man, as flesh opposed to spirit, but as the material upon which man can develop his potentialities.<sup>21</sup> This naturalist tendency is even strengthened by his paradigm of a natural morality as a subject-matter separate from theology.<sup>22</sup> His burden is consequently to elaborate upon the ways in which the passions should be integrated into his conception of man's moral psychology. In the first place, virtue is about the domination of the passions, in the sense that we strive 'to be well disposed in relation to our passions'.<sup>23</sup> In the second place, virtue is not to be equated with Stoic *apatheia*, because the origins or principles of virtue show themselves even in children who have not yet the command of reason. Virtue is not to be exercised in opposition to the passions but in their organisation or arrangement.

This position points to problems that are anything but traditional. By both emphasising the intrinsic connection of virtue with the passions, as

<sup>21</sup> Thomas, *Summa Theologica*, I<sup>a</sup> II<sup>ae</sup>, q. 22, art. 1, ad 1; E. Gilson, *Saint Thomas moraliste*. Paris: Vrin 1974, p. 113: 'la passion est une modification qui résulte accidentellement dans l'âme du fait de son union avec le corps et dont le siège se trouve dans l'appétit sensitif'. Gilson relates this conception of the passions to the great chain perspective on man, as intermediate between God and inanimate matter.

<sup>22</sup> This implies a fundamental difference with Thomas, who would not have dreamt of dealing with morality separate from theology. Cf. Gilson, *Saint Thomas*, pp. 17ff.

<sup>23</sup> *bene sumus in perturbationibus affecti*, *Idea phil. mor.*, XI, 7, p. 117.

well as arguing for a separate natural morality, Burgersdijk potentially embarks upon a quest for the rationality of our natural striving, and opens up a perspective for the development of a set of criteria by which to judge this rationality. In singling out Scotus's denial that virtue should be located in sensuous appetite, Burgersdijk explicitly notices his own 'rationalising' perspective on the passions. For, according to him, the sensuous appetite in animals other than man may be regarded as separated from reason, but not so in man. 'For as often as the sensuous appetite follows the counsel of reason, there is no reason why its action should be said to be less by choice than an action of the will itself. Indeed, an action of the sensuous appetite does not differ from an action of the will when the sensuous appetite follows the counsel of reason'.<sup>24</sup> We have here an argument by analogy, in which the moral character of the sensuous appetite is defended on the ground that actions ensuing from it are identical to what theoretically should be done.

Burgersdijk strengthens his theory of moral action by means of several apparently casual remarks, that taken together point to a strong conviction of the necessity to ground moral philosophy in passions and appetite. He repeatedly stresses that passions are not morally wrong in principle,<sup>25</sup> that the sparks and seeds of the virtues are in the sensuous appetite,<sup>26</sup> that morality has its starting-point in nature and that the moral virtues taken as certain dispositions to virtue inhere in us by nature.<sup>27</sup> This natural disposition does not discharge us from rationally scrutinising our appetites. While the sensuous appetite is the subject of the moral virtues, the passions are their object. To understand this in full, one must refer back to Burgersdijk's introduction of appetite and passion, or desire and emotion as I prefer to render these technical terms. I postpone the further discussion of these concepts, however, until I have dwelled upon Burgersdijk's shift to a remarkably contrasting traditional presentation of the mean in virtue.

## 2.2 The Aristotelian mean

In discussing the *forma* of moral virtue, Burgersdijk slips back into a fully-fledged adherence to Aristotelian *mediocritas*. He insists on the fact that the

<sup>24</sup> Quoties enim appetitus sensitivus rationis consilio paret, causa non est, cur illius actio minus dicatur prohairetiki, quam actio ipsius voluntatis. Imo actio appetitus sensitivi ab actione voluntatis non discrepat, cum appetitus sensitivus sequitur consilium rationis, *Idea phil. mor.*, XI, 8, p. 119.

<sup>25</sup> E.g., affectus non esse toto genere malos, (ut Stoici videntur existimasse) sed tantum quoad excessum, & defectum, *Idea phil. mor.*, VII, 22, p. 81.

<sup>26</sup> igniculi & semina virtutum sunt in appetitu sensitivo, *Idea phil. mor.*, XI, 7, p. 118.

<sup>27</sup> virtutes morales, id est, dispositiones quasdam ad virtutem, natura nobis inesse, *Idea phil. mor.*, XII, 19, p. 134.

moral quality of actions is strongly dependent on the circumstances. 'It is easy to be angry, or to spend money, but is difficult to be angry and spend money with or on whom, as much as, when, for whichever reason and in the way in which it is appropriate to do so'.<sup>28</sup> For 'to observe the mean in our actions and emotions is the greatest difficulty of all'.<sup>29</sup> The argument about the mean leads to the very general conclusion 'that the due measure of any action should be defined by the dictate of right reason, which prudent men always follow'.<sup>30</sup> This suggests a *petitio principii*, and signals a turn to common sense morality that deceptively curtails the implications of the earlier analysis. One might have expected Burgersdijk to continue his sketch of natural morality by trying to come to grips with the ways in which men's moral convictions develop out of their practical endowments. But although he sustains the view that virtuous behaviour entails pleasure,<sup>31</sup> he is reluctant to develop his point that 'he who strives for and shuns, does and omits what he ought, and in the way that he ought, does not feel pleasure or pain except from the things from which and in the way that he ought to feel them'.<sup>32</sup> Acts entail pleasure and pain, according to their correspondence to the mean. His reluctance in following up this argument may be seen to follow from two separate points. In the first place, Burgersdijk is very indignant about the way in which the common people prefer pleasures of the flesh to those of the soul. He gives, one may say, a double meaning to 'pleasure': a structural meaning according to which pleasure is the companion of harmonious or consistent behaviour, and a common sense one to refer to the fulfilment of the specific preferences entertained.<sup>33</sup>

The second reason for eschewing the further development of a natural

<sup>28</sup> Facile est irasci, & pecuniam erogare: at difficile est irasci, & pecuniam erogare, cui, quantum, quando, quamobrem, & quomodo oportet. *Idea phil. mor.*, XII, 11, pp. 131-132.

<sup>29</sup> medium in actionibus & affectibus consequi, summae difficultatis est, *Idea phil. mor.*, XII, 11, p. 131.

<sup>30</sup> modum cujuslibet actionis, rectae rationis dictamine, quam prudentes semper sequuntur, definiendum esse, *Idea phil. mor.*, XI, 24, p. 127.

<sup>31</sup> [voluptatem esse] perfectionem quae cum operatione conjuncta est, eamque perficit; non ut causa efficiens, ... non ut causa formalis & interna, ... sed ut finis quidam, qui per se non intenditur, sed tamen qui actionem perfectam, quae ab agente intenditur, perpetuo comitatur ... Nemo enim bene operatur, ut voluptatem percipiat; sed voluptatem percipit, quia bene operatur, *Idea phil. mor.*, IX, 4, p. 97.

<sup>32</sup> Qui enim appetit, & aversatur, agit, & omittit quod debet, et quomodo debet, is voluptatem, aut dolorem non percipit, nisi ex rebus, & quomodo percipere debet, *Idea phil. mor.*, XI, 14, p. 122.

<sup>33</sup> Cf. *Idea phil. mor.*, IX, 15, pp. 101-2 for Burgersdijk making a further distinction himself 'voluptas communis dicitur, quam omnia animantia naturaliter, ac sine delectu expetunt, ... Voluptas propria est, quam quodq; animal suo iudicio sibi eligit'. He concludes by quoting the saying: Everyone is pulled by his own pleasure.

morality, no doubt, is Burgersdijk's set of moral precepts:

- a. Of two evils, always choose the lesser;
- b. Avoid most of all that evil to which we are more inclined by nature, and from which one expects the most pleasure;
- c. In all situations, one should be suspicious of the pleasurable and enjoyable.<sup>34</sup>

This leads him to a further shift, where he redefines the seeds of the virtues as 'the notions of the general principles regarding the discrimination of the honourable and dishonourable'.<sup>35</sup> Whereas before the sparks and seeds of virtue were presented as belonging to the sphere of the *alogen*, he now shifts to the other interpretation of 'spark', *syndereisis* or conscience, the voice of right reason.

So far, one might term Burgersdijk a reluctant natural moralist who, notwithstanding the latitude in his moral outlook, nonetheless prefers the safety of common sense morality to the uncertain consequences of sustained theoretical exposition. Some would name him for this reason an eclecticist. But in Burgersdijk one may also notice the birth pangs of a new and modern conception of morality. An additional argument for this view may be taken from his treatment of passion and appetite.

### 3.1 Desire and emotions

Although Burgersdijk subscribes to the opinion that we aim at good things when we understand them to be good, he is not content to leave this principle without further analysis. He wants to understand how we are moved to act. Expressly to this purpose he introduces the concept of *affectus*, seemingly in a rather innocuous way by identifying it as *pathē*, as passion pertaining to the irrational part of the soul. We will see how he makes out of this passion the principle notion of action. 'Affect is a motion of the sensuous appetite, with a non-natural change of the body, after a good object or a bad has been conceived and judged by the imagination, towards pursuing the former and

<sup>34</sup> Quare haec tria praecepta studiose servanda sunt. Primo, quandoquidem extremorum alterum majus peccatum est, alterum minus: ... minima malorum eligenda sunt. ... Secundo, longissime recendum est ab eo vitio, ad quod natura sumus procliviores, atque ex quo plus voluptatis percipimus. ... cum longissime a peccato recedimus, ad id quod medium est, veniemus. ... Tertio, in omni negotio voluptas, & quicquid jucundum est, nobis debet esse suspectum. Non est ergo committendum, ut nostras actiones voluptate aut dolore metiamur, & licitum putemus omne id, quod jucundum nobis est; & illicitum, quod injucundum. *Idea phil. mor.*, XII, 12-14, p. 132.

<sup>35</sup> Euphuia comprehendit corpus bene temperatum, [etc]. item semina virtutem, hoc est, generalium propositionum, ad discrimen honesti atque inhonesti spectantium, notionem, *Idea phil. mor.*, XII, 19, p. 134.

avoiding the latter.'<sup>36</sup> Affects are not natural faculties of the soul, but 'functions' or movements of a natural faculty. Indeed, the seat ('sedes') of the affects is the *facultas appetens*, the desiring faculty. The principle of movement is the faculty of knowing, and the effect of movement is the modification of heart and body (supposedly the faculty of acting). Affects, so to say, represent a conceptual unity between knowing, desiring and acting, thereby explicating that the three faculties are really aspects, and not parts, of the soul.<sup>37</sup> In the subsequent rebuttal of the Stoic analysis of *affectus*, Burgersdijk exhibits his fundamental move away from Aristotle's psychology. Indeed, referring to the passage in *Tusculanae Disputationes* where Cicero suggests translating *pathē* by disturbances ('perturbationes') instead of by illness ('morbi'),<sup>38</sup> Burgersdijk points out that the Stoic notion of *affectus* is wrong. That is to say, Burgersdijk continues one pace further on the Ciceronian path of naturalizing *pathē* to a central psychological concept, by transforming it to the only motivational link between desire and action.<sup>39</sup> In section vii of his chapter on the affects, Burgersdijk explicates his divergent view:

The movements of desire belong to those kind of things which the philosophers call immanent, i.e. those that are received in that faculty [of desiring] as in a 'subject' [their seat], and from which they originate as from an efficient cause. From this it follows, that the affects are not mere passions, but are a mixture of passions and actions alike. For passions are such as they are, not only in so far as the desire is moved by the known object, but also in so far as the same desire receives its own action back into itself (what the philosophers call 'to suffer') and the whole body, through the agency of the spirits, is affected by this non-natural modification. Moreover, in so far as the desire, excited by the known object, excites and brings forth the affects in itself, the affects have to be called actions. For this production is without doubt a certain action. However, since in the affects the sufferings are more manifest than the actions, affects are usually rather called '*pathē*', i.e. passions, than actions. Nevertheless, not all affects have the same principle. For those that precede or overturn reason, by some especial right deserve to be called passions, as our mind is led and in some sense carried away by them. Those following reason and permitting it to lead them, seem to approach more to the nature of actions.<sup>40</sup>

The strange thing about this passage is that Burgersdijk does not seem to be

<sup>36</sup> Affectus est motio appetitus sensitivi, cum non naturali mutatione corporis, ab objecto bono, vel malo, à phantasia proposito, & aestimato, ad illud consequendum, hoc vitandum, *Idea phil. mor.*, VII, 2, p. 72. This definition occurs in cap. VII (pp. 71-83): 'De affectibus in genere', to which chapter all other references apply, unless stated otherwise; cf. Thomas, *S.Theol.*, I, 20, 1 ad 1, where *affectus* is defined as 'actus appetitus sensitivi, in quantum habent transmutationem corporalem annexam'.

<sup>37</sup> Cf. J. Lear, *Aristotle. The desire to understand*. Cambridge 1988, pp. 143 ff.

<sup>38</sup> *Tusc. Disp.*, IV, pp. 10 ff.

<sup>39</sup> Like in his analysis of free will, Burgersdijk presumably made use of Nemesius, *De natura hominis*, cap. 13; Cf. Thomas, *S.theol.*, I<sup>a</sup> II<sup>ae</sup>, q. 23; Francisco Suárez, *In: I/II Thomae tract.*, IV, disp. 1, sect. 1, 3, p. 456 and sect. 12, 11, pp. 476-477.

aware that he is breaking out of the Aristotelian scheme he himself introduced in the opening section of this chapter. Although as a start he defined affect as the part of the soul destitute of reason, in the end he comes forward with an overarching concept of affect, relevant to all human behaviour, rational as well as non-rational. Therefore he rejects the notion that we should attribute to man two kinds of affects, those in sensuous desire (as in beasts) and those in the will (presumably purely human). When we discriminate between two kinds of affects, that is between those we share with beasts and those purely human, it is because some affects are produced by the judgement of the senses alone, and others by reason mediated by the senses. So Burgersdijk comes to the conclusion that the affects are 'in our power'. They do not depend on temperament, as Galenus seemed to believe, because then we would have to consult a doctor instead of a philosopher for our moral guidelines. All desire by itself is blind, it has to be informed about what good it has to persecute, what bad to evade. 'This judgement and estimation, by which the affects are proximately excited, is an action of the internal sense ... reason may be present at this judgement, or not ... In this meeting it may concur with the imagination, or not.'<sup>41</sup> Thus, Burgersdijk can state that affects manifest themselves in children and are improved by practice, *before the use of reason*. Elsewhere, he spoke of an innate desire, that is really good in itself, and cannot miss its target, because it flows from the nature of each thing.<sup>42</sup> Elaborating on this idea, he differentiates between the proximate end of the affects and their remote end, between following the good proposed & evading the bad proposed on the one hand, and the orientation

<sup>40</sup> *Motiones appetitus sunt ex earum genere, quas Philosophi immanentes vocant: quae in ea facultate recipiuntur ut in subjecto; à qua manant, ut à causa efficiente. Ex quo sequitur, affectus non esse meras passiones, sed ex passionibus, & actionibus simul mistos. Passiones enim sunt, non solum quatenus appetitus movetur ab objecto cognito, sed etiam quatenus idem appetitus suum ipsius actum in se recipit, (quod pati Philosophi appellant) totumque corpus spirituum adminiculo, non naturali mutatione afficitur. quatenus autem appetitus ab objecto cognito excitatus, affectus in se ipso ciet, ac producit, eatenus affectus actiones dicendi sunt. Haec enim productio quaedam actio est haud dubie. Verumtamen quia perpassiones in affectibus manifestiores sunt, quam actiones; solent affectus  $\pi\alpha\theta\eta$ , hoc est oassiones potius appellari quam actiones. Quanquam non est eadem omnium affectuum ratio. Nam qui rationem vel anteverunt, vel evertunt, praecipuo quodam juri passiones appellari merentur. ab iis enim ducitur, & rapitur quodammodo noster animus. Qui rationem sequuntur, eique se ducendos permittunt, magis videntur ad actionum naturam accedere. *Idea phil. mor.*, VII, 7, pp. 74-5.*

<sup>41</sup> *Judicium hoc atque aestimatio, à qua affectus proxime excitantur, est actio sensus interni ... vel concurrat ad illam aestimationem ratio, vel non concurrat ... in hoc concursu, vel consentit ratio cum phantasia, vel ab ea dissentit. *Idea phil. mor.*, VII, 13, pp. 77-78.*

<sup>42</sup> *Etenim res quaedam sunt, quae innato appetitu, sine praevia cognitione in bonum feruntur ... semper feruntur in id, quod revera bonum est. ... appetitus innatus non possit à scopo aberrare: fluit enim à cujusque rei natura. *Idea phil. mor.*, II, 5, p. 27.*

towards wellbeing & integral conservation of the body on the other. Proximate ends help one to come nearer to the more remote ones.

From this follows, that the affects are not bad in every respect (as the Stoics seem to have believed), but only as excess or defect. For in what manner is that wrong, which follows from a natural faculty? And which tends to the good and even to the very wellbeing of the animal? Either nature gave man the sensuous desire in vain (or even by mistake), or else the movements of the sensuous desire, i.e. the affects, are not in their totality to be counted among the bad things. Furthermore, we are without doubt led more forcefully to the desired ends by the help of the affects, and we strive for them more perfectly, and enjoy them more joyfully, if we do not indeed abuse the affects, but use them as the servants of right reason.<sup>43</sup>

I take this argument from 'non frustra, non perperam' – not to no avail, not by accident – to be a most important methodological point. I have shown how it emanates from a careful dissection of human behaviour in relation to the faculties of knowing and desiring. Were it not that Burgersdijk explicitly states that the affects are *functions* of desiring, one might conclude that in this analysis we have the explication of the third faculty he introduced in the first chapter, that of acting. Nevertheless, it is but a short step to the Cartesian conception of the passions of the soul.<sup>44</sup> This corresponds with Dibon's view of Burgersdijk as the beginning of the *philosophia novantiqua*, and the reference Heereboord had this in mind when he praised Burgersdijk's innovations in moral philosophy.<sup>45</sup>

However, since Burgersdijk did not follow up this programme to its very end, the remainder of his moral philosophy, in which he presents his moral precepts, can be introduced somewhat independently of the foregoing. The general tendency here is a humanistic and optimistic one. Moral rules can never be too strict, because the right action depends on circumstances. Moral action is doing good things from good intentions. Our disposition to behave morally is a trait of character we have to develop in acting morally. Although

<sup>43</sup> *Ex quo sequitur, affectus non esse toto genere malos, (ut Stoici videntur existimasse) sed tantum quoad excessum, & defectum. Nam qui malum sit, quod à naturali facultate profisciscitur? quodque tendit in bonum, atque in ipsam adeo salutem animalis? Aut natura frustra homini concessit appetitum sensitivum, vel etiam perperam, aut motiones appetitus sensitivi, id est, affectus, non sunt omnino in malis numerandi. Praeterea potentius haud dubie ferimur in optatos fines affectuum beneficio, consequimur eos perfectius, & fruimur jucundius, si affectibus non abutamur quidem, sed utamur, ut famulis rectae rationis, *Idea phil. mor.*, VII, 22, pp. 81-2.*

<sup>44</sup> See Pierre Guenancia, 'Passions et liberté chez Descartes', in: H.W. Blom, Th. Verbeek and Y.-C. Zarka (eds.), *Entre Descartes et Hobbes. La philosophie politique aux Pays-Bas avant Spinoza*. Amsterdam: Rodopi (to be published).

<sup>45</sup> Dibon, *Enseignement*, p. 119. See e.g. Heereboord's judgement: 'Sane, quotidiana docet experientia, affectibus valde juvari ac promoveri hominum functiones & actiones, quae languebunt: si plane apathès, omne affectu destitutus reddatur homo ... Et, quae erit materia virtutum, si affectus omnes resecentur ac tollantur?', *Meletemata*, p. 76.

man may eventually develop a morally bad character from doing morally wrong actions, Burgersdijk is convinced that being moral is within our reach. We may be haunted by intemperance and incontinence, by a lack of balance in our organisation of the emotions and by difficulties in pursuing our intentions. Of these two moral imperfections, Burgersdijk regards the latter as the minor imperfection since its intention is good. This is a theme also present in Plutarch. It is another illustration of Burgersdijk's humanistic leanings. It might be appropriate to discuss two virtues in more detail. Anger is the emotion that is an object of the virtue of *mansuetudo* or kindness. It is notorious for its signalling the distinction between the Aristotelian and Ciceronian conception of virtue. 'Justice' may introduce a discussion of Burgersdijk's political philosophy.

### 3.2 De ira

In presenting his catalogue of passions, Burgersdijk sides with Cicero against Aristotle. He scorns Aristotle for being vague in his classification and about the number of passions to be discussed. He praises the Stoic classification as provided by Cicero in book IV of the *Tusculanae Disputationes*. The passion of anger is used to attack Aristotle in more detail.

Anger is said to be the desire to punish him who is supposed to have committed injustice, in accordance with Cicero.<sup>46</sup> Cicero's point in the fourth book of his *Tusculanae Disputationes* is to find himself a place between the Stoic and Peripatetic positions. Virtue cannot be said to inhere in wisdom alone, since man has to cope with the violent passions that disturb his *constantia*. But it is too far-fetched to see virtue in irascibility, since although this may be a natural endowment, it for sure is not a contribution to great achievements. In between the two extremes, Cicero suggests virtue to consist in regulating one's passions, so as to be well amidst one's disturbances. Burgersdijk takes this point in presenting the virtue of *mansuetudo* that has anger as its object. *Mansuetudo* is a virtue that does not consist in a mean between two passions, because anger according to Burgersdijk does not have an opposite. It consists in moderation in acting in anger. One should act in a proper way in the face of injustice: not too much not too little, not too quick not too tardy, not influenced by hatred, nor too indulgent from softness. In some situations behaving angrily is inappropriate, e.g. if the injustice in question should be dealt with by the *magistratus*, by those governing. Thus, *mansuetudo* opens up the discussion of the virtue of justice.

<sup>46</sup> *Idea phil. mor.*, VIII, 22, p. 93; quotation from *Tusc. disp.*, IV, 21.

### 3.3 De iustitia

Justice, notwithstanding Thomas's argument to the contrary, is regarded as a virtue. It is the virtue concerning other people. Moreover, like Cicero, Burgersdijk sees justice as the sum and culmination of all other virtues.<sup>47</sup> At first sight, this might be a bit difficult to accept. How can a virtue concerning other people be the sum and culmination of the virtues concerning oneself? Part of the answer can be found in the definition of the 'essence' of justice: good laws and equality before the law (*eunomia* and *aequalitas*).<sup>48</sup> These are said to embody the notion of the mean *par excellence*. Whoever is capable of justice, must by necessity practice other virtues.

Justice is divided into universal and particular justice. The first regards the relationship between man and the commonwealth, the second the relationship between men. Universal justice has to be taken care of by the *magistratus*. Both types of justice are cultivated in institutions. Public institutions produce good citizens, private institutions produce good men. The object and effect of universal justice is to accomplish the right that should be realised. The right, or *jus*, can be divided into *jus politicum* and *jus oeconomicum*. *Jus politicum* in its turn divides into *jus naturale* and *jus legitimum*, both having regard to the citizens and members of a civil society. Natural right is under the dominion of right reason and obliges always and everywhere. Legitimate right, on the other hand, does not oblige unless constituted, and is regulated by the well-being of the Republic and the public utility of its citizens.

Right can be subdivided into natural right, right of nations, and civil right. Burgersdijk follows Ulpian up to a point. He accepts the latter's verdict that *jus naturale* pertains to all animated beings in regard to mating, procreation and education, adding that this applies only in a material sense but not on account of the essence of these beings: *materia* but not *ratione formā*. Beings not endowed with reason are incapable of following the prescriptions of natural right in its formal essence of agreement with natural reason. Brute animals follow these prescriptions 'ex caeco instinctu', out of blind instinct. But although Burgersdijk opines that Ulpian is not sufficiently accurate, he agrees that the central content of natural law is more or less 'biological'.

Burgersdijk may not have been influenced by natural jurisprudence. Any reference to Grotius is absent. In Burgersdijk, *jus gentium* performs much of the function of *jus naturale* proper, emphasising the consensual element in natural right.<sup>49</sup> An example of *jus gentium* is right in warfare.

<sup>47</sup> *Iustitia est virtus pulcherrima, perfectissima, & optima*, *Idea phil. mor.*, XXI, 3, p. 211.

<sup>48</sup> In this definition, as in the further definitions, Burgersdijk is nevertheless following the exposition of justice in Thomas's *Summa theologiae*, II<sup>a</sup> II<sup>ae</sup>, q. 58-60 (justice), I<sup>a</sup> II<sup>ae</sup>, q. 94 (natural law), 95, 96 (human law).



In the end, Burgersdijk sticks to his basic distinction between *jus naturale* and *jus legitimum*. In addition, the social nature of man is presupposed in making natural right a sub-category of political right. Legitimate or positive right is pronounced by the ruler, who per force must be *legibus solutus*, freed from the bounds of law. That is to say, the ruler alone decides on the appropriateness of civil law as a means to procure the public interest, but is free from any moral bound. In the first place, he has the prerequisite of being virtuous, because being *legibus solutus* is the only remedy against bad law-giving. In the second place, he is bound by natural law. In Burgersdijk's politics, this theme will recur and be generalised. The prince is also bound by the *leges fundamentales* that define the civil society he is to govern.

A second consequence of this classification is that natural right does not apply to the relations between individual men. That is, Burgersdijk is very careful not to shift from the language of virtues to the language of rights. Moreover, his language of virtues is not that of civic humanism, as we will see more amply in his politics. Particular justice is defined as regarding 'the goods, in which good or adverse fortune is usually to be found, like honour, money, well-being, etc., as far as they are owed to others by right'.<sup>50</sup>

The relation between the distinctions of political and oeconomic right on the one hand, and of universal and particular right on the other, is somewhat vague. Strictly speaking, the right of the household is not right, since in Burgersdijk's opinion the head of the household owns wife, children and servants, so that no political law applies to his relations with them. The usual meaning of 'jubendi et parendi', of ruling and obeying does not apply to them, therefore no publicly defined right can be involved.

Particular right seems to be an element of political right, if only because there is no other possibility. This implies that the distinction between natural and legitimate right applies here as well. Natural right is articulated by the concepts of *medium*, mean, and *aequalitas*, equity. The *mediocritas*, temperance, inherent in a particular right is analogical.<sup>51</sup> The resulting discussion of distributive and corrective or commutative justice is fairly standard. Distributive justice is the prerogative of the *magistratus*, as e.g. the deferring of hon-

<sup>49</sup> See on the Stoic background of this consensual element in natural law: R. Schian, *Untersuchungen über das 'argumentum e consensu omnium'* (Hildesheim/New York: Olms Verlag 1973) pp. 148ff.

<sup>50</sup> *Justitia particularis versatur circa bona, ... in quibus prospera vel adversa fortuna collocari solet. ... id est, circa bona fortunae, qualia sunt, honor, pecunia, salus & alia, ... quatenus aliis jure debentur, Idea phil. mor., XXII, 2, p. 228.*

<sup>51</sup> *ceterae virtutes versentur circa affectus & actiones hominum erga se ipsos; justitia non versetur circa affectus, nisi per accidens, sed tantum circa actiones & quidem quas exercemus erga alios, Idea phil. mor., XXII, 5, p. 229-230.*

our and the attribution of punishment, all according to someone's contribution to the public interest. Disobedience to civil laws is punished by the judge, however, and is therefore not relevant to distributive justice. Commutative justice almost exclusively relates to contracts and liable damage. It is undeniably the intention of Burgersdijk to take this particular type of right as a species of natural right. Here as well, the judge as *jus animatum*, living law, has to decide. Moreover, in elaborating on the relations men have concerning the external goods or *bona externa*, Burgersdijk expounds on the 'nature of things'. Exchange has to be 'equal', according to the arithmetical proportion. Furthermore, money has been invented to be the measure of exchange, for which scarcity or want is the natural measure. In addition there is the measure of exchange that is laid down in laws, but this point is not further commented upon. We may suppose that Burgersdijk accepts political price regulation if the public interest requires so. But more attention is given to natural justice as implied in the measure of scarcity.

From this is evident, in what sense trade rests on equity, and according to what reason a merchant can justly grow rich. Indeed, if scarcity dictates the price of things, and if the earth does not bear everywhere the same, it is in accordance with equity that they who convey merchandise from elsewhere, only profit in the same measure, because of a shortage, it is more expensive where they retail it than in those places where it had been bought.<sup>52</sup>

Concerning the in his time still lightly inflammable topic of usury, Burgersdijk seems content just to imply that usury is unequal and hence unjust exchange, i.e. a consequence of fraud or violence. Classical usury theory up to the Renaissance would not accept this definition, because usury is mostly not by fraud or violence, but by profiting from scarcity. Late sixteenth- and early seventeenth-century usury theory tries to redefine profit in other terms, like (opportunity) costs and risk. Burgersdijk straightforwardly accepts the profit principle. He can do so the more straightforwardly since his conception of trade is singularly free from bullionist preoccupations: the trader earns by equitable redistribution.

In summary, in his discussion of justice, Burgersdijk shuns acceptance of a modern rights theory like that of Grotius, but nevertheless introduces a theory of natural price that is remarkably advanced. Once again, he is opening the door to modernity a crack, based on the naturalist argument. But

<sup>52</sup> *Ex hisce liquet, qua aequitate nitatur mercatura, & qua ratione possit mercator juste ditescere. Si enim indigentia ponat rebus pretium, & non eadem ferat omnia tellus, aequitati consentaneum est, ut ii, qui merces aliunde advehunt, tantum lucrentur, quanto propter inopiam ibi cariores sunt, ubi eas divdunt, quam iis in locis, ubi fuerunt coëmp-tae, Idea phil. mor., XXII, 23, p. 242. For later discussions on usury, see Jelle C. Riemersma, *Religious factors in early Dutch capitalism 1550-1650*. The Hague: Mouton 1967.*

though siding with the mercantile interest, both by accepting the *bonae externae* in the definition of the *summum bonum* as well as by his theory of natural price, he was neither going to set up an individual natural right nor stating the public good in terms of individual interest.

#### 3.4 Heroic virtue: a summation of morality

Burgersdijk's presentation of morality culminates in a *laudatio* of heroic virtue. 'Perfect virtue is when both reason prescribes what is right, and the passions without any resistance follow the precept of reason ... Heroic virtue is nothing else than virtue together with a certain excellence and splendour'.<sup>53</sup> Heroes have all the prerequisites necessary to obtain the virtues. Heroic virtue is divine virtue, since it approaches similitude to God.

Here we see the shift to reason completed. As mentioned before, Burgersdijk took advantage of the double meaning of 'sparks and seeds of virtue', in changing from his original opinion that passion and appetite are the proper domain of moral action, to an interpretation in terms of natural light. Now we may certainly ask what it is that reason prescribes and whenever are we justified in seeing excellence and splendour in someone's virtue? Interestingly, the discussion of *jus naturae*, that in the works of so many seventeenth-century philosophers takes the place of *recta ratio*, cannot do the job for Burgersdijk. His naturalist inclinations (and his Aristotle) made him regard *jus naturae* as principles of procreation, family life and education in a rather biological sense. He did not follow Cicero in his tritum about 'cuique suum tribuere, neminem laedere, pacta sunt servanda',<sup>54</sup> nor did he discuss principles of natural law such as the Grotian notions of indigence, *indigentia*, or sociability, *sociabilitas*. Reason in Burgersdijk is a rather empty concept. No specific principles are involved, although he presents his humanistic moral advice as rational.

<sup>53</sup> *Idea phil. mor.*, XXIII, 1, p. 243; XXIII, 20, p. 249.

<sup>54</sup> It may be a matter of discussion, whether it is correct to make a point of this rather restricted content of natural right, since *suum cuique tribuere* was adduced by Burgersdijk as an alternative way of expressing the essence of justice: 'Iustitia est constans & perpetua voluntas suum cuique tribuere', *Idea phil. mor.*, XXI, 1, pp. 209–210. It makes a difference, however, whether one takes the precept of *suum cuique tribuere* as the essence of justice to be explained by a theory of right, or have *suum cuique tribuere* take its place among a more comprehensive exposition of what is just. In other words, Burgersdijk is unduly restrictive in his conception of justice.

#### 4 A moral theory of politics

The one remarkable thing about Burgersdijk's book on politics is that it does not contain any important Aristotelian notion that would distinguish it from non-Aristotelian contemporary ones. Although Burgersdijk enumerates the three basic forms of government ('*formae Rerumpublicarum*'), and mentions their degenerate versions – tyranny, oligarchy, and ochlocracy – his argument is not on a level with the analysis in the *Politics*. Moreover, these basic forms are so much part and parcel of any early seventeenth-century treatise on politics, that only a careful analysis of the use made of them would reveal any particular allegiances. Burgersdijk does not make an easy target in this respect. What could be the implicit convictions behind his opinions? We will find that Burgersdijk is better understood in the context of rival Protestant political philosophies, that is, as involved in a Protestant discussion, rather than as presenting genuine interpretations or emanations of Aristotle.

The monarchical form of government is without doubt the best by virtue of its nature, because it is not liable to dissension. The form of government in which power is in the possession of many, is to be praised in so far as [the state] is brought back to unity. This unity consists in consensus and concord.<sup>55</sup>

Discord is the culprit. Echoing Althusius ('*discordia dissolutio societatis*'),<sup>56</sup> or for that matter Bodin ('*car nul ne peut estre souverain en une Republique qu'un seul*'),<sup>57</sup> Burgersdijk seems to centre on the detrimental effects of discord, and to make the rather debatable point that one person alone cannot be liable to dissension. Especially in dangerous times, it is useful to entrust the state to some individual who might hold it safe. And in times of war, a ruler or general leader ('*imperator sive dux generalis*') has to be created, since the 'slow councils' are inept for warfare.<sup>58</sup> Indeed, Burgersdijk's preferences seem evident:

Monarchy is the simplest form of government, and the best ordered one, and therefore

<sup>55</sup> *Status Monarchicus* haud dubie optimus est sua natura, quia non est obnoxius dissensionibus & status in quo imperium penes plures est, eatenus est laudabilis, quatenus ad unitatem reducit. Haec unitas in consensione & concordia consistit, *Idea pol.*, XXI, 3, p. 190. This is a far cry from Aristotle, *Eth. Nic.*, IX, 6: 'Concord is said to prevail in a state, when citizens agree as to their interests, adopt the same policy, and carry their common resolves into execution ... Concord appears therefore to mean friendship between citizens, which indeed is the ordinary use of the term; for it refers to the interests and concerns of life.'

<sup>56</sup> J. Althusius, *Politica methodice digesta*, 1614<sup>3</sup> [1603<sup>1</sup>], I, 37, p. 11; 'Necesse igitur est, ut uni competant exercitio, non pluribus simul, nisi illi plures, instar unius, mutua concordia & consensu in iuribus hisce administrandis se gerant', *Ibid.*, XXXIV, 18, pp. 765–766.

<sup>57</sup> J. Bodin, *Les six livres de la république* (Paris 1583) VI, p. 961; Bodin continues to indicate (p. 962) that unity can only be guaranteed and divisions overcome by a single sovereign.

<sup>58</sup> *Idea pol.*, XXI, 8, p. 194.

by nature the most stable. Indeed, this government is easier, and more easily attains its end. Nevertheless, given the condition of human weakness, it is not always practical to prefer monarchy to other forms of state. Often, even, the nature of the subjects does not tolerate a monarchy. In these cases it is even dangerous to vest the supreme power of the state in one head.<sup>59</sup>

If we are to understand Burgersdijk that monarchy, although preferable for reasons of unity and effectiveness, may nevertheless fall short of what human weakness requires, this warrants the conclusion that in his view monarchy expresses the essence of government. Monarchy would be the form of government in which the efficient cause of the state is most clearly visible, that is, in which the prudence in ruling ('*prudentia regendi*') and the benevolent will in obeying ('*benevola voluntas parendi*') can most clearly be discerned.<sup>60</sup>

Given the centrality of 'rule and obedience', it might indeed be called the genus of political organisation. In line with Burgersdijk's usual Neo-aristotelian method, the *differentia* are to be presented under the concepts of subject, object, final goal and efficient causes. The final cause, the *causa ut*, is the happiness of the whole state, which is to be found in that all can live piously and virtuously, and next in that all can strive as much as they can, to obtain the necessities for commodious living and to obtain the common goods and common rights for defence against external force. From these two things (that is, from this final cause) proceeds the peace and concord of the citizens, which is the greatest strength of the state.<sup>61</sup> As peace and concord follow from the final cause, they must be the formal cause. The material cause, then, is provided by the definition of *respublica*: a society of many families living under one government and under the same laws.<sup>62</sup> The way to bring it all about is the virtuous prince, or *magistratus*.

The key factor in Burgersdijk's conception of politics is his reliance on the

'rule-obedience' scheme, and consequently his preference for the monarchical model as the most explicit and most transparent form of government around which to organize his material. In the prototypical monarch we find the essential elements of the good ruler in *extremis*. Noble birth and good education together make for a virtuous prince. The good subjects, however, are not discussed except in two cases, i.e., that of tyranny and that of religion.

Just as living bodies have their diseases, the body politic suffers its disorders. They may originate from the absence of the prince, or from his intemperate behaviour, as well as from external causes. These may lead to one of three forms of degenerate politics: anarchy, polyarchy or tyranny. Tyranny is the situation in which the prince, in contempt of the laws, treats his subjects not as citizens, but as slaves.<sup>63</sup> In this argument, Burgersdijk recaptures his critique of Machiavelli in book I, 15. In opposition to Machiavelli's point of view, subjects do not exist for the sake of the prince, nor, for that matter, the prince for the sake of the citizens. Tyranny, therefore, comes under the general heading of the damage to the *bonum commune* for the personal benefit of the ruler. This notion of tyranny shows the relevance of Burgersdijk's earlier somewhat loose discussion of the extent to which a prince is *legibus solutus*. He had made it clear that although the prince as a legislator is above the law and can make laws to his liking, he nevertheless is bound to the laws that define the political community, that is to the *leges fundamentales*. These laws express the *consensus iuris* which is the fundament of the body politic. This is made abundantly clear in five main routes to tyranny that Burgersdijk enumerates: (1) the violation of the fundamental laws and the privileges of the subjects; (2) the abuse of the supreme power in cruelty or plunder; (3) the deprecation of religion, piety and justice; (4) the private use of the public wealth to the detriment of the people; and (5) the reduction of the people to poverty or the permission of dissension.

The citizens are free to defend the public interest. A distinction is made between a tyrant without title, and a tyrant who was originally a legitimate prince. In the first case, tyrannicide is acceptable, as the tyrant is an enemy.<sup>64</sup>

<sup>59</sup> *Monarchia est status simplicissimus maximeque ordinatus: ideoque natura sua firmissimus. Quin etiam haec gubernatio facilius est, faciliusque finem suum assequitur. Attamen habita ratione humanae imbecillitatis, non semper expedit aliis Reip. formis monarchiam praeferri. Saepe enim subditorum indoles monarchiam ferre nequit. Tum etiam periculosum summam rei versari in uno capite*, *Idea pol.*, II, 2, pp. 9-10.

<sup>60</sup> *Ad publicam Reipub. felicitatem pervenitur prudentia regendi, & prompta, ac benevola voluntate parendi. Illud requiritur in magistratu; hoc in subditis*, *Idea pol.*, I, 14, pp. 7-8; in a comparable, but more explicit sense: Henning Arnisaeus: 'Reipublicam essentiam consistere in ordine imperandi et parendi', *De republica seu relectionis politicae libri duo* (Frankfurt 1615) II, 1, ii.

<sup>61</sup> The purpose of political doctrine is defined as follows: 'Finis doctrinae Politicae est, felicitas universae Reip. quae in eo sita est, ut omnes pie probeque vivant: deinde ut omnia iis, quatenus fieri potest, suppetant, quae ad vitam commode degendam necessaria sunt, & ad res communes, & communia jura civitatis adversus vim externam, defendenda. Ex hisce duabus rebus tranquillitas oritur & concordia civium, quod est maximum Reipub. robur', *Idea pol.*, I, 13, p. 7.

<sup>62</sup> *Respublica est societas plurium familiarum sub eodem magistratu, iisdemque legibus degentium. Vel sic, Est familiarum rerumque inter illas communium summa potestate, ac ratione moderata multitudo*, *Idea pol.*, I, 2, p. 2; Bodin: 'République est un droit gouvernement de plusieurs mesnages, & de ce qui leur est commun, avec puissance souveraine', *Six livres de la république*, I, 1, p. 1; Cicero according to Althusius: 'populum esse coetum juris consensu & utilitatis communione consociatum' (as in Althusius, *Politica*, I, 7, pp. 3-4, originally in Augustine, *De civitate Dei*, Book XIX, 21, who referred to Cicero, *De Republica*, presumably I, 39: 'populus [...] coetus multitudinis iuris consensu et utilitatis communione sociatus'; cf. E. Pahnke, *Studien über Ciceros Kenntnis und Benützung des Aristoteles und die Herkunft der Staatsdefinitionen De rep. I 39*, [diss Freiburg] 1962).

<sup>63</sup> *Idea pol.*, XIX, *passim*.

In the second case, however, the prince cannot be regarded as a tyrant unless the *ephors*, who stand up for the rights and the privileges of the people, declare that the prince has to be driven from the throne.<sup>65</sup>

Interestingly, the chapter on tyranny is followed by one on religion. Here, we learn that if the prince does not follow the true religion, he nevertheless continues to be a legitimate prince. In no way can he be regarded as a tyrant, and no pretext can be found to revolt against him, unless he were to persecute his subjects. The upshot of the discussion in this chapter seems to be a defence of the status quo following the Synod of Dordt. Both a large extent of political influence in religious organisation, jurisdiction and finance is defended, as well as the somewhat obscure difference between freedom of conscience on the one hand, and the necessary persecution of heretics on the other. Religious freedom is not detrimental to political unity, although foreign (i.e. Roman) jurisdiction in religious matters is unacceptable.

Taken together, these two points suggest that Burgersdijk was eager to defend the relative autonomy of the supreme powers from religious interference: no citation of rulers for their religious views, no church organisation independent of political surveillance. Especially his point on the prince's freedom to adhere to another religion than the 'true' religion may be taken as an indication of Burgersdijk's sensitivity to the actual situation. A relevant part of the ruling élites in the Republic did not belong to the Reformed Church but had heterodox leanings, e.g. adhered to the Remonstrant conviction. Burgersdijk had some important texts at hand to support his view. The Spanish scholastic philosopher of the Counter-reformation Francisco Suárez argued that obedience is due even to heretic princes.<sup>66</sup> Suárez argued from Pauline maxims, and was prepared to give the king his due. Another well-known contemporary Neo-aristotelian, the Helmstedt professor Henning Arnisaeus, came forward with an argument suited to defend the Elector of Brandenburg's preference for Calvinism in his Lutheran principedom. Arnisaeus elaborated on his 'secular' conception of the state, separating the system of rule from that of religion.<sup>67</sup>

No such move was available to Burgersdijk. He was aware of the delicate

balance between politicians (*politieken*) and churchmen (*kerkelijken*) in the Republic, that could easily be disturbed by reason of state allusions on the one hand and biblical argumentation on the other. Had not the Christian prince Maurits blocked the aspirations of ambitious politicians like Van Oldenbarnevelt? Had not biblical debate become a mere impediment to political unity? Amidst the opposing views of Remonstrants and Contra-remonstrants, only a delicate and low key position could be held. According to the Remonstrants, like Johannes Uytenbogaert (1557-1633), the only admissible authority in a state could be conferred upon the sovereign.<sup>68</sup> Therefore, in the first place, all decisions on external religion were the privilege of the government responsible for peace and order. In the second place, religious responsibilities had to be dealt with by admonishing and preaching, not by violence. Government had only to deal with heretics when they turned out to be a menace to the public order. Public order was as well the testing point for religious freedom. To force people into believing what they did not believe was in Uytenbogaert's view just as immoral as to accept public turmoil for the sake of religion. Both in Bodin and in Arnisaeus we find theoretical foundations for this point of view. These philosophers regarded the church as an association within the state, subjected to the exigencies of sovereignty (Bodin) or reason of state (Arnisaeus).

The Contra-remonstrants, however, were keen to argue that if government had any worthy goal at all, it was to assist the church in its attempts to bring about the salvation of the people.<sup>69</sup> The government especially had to be admonished to discharge their Christian duties. In matters of Church organisation, the Synods should be free from political interference. Althusius had presented a theoretical underpinning for the orthodox stand. His concept of popular sovereignty provided a basis for defending religious organisation as *sui generis* to which the political form was to be seen as a complement.

Although the Synod of Dordt had seen the defeat of the political view of the Remonstrants, in no way was it a clear victory for the orthodox. Political influence in church matters was undeniably established, much to the complaint of puritan orthodox who entertained theocratic ideals.<sup>70</sup> As will be evi-

<sup>64</sup> According to Althusius, tyranny 'sine ullo justo titulo' is not a case of tyranny, 'sed bellum, vel injusta violentia, vis & injuria ab alio illata, quam quivis patriae amans vi repellere potest, & debet', *Politica*, XXXVIII, 27, p. 893.

<sup>65</sup> Again Althusius, who gives twelve reasons for which the *optimates* or *ephors* are entitled to declare the prince to be a tyrant, *Politica*, XXXVIII, 30-45, pp. 894-904.

<sup>66</sup> *Defensio fidei*, III, 4, 21: 'veram christianam libertatem non excludere honestam subiectionem ad legitimos principes temporales, non solum christianos, sed etiam infideles'.

<sup>67</sup> H. Dreitzel, *Protestantischer Aristotelismus und absoluter Staat. Die "Politica" des Henning Arnisaeus (ca. 1575-1636)* (Wiesbaden: Steiner Verlag 1970) pp. 388-391.

<sup>68</sup> Johannes Uytenbogaert, *Tractaet van 't Ampt ende authoriteyt, eener Hooger Christelijck overheid in kerkelijke saecken*. Den Haag 1610. Cf. H.C. Rogge, *Johannes Wtenbogaert en zijn tijd*. 3 vols. (Amsterdam: Y. Rogge 1874-6) II, pp. 26ff; H.A. Enno van Gelder, *Getemperde vrijheid. Een verhandeling over de verhouding van kerk en staat in de Republiek der Verenigde Nederlanden en de vrijheid van meningsuiting in zake godsdienst, drukpers en onderwijs, gedurende de 17e eeuw* (Groningen: Wolters-Noordhoff 1972) pp. 236ff.

<sup>69</sup> Most forcefully represented by Sibrandus Lubbertus (†1625), Antonius Walaëus (1573-1639), and Jacob Trigland (1583-1654). See e.g. Walaëus's *Het ampt der kerckendienaren ...*. Middelburg 1615.

dent in later debates, e.g. the Utrecht troubles in which Voetius (1589–1676) was to manifest himself, puritans continued to complain about the limitations on the extent to which the religious form of life was permitted to pervade society. In the first decades after Dordt, therefore, the Contra-remonstrant politician had a difficult ideological problem to solve. As a politician he would be tempted to adopt Remonstrant arguments that as a Contra-remonstrant he felt compelled to reject.

In Burgersdijk, this situation reflects itself in a continuing awareness of the dangers of explicit theoretical positions. The general trend of his political theory can be understood as his particular solution to the paradoxical situation of the Contra-remonstrant politician. His presentation of church politics is a first case in point. Burgersdijk deduces the central proposition that the prince has a certain supreme right over the church ('jus quoddam majestatis in Ecclesia'),<sup>71</sup> from two 'principles'. (1) In the same way that man cannot be blessed without religion, a state in which religion is in contempt cannot be blessed. (2) A prince should not make instrumental use of the true religion, but really take care of it, and lead his subjects the way by his example. Thus, the Christian prince just needs to have supreme authority in ecclesiastical matters. More specifically, this need does not refer to a theory of sovereignty, but to a religious principle. In his annotation to the 1686 edition, Hornius will remark at this point that the emperor Constantinus called himself a bishop outside the church in contradistinction to the bishops in the church. Whereas orthodox Contra-remonstrants would limit themselves to see the government as a fosterer ('voedsterheer') of the church, Burgersdijk evidently wants to make clear that responsibility for religion implies authority over the church. He places two important instruments at the disposal of the prince: (1) the right to call and appoint ministers of the church on his authority, and (2) the right to draw up and to promulgate laws on the order and discipline of the church and on ecclesiastical judgements.

Three principles apply to the church politics of the prince: (1) to persecute heretics, if and only if they try to seduce others to their heretical ways, (2) to act as guardian of the church in managing the church revenues and payment of the ministers, (3) not to press the consciences of his subjects, as long as they don't mix politics with their differing views on religion, since religious dissension does not exclude political unity.

Unlike Bodin or Arnisaeus, Burgersdijk does not adopt the maxim 'cuius regio, eius religio'. And unlike Althusius, he does not accept the view that

<sup>70</sup> A good example is Eeuwout Teellinck (1571–1629): cf. Ireneum Philalethium [E. Teellinck], *Amos, ofte de Siener Israëls*. Middelburg 1622 [Knuttel 3626].

<sup>71</sup> *Idea pol.*, XX, 3, p. 183.

government is the minister of the people. Religion may be a principle concern of the government, but neither does this subordinate the church to a secular conception of sovereignty, nor does it subordinate politics to the religious view. The prince, and by implication government in general, is the *pater patriae* who cares for the *salus populi*. In his elaboration of this notion of the prince as the sole agent responsible for the commonwealth, Burgersdijk seems to maintain earlier, traditional views of politics. My contention is that this backslide was dictated by circumstances that made it virtually impossible for Burgersdijk to adopt available modern theories of the state. Had he done so he would have prevented acceptance of his political theory in the then prevailing climate of the Republic. Indeed, he formulated as the goal of political theory ('finis doctrinae politicae')<sup>72</sup> the felicity of the whole republic, that is a pious and virtuous life for all, possibilities for each to acquire the necessities of life, and common rights for the republic in defence against foreign powers. Political theory should contribute to the peace and concord ('tranquillitas & concordia'), which are the greatest strength of a republic. Peace and concord can only be provided by a theory acceptable to all. Such a theory has to be uncontentious, as Burgersdijk evidently thought his notion of the Christian prince was.

His discussion of the two political theorists he takes issue with, Machiavelli and Bodin, supports this view. Against Machiavelli, as we already noted, he held that the subjects do not exist for the sake of the prince. His further remark that on the other hand the prince does not exist for the sake of the subjects is no doubt meant to shield the prince from any intermingling from the side of his subjects. What other position can remain than to hold that the prince embodies the public good, that he is the head of the body politic? His eminent virtues, which spring from noble birth and princely education lead the way. He should be informed by advisers and be aware of flatterers, but he alone is the authority in the state. We should not be fooled by Burgersdijk's repeated emphasis on the *leges fundamentales*. In his critique of Bodin he denies that the prince has, by his past deeds, acquired a right to rule. On the contrary, the prince acquires his position as a trust for the future defence of the commonwealth. The fundamental laws are an expression of this trust. This is but a faint echo of the paradigmatic case of the 'Joyeuse Entrée' so prominent in the debates of the early years of the Dutch Revolt, lest one might see them as an infringement on the prince's sovereignty. Moral terms are central, the empirical approach is still shielded off. In one short remark, Burgersdijk explains that *civilis prudentia* is acceptable in so far as it is virtuous. Prudence,

<sup>72</sup> *Idea pol.*, I, 13, p. 7.

he says, is intermediate between simple-mindedness and shrewdness. If this balance is broken, it should be in favour of shrewdness, provided this shrewdness is not mixed with great malice of the mind. Burgersdijk is here in line with Lipsius, although Lipsius's cautious praise of Machiavelli is absent. We also find repeated Lipsius's statement that prudence cannot be formulated in terms of *praecepta*, general rules, since human actions and government consist in singular ones.<sup>73</sup> Like Lipsius, he recommends the knowledge of ancient and modern history as prerequisites of prudence.

#### 4.1 A mixed constitution is the best

However, when Burgersdijk approaches the question of the ideal form of government, his discussion of political theory continues on a different level. My central contention was that Burgersdijk shuns from the available political doctrines of his time, in favour of old-fashioned moralising as a consequence of the delicate balance in the Republic in respect of church politics, or more generally, in respect of the relation between church and state, or of that between Calvinist puritanism and political pragmatism. But then, how does Burgersdijk arrive at an explanation of the actual political regime in the Republic consistent with both his intentions and his political theory? He needed the monarchical model as a basis for his notion of a Christian prince, and thereby for his moral conception of politics. In terms of the modern theory of social choice, Burgersdijk makes his first case by the model of the benevolent dictator, indeed 'status simplicissimus maximeque ordinatus: ideoque natura sua firmissimus'.<sup>74</sup> But although it may explain the principles of ruling and obeying ('regendi & parendi') as by means of an ideal type analysis, it does not explain the situation of the Republic.

Burgersdijk, consequently, had two problems to solve. The first was to explain the actual existence of other forms of government. Are they a deviation from the right track? Or do they have some advantages of their own? The second problem, what is the best form of government? In fact, he provides us with two different answers to the first question. In his second chapter, he remarked that on account of human weakness it is not always advisable to prefer monarchy to other forms, what is more, often the nature of the subjects makes a monarchy impossible. In such a case it is even dangerous to invest the public good in one person. We have here the contention that perfect subjects would prefer to live under a monarch. Other forms of government are deviations from perfection. Indeed, this is an ideal type analysis. It

<sup>73</sup> Justus Lipsius, *Politicorum sive civilis doctrinae libri sex*. Leiden 1589, in: *Opera Omnia* (Vesaliae 1675) vol. IV, p. 1-272, esp. IV, i; Burgersdijk, *Idea pol.*, III, 9, pp. 21-22.

<sup>74</sup> *Idea pol.*, II, 2, pp. 9-10.

suits adequately the move to the virtuous-prince conception of politics. This intention is clearly corroborated in the beginning of chapter 21.

But although all these things have been said about the monarchy or the principate, they have nevertheless also to be accommodated to aristocracy and democracy in accordance with a definite principle.<sup>75</sup>

Then he abstracts monarchy to the principle of unity in the body politic. He therefore recommends practices in non-monarchical states that make for unity: the election of one person upon whom jurisdiction is conferred, or the constitution of decrees by means of elections. This is still according to Lipsius' conviction that as the realm is one body, it should be ruled by one mind.<sup>76</sup> In the next two chapters, on aristocracy and democracy, he continues in the same mood.

Democracy is by nature the most imperfect state, as it departs the most from unity. But, nevertheless, in specific circumstances it is often to be preferred to the other forms.<sup>77</sup>

Here, for the first time, we find some indication of the benefits of democracy. It may promote equality of honours, right and freedom, because one doesn't want to obey another but according to the law, that he himself will in his turn rule whom he obeys. And thus it is most convenient for a democracy if those in office are elected according to the requisite virtues instead of according to nobility or rank. This undeniably Aristotelian argument marks the change of character of Burgersdijk's politics.<sup>78</sup> From here, it becomes clear that the best form of government is a matter of expedience, and not a matter of imperfection. As said before, Burgersdijk evades the difficult problems involved in formulating a theory of sovereignty applicable to all different forms of government by first insisting on the superiority of monarchy. Especially when he starts the discussion of mixed forms, expediency reigns

<sup>75</sup> Atque haec quidem omnia de Monarchia sive de principatu dicta sunt: quae etiam ad Aristocratiam ac Democratiam certa quidem ratione debent accommodari, *Idea pol.*, XIX, 1, pp. 189-190.

<sup>76</sup> 'Unum enim imperii corpus, unius animo regendum videatur: sicuti ab uno gubernatore, una navis', *Politicorum*, II, ii. Here Lipsius refers to 'author suus': Tacitus, *Annals*, I, i.e. to caput 12 of that book, where Rursus Gallus is quoted, saying 'unum esse Reip. corpus, atque unius animo regendum', being shared by Tacitus in his admiration for emperor Augustus and his disdain of the triumvirate. The captain-ship metaphor is most well-known from Plato, *Politeia*, VI, pp. 488ff.

<sup>77</sup> Democratia est status natura sua imperfectissimus, quia longissime recedit ab unitate. Et tamen propter singulares circumstantias, saepe caeteris praeferendus est, *Idea pol.*, XXIII, 2, pp. 202-211.

<sup>78</sup> Aristotle, *Politics*, IV, 3, 1290b1; VI, 1, 1317b10 ff.

supreme.

So Burgersdijk's second problem (which is the best form of government) is solved by reference to the actual circumstances. In his elaboration we find a series of references to the actual political institutions of the Republic. Only some fifteen pages before the end of the book, we find the following observation.

The monarchical form mixed with aristocracy seems to be the most outstanding of all. For it has the advantages of both and the remedies against the ills to be feared from each alone.<sup>79</sup>

And a little further:

There remains the form of government compounded from monarchy, aristocracy and democracy. This form seems to be the safest of all, because the two other forms restrain the third from disturbing the republic. And, for the most part, this form of government arises when the subjects are sick of monarchy or aristocracy.<sup>80</sup>

This move is remarkable indeed. Burgersdijk manages to shift from the monarchical stance (Lipsian style) to the broad tradition of the mixed constitution. I surmise that Burgersdijk thus contributed in paving the way to the later Orangist theory of politics that was of the mixed constitution type, without embracing the interest-based conception of politics prevailing in that tradition. Moreover, his identification of ideal politics with the virtuous prince contributed to the acceptance of a central element of this Orangist theory, i.e. the conviction that the Prince of Orange would attribute noble virtue and unity to the Republic.

The astonishment modern historians of political thought have expressed about the prevalence of monarchical theory in the early Republic seems to be misplaced.<sup>81</sup> The seventeenth-century admirers of Roman antiquity, these critics of Bodinian absolutism did indeed prefer a balanced form of government, but could in no way accept the theory underlying it. They used the monarchical model to escape the perplexities involved. This clearly shows in the examples Burgersdijk adduces to present the three main types of mixed constitution. The first is some version of king in parliament, say the feudal

model. The second is that of the Roman Republic, the third one that of the Dutch Republic. This Dutch Republic is divided into small, sovereign provinces that are too small to permit the splendour of a monarch. The situation in the cities can vary according to their 'institutions'. They all have different kinds of regulations about the election, competence and interdependence of governing bodies. The mercantile background evidently is important. But the notion of politics as a moral activity reigns supremely, preferably strengthened by the fostering powers of a mixed constitution.

Burgersdijk's choice for the mixed constitution fits in remarkably well with a peculiar aspect of the dialectics of republican and Orangist political theory. Pieter Geyl noted the paradoxical move of Dutch republicans to opt for undivided sovereignty.<sup>82</sup> 'A monstrous alliance', in his words, particularly since this notion goes so badly with the Dutch tradition of liberty: 'the Dutch state itself was born out of a reaction against the absolutist endeavours of the Habsburg rulers'.<sup>83</sup> Haitsma Mulier has shown that this preference for undivided sovereignty must be seen as a consequence of the fact that Dutch republicans as a rule rejected the mixed constitution.<sup>84</sup> Van de Klashorst further established the probable causal sequence underlying the republicans' choice in the process of distilling the kernel of the Orangist position from a great variety of seemingly very different arguments.<sup>85</sup> He concludes that more often than not Orangists accepted some form of mixed constitution. Burgersdijk clearly foreshadowed this Orangist view, which would become articulated in precise ideological terms in the wake of the party strife of the 1650s and 1660s. He did not refer to Aristotle's *politeia* as an ideal state because of its republican overtones, but preferred expediency and efficiency arguments against the background of monarchy as the most natural form of unitary government. So we may conclude this discussion of Burgersdijk's political thought by saying that he proves not only to have been very sensitive to the ideological exigences of his time, but also to have moulded the political vocabulary in terms of which later Contra-remonstrant politicians would wage their ideological war with their republican opponents.

<sup>82</sup> P. Geyl, *Het stadhouderschap in de partijliteratuur onder De Witt*. [Mededeelingen van de Koninklijke Nederlandse Academie van Wetenschappen, afd. Letterkunde, 10, 2] Amsterdam, 1947. Reprinted in his *Pennestrijd over staat en historie* (Groningen: Noordhoff 1971) pp. 3-71.

<sup>83</sup> Geyl, *Pennestrijd*, p. 31.

<sup>84</sup> E.O.G. Haitsma Mulier, *The myth of Venice and Dutch republican thought in the seventeenth century*. Assen: Van Gorcum 1980.

<sup>85</sup> G.O. van de Klashorst, 'Metten schijn van monarchie getemperd. De verdediging van het stadhouderschap in de partijliteratuur. 1650-1686', in H.W. Blom and I.W. Wildenberg (eds), *Pieter de la Court in zijn tijd (1618-1685). Aspecten van een veelzijdig publicist*. Amsterdam/Maarsse: APA 1986, pp. 93-136.

<sup>79</sup> Status Monarchicus cum Aristocratia mistus, omnium videtur praestantissimus. Habet enim utriusque commoda, & remedia iis malis opposita, quae ex utroque seorsim metuenta sunt, *Idea pol.*, XXIV, 2, pp. 210-211.

<sup>80</sup> Superest status ex Monarchia, Aristocratia & Democratia temperatus. Hic status videtur omnium tutissimus, quia duae reliquae formae, tertiam impediunt, ne possit Remp. turbare. Et plerumque oritur hic status, cum subditi Monarchiae aut Aristocratae pertaesii sunt, *Idea pol.*, XXIV, 24, pp. 218-219.

<sup>81</sup> Cf. in particular, Wansink, *Politieke wetenschappen aan de Leidse Universiteit*, esp. ch. V.

## 5 Conclusion

Comparing Burgersdijk's moral philosophy to his politics, one is tempted to remark that he made opposite moves in each of them. Whereas in morality he shifted from a naturalist point of view to a common sense rationality of the mean, in politics he started from a rational morality of the virtuous prince, to end with an efficiency approach to political organisation. Neither extremes in this line of argumentation, moral naturalism and efficiency, could have been argued for in abstraction from a justifying moralism, lest he were forced to a fully-fledged elaboration and exposition of the naturalistic programme. This last alternative may not have occurred to Burgersdijk, nor have been to his liking. It no doubt would have been too much for the Syndics of Leiden University. It may have been no accident, however, that slightly later two students enrolled in Leiden University, who in their later writings heartily embraced the naturalistic programme. In scorning the 'heroic virtues of the philosophers', they may have been attacking Burgersdijk's admiration thereof. But in their conception of the passions, they definitely echoed the formulation of the philosopher whose books they will have studied under his successor Adriaan Heereboord. These two students were Johan and Pieter de la Court. They had been preceded by a philosopher who in a youthful work had made another attempt at Neo-aristotelian naturalism: Lambert van Velthuysen. The three of them set out to do what Burgersdijk was unable to do. In doing so, they put into practice Burgersdijk's adage: fortunate the man who knows the causes of things.





## VELTHUYSEN ON NATURAL MORALITY IN POLITICS

### — CHAPTER IV —

*Necessitas finis facit jus in moralibus*

THE FOLLOWING TWO CHAPTERS DISCUSS the singular contribution of Lambert van Velthuysen to the naturalistic programme. Velthuysen belonged to that important but theoretically heterogeneous group of Dutch adherents to the ‘new’ philosophy of Descartes. Like Adriaan Heereboord, successor of Burgersdijk, Velthuysen regarded Descartes’ philosophy as a welcome contribution to his philosophical endeavours, yet without totally replacing the concepts, categories and problems that had been established during the formative years of philosophy in the Dutch academies since the establishment of Leiden university in 1575. In particular this seems to pertain to moral philosophy. Important articles of faith from Burgersdijk’s moral philosophy pervade Velthuysen’s philosophy: the separation of (rational) philosophy from (revealed) religion, the emphasis on nature, the conviction that passions and reason are intimately related, the belief that philosophy has practical relevance. An important difference with the previous philosophy, however, is the growing awareness that arguments from authority – in particular that of Aristotle – have to recede before rational arguments, and as a consequence one may notice a growing emphasis on theoretical argument and theory con-

struction. First principles, and the methodological requirements involved, come to the fore. Validity in deductions is a central element in philosophical argument, making philosophy from the perspective of these 'moderns' an exciting enterprise again. In this respect, the interest in Hobbes's philosophy is not surprising, nor is Velthuysen's explicit desire – or youthful ambition? – to improve on Hobbes, in particular on the foundations of his political theory.

This new theoretical interest encroached upon the very division of labour it was based on. The ambiguous position of natural religion between theology and philosophy, and its extensive use in moral philosophy served only to strengthen the doubts many theologians had about the new philosophy. In these two chapters devoted to Velthuysen we will see both sides of this growing opposition exemplified. In the first chapter, Velthuysen's naturalistic programme is developed in relation to Hobbes. In the second one, the double valencies of a teleological or functionalist moral philosophy like Velthuysen's are discussed by reflecting on his connection to some of the English latitudinarians around Richard Cumberland. It will be shown that Velthuysen consistently elaborated a series of problems in moral philosophy along naturalistic lines, working his way from the Stoic neo-Aristotelian tradition, from Grotius, as well as from the political debates of the period.

With Velthuysen<sup>1</sup> thus starts a new phase of the naturalistic argument. In particular, Velthuysen prefigures the more audacious and radical programme of Spinoza, it is from the same Utrecht environment that the brothers De la Court will borrow one of their texts in political morality. The two chapters

<sup>1</sup> Lambert van Velthuysen (1622–1685) studied medicine at Utrecht, where he obtained his doctorate in 1650, as well as law at Leiden. He acted as a Mayor in his home town Utrecht from 1660 till 1672. His *Opera Omnia* were published in two huge volumes in 1680. See on his life: NNBW, IV, col 1368–1370; Discussions of his work can be found in K.O. Meinsma, *Spinoza en zijn kring. Historisch-kritische studiën over Hollandsche vrijgeesten*. Utrecht: HES 1980 (1896<sup>1</sup>); Willi Haerten, *Lambert van Velthuysen (1622–1685) als Philosoph, insbesondere als Ethiker*. (Diss.) [Cologne 1924]; Stanislaus von Dunin-Borkowski, *Spinoza* (4 vols. Münster: Verlag Aschendorff 1910–1936) II, pp.243ff; Leszek Kolakowski, *Chrétiens sans église. La conscience religieuse et le lien confessionnel au xviii<sup>e</sup> siècle*. Paris: Gallimard 1969; C. Louise Thijssen-Schoute, *Nederlands Cartesisme (Utrecht: HES 1989 (1954<sup>1</sup>)) passim*; Richard Tuck, *Natural right theories. Their origin and development*. Cambridge: Cambridge University Press 1979; Michael von Matuschka, *Lambert van Velthuysens (1622–1685) Menstruationstheorie in ihrer wissenschaftshistorischen Bedeutung*. Amsterdam 1980; James Tully, *A discourse on property. John Locke and his adversaries*. Cambridge: Cambridge University Press 1980; Hanspeter Marti, 'Naturrecht, Ehrbarkeit und Anstand im Spiegel frühauflärerischer Hobbeskritik. Lambert van Velthuysens Briefdissertation "De principiis justitiae et decori" und ihre Aufnahme in der deutschen Schulphilosophie', [Zum Wandel von Zeremoniell und Gesellschaftsritualen in der Zeit der Aufklärung, Klaus Gerteis, ed.] *Aufklärung*, (1991) pp. 69–95; Hans W. Blom, 'Lambert van Velthuysen et le naturalisme: Autour de sa lettre à Jacob Ostens', *Cahiers Spinoza*, (1991) pp. 203–212.

on Velthuysen therefore are also a comment on the received view of the relationship between De la Court and Spinoza. With reference to Kant's apt notion of 'ungesellige Geselligkeit',<sup>2</sup> in the present chapter I follow Velthuysen in his quest for the foundations of morality against the background of Hobbesian self-preservation. The next chapter will discuss in particular some problems of deist functionalism, to be taken up again in the analysis of Spinoza's discussion of freedom and imagination.

## 1 Introduction

From the perspective of the teleological order of the world, the Dutch polymath Lambertus van Velthuysen attempted the integration of Grotian and Hobbesian principles of social order. In his 1651-book in defence of Hobbes's *De Cive*, one finds an analysis of the state of nature, the formal and substantial principles of natural law and of sociability, in order to define the relative independence of citizen and state. On the basis of the 'fundamental law of self-preservation', Velthuysen sets out to steer free from the contingency of Grotius's consensual foundation of natural law as well as from Hobbes's denial of the notion of sociability: he argues for an inherently historical foundation of substantial morality. For Velthuysen, 'natural' sociability is a 'social' product.

In an outright eclectic style, Velthuysen benefits from a traditional teleological approach in order to formulate a broadly 'naturalistic' theory of morality, that shares elements with Spinoza, Cumberland and Pufendorf. Especially interesting are the various ways in which he persistently tries to re-integrate evaluative moments into this natural teleology. Although a parallel argument can be found in Smith's *Theory of Moral Sentiments* (II.i.5.7–11) it is worthwhile to see the inherent limitations of Velthuysen's attempts, so as to better understand the project of unsocial sociability itself.

Lambert van Velthuysen (1622–1685) contributed a small but important element to the discussion on sociability in the second half of the seventeenth century. He formulated the principles of natural morality that supported the case of the budding enlightened bourgeoisie in the Dutch Republic against

<sup>2</sup> I. Kant, *Idee zu einer allgemeinen Geschichte in weltbürgerlicher Absicht* (1784), A 392: 'Das Mittel, dessen sich die Natur bedient, die Entwicklung aller ihrer Anlagen zu Stande zu bringen, ist der Antagonismus derselben in der Gesellschaft, so fern dieser doch am Ende die Ursache einer gesetzmäßigen Ordnung derselben wird. Ich verstehe hier unter dem Antagonismus die ungesellige Geselligkeit der Menschen; d.i. den Hang derselben, in Gesellschaft zu treten, der doch mit einem durchgängigen Widerstande, welcher diese Gesellschaft beständig zu trennen droht, verbunden ist'.

what he saw as the bigotry of Calvinism. In the process, he formulated a perspective on sociability that could successfully escape the charge of Hobbism, as well as resist the temptation of an over-optimistic reliance on the powers of *recta ratio*. His anonymous *Epistolica dissertatio de principiis justi et decori, continens apologiam pro tractatu clarissimi Hobbaei De Cive* (Amsterdam: L. Elzevir 1651) – Dissertation in the form of a letter on the principles of the just and the fitting, containing an apology for the treatise *De Cive* of the illustrious Hobbes – was commented on in German dissertations from 1656 onwards, and by writers on natural law as diverse as Pufendorf, Leibniz, Christian Thomasius, as well as Robert Sharrock and James Tyrrell. One obvious reason for this, for sure, was the explicit mention of Hobbes's *De Cive* in the title of the book. It would come as no surprise that one finds him discussed among those scholars specifically interested in the new philosophy from Malmesbury. However, there are other, substantial reasons as well for the attention attracted by the writings of this Utrecht man of letters. Both Leibniz and Thomasius understood Velthuysen's contribution as an attempt to reconstruct the foundations or presuppositions of *De Cive* on a more sound basis. And while Pufendorf may be said to share this opinion only by implication, Sharrock and Tyrrell without hesitation integrated him into their side, as one of those who prefigured Richard Cumberland's philosophy of natural law. Among his Dutch contemporaries the *Dissertatio* seems to have occasioned less debate. Although one can gather from his correspondence with Etienne de Courcelles (1586-1659), since 1644 professor at the Remonstrant Seminarium in Amsterdam, that there was sufficient interest in Holland for a critical discussion of Hobbes to warrant the suggestion that Velthuysen must have some impact, explicit discussions of the *Dissertatio* are scarce. Later in the century Willem van der Muelen integrated elements of Velthuysen's natural law into his Lockean political theory, which even then did not go without criticism.<sup>3</sup> Jacobus Koelman gave a fair indication of Velthuysen's posthumous reputation among orthodox Calvinists, describing him in 1689 as 'Doctor of Medicine, one time Proponent in the Holy Theology, but having left this service', whose publications

<sup>3</sup> See the debate, referred to by Jacobus Koelman, between Van der Muelen and the Kiel professor of natural law, Simon Musaeus (1655-1711), whose *Vindiciae Iuris Naturae Paradisei* (1684) was answered by Van der Muelen in 1687: *Defensio dissertationis de Origine iuris naturalis contra Musaeam* (sic); Jacobus Koelman, *Wederlegging van een boekje van J.C. Bleyswijk, genaamt Moses als een Godt over Aäron* (Amsterdam: Abr. Broeckholt 1689) p. 15. I have not been able to trace these two writings under the titles given. There is, however, the following book by Van der Muelen: *Dissertationes philologicae, de die mundi, et rerum omnium natali, complectentes historiam creationis juxta seriem et ordinem, a Moysae descriptam* cap. I et II *Genes. Acc. Defensio dissertationis de origine iuris naturalis opposita Simonis Henrici Musaei Vindiciis juris nat. Paradisei contra praedictam dissert. editis*. Ed. 2a. Utrecht: Hermannus Besseling 1738. See for a discussion chapter 9, *infra*.

on church-state relations had been criticised, together with the notorious *De Jure Ecclesiasticorum* (1665), by Leiden professors of theology as

following the example of the Remonstrants in taking away all power and right and rule from the church, and wanting to appropriate these to the civil authorities; being flattering pens; and that their writings proceed more from a prejudiced hatred of the church, rather than from a true awe and love of the majesty of the civil authorities.<sup>4</sup>

Koelman once again sides in the debate between Velthuysen and religious authorities in Utrecht that raged at the end of the sixties and early seventies. Referring to his own *Examen libelli Ludovici Wolzogen* (1669) and John Brown's *Libertino-Erastianae Lamberti Velthuisii Sententiae Confutatio*, he abstained from discussing 'the many, publicly known Arminian axioms and considerations, as well as the many dangerous principles and maxims of the atheist Hobbes, ... . It is evident', he said to his opponent Van Bleiswijk, 'that you are following this doctor of medicine [Velthuysen] along the path of those other two, i.e. Thomas Erastus and Ludovicus Molinaeus'.<sup>5</sup> But somehow, this dimension of Velthuysen's reputation, for all its topical importance in Dutch debate, seems to distract from what the *Dissertatio* was aiming at. This discussion showed that the authorship of the *Dissertatio* was no longer a secret at that time,<sup>6</sup> that Velthuysen must have been an exponent of a group of like-minded philosophers, and that Velthuysen among Dutch Calvinists was regarded as an Arminian and a Hobbist, a judgment noticeably absent among the English and German philosophers mentioned before.

But neither do the main protagonists of Hobbesianism in the Netherlands, the brothers De la Court and Spinoza, evidence affinities comparable to those of the writers on natural law abroad. The brothers De la Court never mention Velthuysen, although Pieter will cite the anonymous *De Jure Ecclesiasticorum*, which has been attributed not only to Spinoza and Pieter de la Court himself, but also to Velthuysen.<sup>7</sup> Spinoza, in his turn, initially did not permit

<sup>4</sup> Koelman, *Wederlegging*, p. 14: dat se na het exempel der Remonstranten alle macht en recht en regeering de kerk beneemen, en die de Magistraat willen eygen maaken; dat ze zijn vleyende pennen; en dat haar schrijven maar voortkomt uit een ingenomen haat tegen de kerk, als uit een waare zucht en liefde tot der Regenten hoogheit.

<sup>5</sup> Opat ik nu niet spreke van zijn veelvuldige, aan de wereldt bekende Arminiaensche stellingen en gevoels, ook veele gevaarlijke gronden en maximen van den atheïst Hobbes, ... zo dat het blijkt, dat gy [Van Bleiswijk] dezen Doctor die twee anderen Doctoren in de Medicijne, Thomas Erastus en Ludovicus Molinaeus op 't spoor volgt, *Wederlegging*, p. 15. J.C. van Bleiswijk published his *Mozes* in 1689 in Delft, and among other things wrote a moral treatise: *Heldere zedespiegel* (Delft: 1680). He was apparently involved in the Catholic church, publishing *Buurlijk Bagyneboek dienstig voor alle Catholyken* (Delft: 1681), according to Van der Aa, *Biographisch Woordenboek der Nederlanden* (Haarlem 1852) vol I, p. 187.

<sup>6</sup> Velthuysen himself publicly recognized this only in the 1680 *Opera Omnia*; in none of his separately published writings does he refer to the *Dissertatio*. Brown's *Confutatio* has not been encountered.

himself to show that he had knowledge of the *Dissertatio*, although he gave a fair summary of its contents in exactly the letter in which he denied any knowledge of Velthuysen.<sup>8</sup> A few years later, however, Spinoza expressed his appreciation of Velthuysen as an intellectual adversary.<sup>9</sup> It seems plausible that it was precisely the presence of Spinoza which determined the role of Velthuysen on the domestic scene. In the latitudinarian circles in which Velthuysen was at home, the dangers of Spinozism were sensed very acutely, so the last thing Velthuysen would have liked, after the publication of Spinoza's *Tractatus Theologico-Politicus* [TTP], was to be associated with atheistic Hobbism. At the request of the Rotterdam Remonstrant Jacob Ostens, acting as an intermediary, Velthuysen expounded his criticism of the TTP, to which Spinoza replied irritated and curtly.<sup>10</sup> Both in his *Tractatus moralis* (1676) and in the second edition of the *Dissertatio* in the *Opera* (1680), Velthuysen adapted his views of 1651 to the exigences of his own criticism of Spinoza.<sup>11</sup> In the Dutch context, Velthuysen's way of providing the theoretical foundations to Hobbes had come dangerously close to Spinozism, and when Velthuysen remarked to Leibniz that he had not read Hobbes for a long time, this is an expression of this attitude of withdrawal.<sup>12</sup>

Velthuysen's career was, as it were, a series of conflicts. He was always writing in the context of raging public debate. Next to his interference on behalf of Hobbes in 1651, and his life-long commitment to the 'new method',<sup>13</sup> he was at the centre of a debate on Copernicanism and biblical truth,<sup>14</sup> took issue on predestination and grace,<sup>15</sup> was one of the first to criticise Lodewijk Meijer's extremely rationalist Bible-interpretation in his *Philosophia S. Scripturae interpret* (1666),<sup>16</sup> was in 1669–1670 again involved in a straightforward challenge of the Utrecht theologians by defending a more tolerant definition of idolatry,<sup>17</sup> and last but not least making it, as it were,

<sup>7</sup> Fr. Walter to G.W. Leibniz 3/13 April 1672, Leibniz, *Philosophischer Briefwechsel*, n. 130, p. 400.

<sup>8</sup> Spinoza to J. Ostens February 1671, Spinoza, *Epistola*, n. 43, in reaction to Velthuysen to Ostens 24 January 1671, *Epist.*, n. 42.

<sup>9</sup> Spinoza to Velthuysen, Fall 1675, *Epist.*, n. 69.

<sup>10</sup> *Epist.*, n. 42–43.

<sup>11</sup> See F. Akkerman e.a. (eds.), *Spinoza. Briefwisseling* (Amsterdam: Wereldbibliotheek 1977) pp. 481–485; Blom, 'Lambert van Velthuysen et le naturalisme'.

<sup>12</sup> Leibniz took an interest in Velthuysen already in 1670. See Leibniz, *Philosophischer Briefwechsel*, nr. 19 ff.

<sup>13</sup> I rather say 'new method' than Cartesianism, because of Velthuysen's eclectic use of Descartes: see e.g. his defence of the experimental method in his important medical treatise *Tractatus duo medico-physici, unus de Liene, alter de Generatione* (Utrecht 1657) praefatio. See also Graf von Matuschka, *Velthuysens Menstruationstheorie*.

<sup>14</sup> 1655–6, see his *Demonstratio ... de quietate solis*, *Opera*, pp. 1037–1200.

<sup>15</sup> *Doctrina de gratia et praedestinatione* (Amsterdam 1661, anon.), *Opera*, pp. 241–332.

<sup>16</sup> *Dissertatio de usu rationis in rebus theologicis* (Utrecht 1668), *Opera*, pp. 96–159.

his life's work to refute Spinoza. Velthuysen's own summation of his philosophy can partly be gathered from the structure of his *Opera*. He does not present his writings in chronological order, but seems to order them under two main headings: 1) theology, and 2) metaphysics or natural theology.<sup>18</sup> The *Dissertatio* remarkably comes under the second heading, right after his treatise on *prima philosophia*, together with his writings in natural science and medicine. With hindsight, this division into theology and natural theology shows a keen understanding of the two conflicting interests in his scholarly career.

## 2 The birth of a 'Hobbesian'

The start of all this seems to have been a rather casual one. Commenting on the manuscripts of Velthuysen's two tracts of 1651, De Courcelles suggests to the author to have the names of Hobbes and Descartes respectively in the titles of the two books he had in preparation.<sup>19</sup> Although De Courcelles is critical of Velthuysen's arguments, he takes the interests of his young friend to heart by reminding him that the books will sell the better for such an addition.<sup>20</sup> Indeed, since the *Dissertatio* reads as an eclectic piece of philosophy, it was by no means necessary for De Courcelles sincerely to have regarded it as a defence of Hobbes. He may as well have read it as a taming of this eccentric offshoot of Grotian natural law theory, by reducing it to its proper place in the available repertoire of more acceptable philosophical and theological opinions. It cannot be established beyond doubt what Velthuysen's own opinion on the matter was. He clearly followed De Courcelles's suggestion, but were his reasons the same? In any case, whereas he

<sup>17</sup> *Tractatus de idololatria*, in *Opera*, pp. 373–608, which is the translation of Velthuysen's part in the pamphlet-war of these years, with some of the reactions of the syndics of the Reformed Church in Utrecht.

<sup>18</sup> '[I follow the method of those,] qui metaphysicam aut naturalem Theologiam tractant', he wrote in the first treatise of the second volume: *De initii primae philosophiae* (1662), *Opera*, pp. 847–954, citation p. 849.

<sup>19</sup> I.e. the *Epist. Diss. and Disputatio de finito et infinito, in qua defenditur sententia clarissimi Cartesii de motu, spatio et corpore*, Amsterdam: Elzevir 1651.

<sup>20</sup> Stephanus Curcellaeus to Velthuysen (18 July, 1650): 'Tuum etiam nomen cuperet in titulo prostare, quia non ita bene soleant distrahi libri quorum auctores ignorantur. Cui si adderes alterum continere apologiam pro sententia Hobbij, alterum inaedificatum esse fundamentis Cartesij, gratius id ipsi futurum adhuc esset. Sic enim speraret fore ut quo pluribus commendationibus munita hac scripta proirent in publicum, tanto plures emtores allicerent. Tu de his per otium cogitabis. Existimo enim non minus quam duos mensis elapsus iri antequam manus operi admoveat'. Evidently, Velthuysen did have some more months to ponder than De Courcelles estimated.

retained the name of Descartes in the 1680-reprint of the one tract, he deleted the reference to *De Cive* in that of the other. Moreover, he played down references in the text as well. Was Velthuysen's argument that, in 1680, he no longer wished to see his *Dissertatio* as too closely linked with Hobbes, or was he just retracting what at another point in history had been accepted for purely commercial reasons? It is of interest to note that the phrase he used to replace the references to Hobbes in the text, referred to a group of authors on natural law, all of whom adopted the *conservatio sui* as their starting point. On the one hand, by this move Velthuysen may have wished to underline that Hobbes by hindsight had been less original than once he himself believed, including e.g. Grotius in that group. But, more probably, he will have regarded the group to include more specifically those who later wrote on Hobbesian themes, and with whom he disagreed, like Spinoza and Pufendorf. Velthuysen may thus have wished to underline that his contribution was *sui generis*, not to be identified with either Hobbes's or Spinoza's programme, much as Christian Thomasius was later to do. Using Hobbes in the 1651-title may therefore in practice, although not in principle, have been intended to provide the eye-catcher to his audience that De Courcelles suggested.

There is textual evidence that Velthuysen made the changes in the 1651-text as they appeared in the 1680-reprint before embarking on the writing of the *Tractatus moralis*, i.e., at some time before 1676.<sup>21</sup> For a full analysis of Velthuysen's philosophy, it would be appropriate to go into the reasons for the changes and discuss the evidence for the contention that these changes happened during the first half of the 70's, that is between his critical reaction to Spinoza's *Tractatus Theologico-Politicus*, his correspondence with Leibniz and the publication of Pufendorf's criticism of the *Dissertatio* on the one hand, and the publication of the *Tractatus moralis* on the other. In the present context, however, no such analysis is needed. Velthuysen will be presented here as a hesitant proponent of natural morality, searching Nature for the principles of obligation and sociability, in a political culture characterised by a precarious balance between state and church.

### 3 The Epistolica *Dissertatio de principiis justi et decori* (1651)

The *Dissertatio* is an argument about sociability that touches on a wide variety of topics. It is 'foundational' in structure, in that it starts with an ontological view, elaborates on the notion of law, presents a theory of morality on differ-

<sup>21</sup> See the additions in the 1680-version on pp. 972, 985 and 986, in which he announces his intent to write or publish such a treatise.

ent levels of abstraction, takes issue with some practical moral matters and then, in the end, derives a political philosophy. All this is accomplished within the confines of some 30,000 words (excluding the Appendix), slightly less than his *Tractatus moralis* (45,000 words). Together with the much longer *Tractatus de Cultu Naturali* (100,000 words), they comprise his philosophical writings on morality and politics, outweighed, however, in length by his political pamphlets on practical issues.<sup>22</sup> The shortness of the *Dissertatio*, taken together with its wide ranging subject-matter, makes one expect the veracity of Thomasius's verdict that 'des Hernn Velthuysens Schrifften mit guten Bedacht wollen gelesen seyn, weil er in denenselben meistentheils keine gute Ordnung hält, und man nicht geringe Mühe anwenden muss, wenn man seine eigentliche Meinung, oder den Hauptgrund derselben recht hervor suchen wil, indem er solche manchmahl an einem Ort versteckt, da sie ein ieder nicht suchen solte'.<sup>23</sup>

Velthuysen's state is not a Leviathan. He did not share the German Lutheran's attitude that religious strife is to be overcome by strong government, and its corollary of 'cujus regio, ejus religio'. His intention was to subdue the impact of religion altogether and to free both morality and the state from theological subtleties. That he attempted this by a theological argument was daring, but ontologically inevitable from his perspective. To him Hobbes's challenge was to provide a natural morality without being an atheist, or rather while being a good Christian.

In the *Dissertatio*, Lambert van Velthuysen had three central questions in mind when he set out to contribute to the theory of the right and the proper. His first point may have been the challenge of Hobbes's egoistic man. On the face of it, *conservatio sui* and *affectus socialis* are incompatible. The second point, that sets him apart from both Grotius and Hobbes, is an historical one. If right reason is to be the foundation of society, one either has to accept that as long as societies have existed right reason has reigned over mankind, or prior to the emergence of right reason the existence of societies is inexplicable. That is, Velthuysen demands an explanation of the emergence of right reason in relation to the emergence of society. His third point is an elaboration of Grotius's Ciceronian play with utility and right reason. If indeed utility supports and follows right reason, then one may legitimately ask how this is

<sup>22</sup> *Tractatus moralis de naturali pudore & dignitate hominis in quo agitur de incestu, scortatione, voto caelibatus, conjugio, adulterio, polygamia & divortiiis*, &c. Utrecht 1676 (*Opera*, pp. 160-240); *Tractatus de cultu naturali, et origine moralitatis. Oppositus Tractatui Theologico-Politico, & Operi Posthumo B.D.S.*, (*Opera*, pp. 1367-1570).

<sup>23</sup> *Monatsgespräche* (Halle 1688) p. 349, cited in Marti, 'Naturrecht, Ehrbarkeit und Anstand', p. 88. It may be added that as Thomasius used the version in the *Opera*, he may have suffered from certain inconsistencies as a result of Velthuysen's changes in the text.

accomplished. In particular in connection with the second point – the historicity of right reason – this seems to suggest a historical theory of sociability, that may in the end explain away the apparent contradiction between Grotian sociability and Hobbesian egoism. It may be noted that this description of Velthuysen's programme gives rise to one important reason why the Utrecht physician does not fit the appreciation of the Halle professor. Thomasius developed his *Sittenlehre* after he had decided the principal questions of natural law; Velthuysen developed his conceptions of right and proper in the attempt to come to grips with natural law in the first place.

Velthuysen's interest in reconstructing the argument of *De Cive* was indeed very partial, as Thomasius was happy to point out in his *Historia juris naturalis*. Neither the right of everybody to everything, nor the war of all against all, nor even the pact as unique fountain of obligation, says Thomasius, are defended in the *Dissertatio*. The only Hobbesian principle sustained is the care of one's self-preservation, *studium se ipsum conservandi*, although established by a completely different argument.<sup>24</sup> This verdict is correct in all appearance, although it is somewhat puzzling why Thomasius omits reference to his much more positive appreciation in the *Monatsgespräche*.<sup>25</sup> There he heralded Velthuysen as the preceptor of the theory of *decorum*, i.e. of the *Sittenlehre*. But even here one has to be wary and understand that this appreciation of Velthuysen was made after some very substantial changes in natural law theory were put into effect. In this respect, the recent rediscovery of Velthuysen as precursor of the *Anstandslehre* of Thomasius<sup>26</sup> evades the more important questions about the status of *decorum* in Velthuysen's own intellectual ringing with the challenges of budding modern natural law.

In Grotius's catch phrase, natural law has its principle in 'natura humana socialis ac rationalis'. As is known, Grotius had underlined the utility of society for man, to the point of saying that utility itself drives mankind to social life, but retracted this concession by expressing his conviction that even without *indigentia*, human nature, as the *naturalis juris mater*, would prompt man to constitute society. Sociability for Grotius is both an *affectus socialis* and a *vis socialis*. Ratio and sermo provide these natural drives with their obligatory content. In *De Jure Belli ac Pacis*, Grotius reworked the Aristotelian distinction of justice into one between *justitia expletrix* and *justitia attributrix*, the first administering according to rights, the second according to moral quality.<sup>27</sup>

<sup>24</sup> Christian Thomasius, *Paulo plenior historia juris naturalis* (Halle 1719) cap. VI, § xii (pp. 85–6).

<sup>25</sup> See Marti, 'Naturrecht, Ehrbarkeit und Anstand', pp. 88–89.

<sup>26</sup> Manfred Beetz, 'En neuentdeckter Lehrer der Conduite. Thomasius in der Geschichte der Gesellschaftsethik', in: Werner Schneiders (ed), *Christian Thomasius 1655–1728* (Hamburg: Felix Meiner Verlag 1989) pp. 199–222; Marti, 'Naturrecht, Ehrbarkeit und Anstand'.

<sup>27</sup> DJB&P, I.1.58

In the later development of natural law towards Thomasius, this distinction will be preserved and emphasised as that between *facultas* and *aptitudo*.<sup>28</sup> In Schneider's phrase, the separation of natural law and the ethics of love provides in eighteenth-century German thought for the separation of *Recht* and *Moral*. Velthuysen may not have formulated as clearly this distinction between 'Recht und Ethik, wohl aber [hat er sich] um eine Klärung der Unterschiede zwischen Recht und guter Sitte, bzw. Anstand bemüht'.<sup>29</sup> But even if this were correct, Velthuysen definitely did not employ the language of *facultas* and *aptitudo*. His faculties are Aristotelian, his aptness lacks the juridical technicalities of Grotius. Although his distinction of *justum* and *decus* is similar to the Grotian one, I shall point out that while Grotius based his argument on sociability, Velthuysen sought to derive a viable notion of sociability from the principles of right and *decorum*. These latter principles have therefore to be provided as principles, logically prior to their derivations. As Velthuysen expresses this:

And of these sins [i.e. against nature (=God) and against decorum (= oneself), HWB] Hobbes makes little mention, since they do not bear much upon the purpose that he had proposed himself in his little book. We, however, shall repair this situation so that the foundations on which the nature of sins rests, are clear to everyone.<sup>30</sup>

Thus far we had been occupied in proving those principles which the illustrious Hobbes had either presupposed or deliberates on rather obscurely and only in a perfunctory and sparing manner.<sup>31</sup>

#### 4 Sociability and conservatio sui

It was not that Velthuysen despaired of the sociability of man. He was himself a pleasant man, enjoyable in social contact, good natured, and a faithful correspondent in literary circles.<sup>32</sup> He appreciated the self-sufficient moral character of ordinary man, and when he addressed the problem of unsocial

<sup>28</sup> Werner Schneiders, *Naturrecht und Liebesethik. Zur Geschichte der praktischen Philosophie im Hinblick auf Christian Thomasius* (Hildesheim: Georg Olms Verlag 1971) pp. 80f.

<sup>29</sup> Schneiders, *Naturrecht und Moral*, p. 86.

<sup>30</sup> Et de his peccatis exiguum mentionem fecit Hobbis, quia ad finem, quem sibi in suo libello proposuerat, non magnopere conferebant: nos autem ea supplebimus, ut fundamenta, quibus peccatorum natura innititur, omnibus constent. (–/41). Page references to the *Dissertatio* are double, the first number referring to the *Opera* (1680), the second to the first edition (1651), a dash instead of a page number indicates that the corresponding text is not present in that edition. English translations are according to the translation in edition of the *Dissertatio*, prepared by Malcolm De Mowbray and the present author.

<sup>31</sup> Hactenus occupati fuimus in probandis illis principiis, quae Clarissimus Hobbis aut praesupposuerat, aut obscurius, et perfunctorie tantum, et parce deliberat. (–/128).

<sup>32</sup> Johannes Graevius, *Oratio in natalem quinquagesimum Academiae Trajectanae*, 17 April 1686.

sociability his reasons were intellectual rather than existential. He was one of those products of the young Dutch academies, who felt delivered from pedantic scholarship and happily enjoyed the path of independent judgment. Even where this attitude brought him into conflict with others, especially the Utrecht theologians of Voetian bend, it was to solve problems rather than to win political fights. His was a moderate optimism, so typical of his life-time, moderated that is by the difficulties he encountered in forwarding the reflective needs of Dutch society. Wary of enthusiasm and faction, he tried to convince rather than condemn, and was even prepared to change emphasis in his opinions when he sensed he was out of pace with the mainstream of society. Velthuysen was an eclectic, in that respect and for that reason. He combined Cartesian independent inquiry with latitudinarian religious attitudes, and used Scholastic, Aristotelian and Ciceronian arguments where he deemed useful to do so: a worthy pupil of the Utrecht Cartesian professor of medicine Henricus Regius (1598-1679) and the Leiden Cartesian professor of philosophy Adriaan Heereboord (1614-1661), an apt reader of Grotius, an agreeable friend of Dutch Remonstrants.

To Velthuysen the specific Hobbesian challenge was a double one. How to explain sociability from the unsocial premiss of egoism; and, how to integrate Hobbes's principle of motion, *conservatio sui*, into his own non-materialist worldview. There was no desperation involved. Velthuysen rather compared his own inquiry to Columbus's discovery of untrodden territory, and invited the addressee of this *Epistular Dissertation* to follow his thread out of the labyrinth.<sup>33</sup> In this youthful publication Velthuysen presents himself as a detached scholar. Nevertheless, he is concerned with many practical interests and implications. He sets off from individualistic premisses. Man's duties apply to each individual as a separate responsible being. Employing a religious vocabulary in order to distinguish morality and law from theology, he neutralises theological aspirations. Using the scholastic division of final and efficient causes, he elegantly escapes some of the problems inherent in rationalist natural law theory.

Hobbes's *conservatio sui* was not the starting-point of Velthuysen's argument. It comes up in the process of a complicated answer to the question: what can we know as our duties from God's creation of man and the rest of nature? The basic thing to be deduced from creation is that God has willed man to exist, and that man use the means available to continue this existence. The 'fundamental law of self-preservation' is therefore the primordial natural law. It obliges irrespective of circumstances or time. As said, Grotius

employed *facultas* and *aptitudo* in an elaboration upon sociability, not as its foundation. The same applies to Cicero. In Cicero's *De Officiis*, morality was based on a notion of sociability that conflicted with the one fundamental principle of Hobbes that Velthuysen swallowed hook, line and sinker: *lex de conservatione sui ipsius*. So part of his argument is a debate with Cicero. He seems to refer to *De Officiis* I,96, when he defines *decorum*:

[but different are the sins] against the natural propriety [decor] of man since they do not accord with the dignity of man, and they signify only those perfections, or rung in the ladder of creatures, to which God has raised us.<sup>34</sup>

Cicero, however, started his analysis of *decorum* by saying that theoretically virtue and propriety are hardly distinguishable. And then he continues down the scale from virtue to rules of social conduct, leaving it up to his readers to decide which part of the *officii* is really virtue, which is mere custom. Central in this gradual differentiation is the notion of social rules and of dignity and social rank. One is tempted to say that even for Cicero a gradual differentiation existed from strict virtue to the 'local moralities' of the social strata of society. But whatever the precise interpretation, Cicero would never accept that prudential arguments justify moral obligation. Justice as the most general concept of virtue on the one hand, and *decorum* and *dignitas*, on the other, are as it were two sides of a coin. Justice is the form of virtue, *decorum*/dignity its actual manifestation. Prudential arguments have to be suppressed. Private interest is always a bad counsellor, one better follows the dictates of public interest, even if this goes against the grain of private gain.

The reference to Cicero cannot be casual. To discuss 'de justis et decoris' takes up precisely the two basic categories of *De Officiis*, Book I: justice and *decorum*. But there are many divergences in the process. Indeed, Velthuysen agrees that God has placed (*extulit*) man above the other animated creatures. But he does not speak of excellence.<sup>35</sup> His core term is *perfectio*, as when he compares man's possibilities to God's perfection.<sup>36</sup> More generally, *decorum* is the absence of imperfections that go with undignified behaviour.<sup>37</sup>

The introduction of *conservatio sui*, therefore, aims to emphasise the unso-

<sup>33</sup> *Epist. Diss.*, praefatio.

<sup>34</sup> *alia [peccata] contra decorum naturalem hominis, quia cum hominis dignitate non congruunt, et innuunt tantum eas perfectiones, aut gradum in creaturarum ordine, supra quem nos extulit Deus (-/41-42)*. Cicero defines: '*decorum id esse, quod consentaneum sit hominibus excellentiae in eo, in quo natura eius a reliquis animantibus differat*', *Off.*, I, 96.

<sup>35</sup> As a matter of fact, the word *excellencia* will only occur in the 1680-edition of the *Epist. Diss.*, p. 982, where he elaborates on his redefinition of virtue.

<sup>36</sup> *Quod mihi potissimum argumentum esse videtur, quo probare licet nihil ingrati Deo advenire, qui omnia agit ex beneplacito voluntatis suae, omniumque actionum author est, neque quicquam patitur: ad quam perfectionem si homo sese extollere posset, esset quod cum Deo de felicitate contendere posset*, p. 980/88.

cial basis of sociability. In making man's natural obligation by definition independent of contingent circumstances, the question of the natural basis of sociability leads to a discussion of private man as part of nature. When we analyse Velthuysen's derivation and further exposition of *conservatio sui*, we will see, however, that Velthuysen traces the origins of morality precisely in this natural condition and its causal mechanisms.

The derivation of *conservatio sui* is a subtle one. His starting point is a set of theological presuppositions: God created the world to some purpose, he wanted man to pursue the goal of this world, gave him the means thereto, and must have made him know that goal. Man, by consequence, is forced to focus on the analysis of empirical reality, because as a consequence of the Fall man no longer has *a priori* knowledge of right and wrong. Velthuysen's metaphysical presuppositions, one might say, are carefully selected in order to make Revelation irrelevant to this life. To put it differently, the Christian starting point in terms of 'fundamental articles' shifts into a natural theology, that ascribes to God the determination to have provided man with a natural (principle of the) knowledge of the Deity. The architect-metaphor, to which I come back shortly, is an adequate symbolisation of this conception. The world is like a house, created by a divine architect, for man to live in and to take care of. The tenants have to find out about the purposes of the creation of the architect, in order to make use of it and to maintain it. This need to discover the functions of things may seem to open the gates to an endless flood of physico-theological argument, as so often happens among philosophers who wish to discover the wise design in empirical facts. Such is not the case in Velthuysen. The reason is simply that for him the philosophical programme comes in the first place: to formulate the empirical conditions of morality in such a way that both historical relativism and the principles of morality itself can be discovered. To that purpose, Velthuysen centres on a few empirical facts and mechanisms that presumably are pivotal to the task, viz. blushing as a physiological mechanism of shame, social pressures behind decorum and the historical variety of social norms. These facts are selected to provide him the empirical basis for his argument about sociability.

Velthuysen's emphasis on empirical facts about human nature goes against the grain of seventeenth-century developments. Against the predominant tendency among natural law philosophers to make reason the dominant principle of sociability, Velthuysen attempts to assign natural necessity an equal place with natural reason. Already in the dedication of the *Dissertatio*,

<sup>37</sup> *Signa enim naturalia perfectionum fluunt immediate a naturalibus facultatibus, et notae sunt earundem. Quo argumento itaque adstruitur Dei voluntatem esse, ut illae facultates integrae a nobis conserventur*, p. 985/92.

'natural necessity' is identified with God's decree.<sup>38</sup> Moreover, he repeats Grotius saying that God cannot abrogate the natural laws.<sup>39</sup> Velthuysen thus prepares an argument that, although based on the purposeful order of nature (which is of Divine make), posits as equal epistemic principles 1) God's decree, and, 2) the order and relations of the created world.<sup>40</sup> This introduces some problems of organisation. Evidently, the assumption that God wants man to know his decrees and the subsequent arrangement of His creation is a theological metaphysics, albeit a restricted one in its consequences: Velthuysen does not admit Revelation into his argument, since he wants his moral philosophy to apply as well to those who have not been enlightened by God's word. Besides, Scripture does not deal with all moral problems, let alone always in sufficient detail.<sup>41</sup> Thomasius will later express his doubts about our possibilities knowing God's purpose with this world. By denying Revelation a role in this respect, as well as by his very catholic notion of innate natural religion, Velthuysen succeeds in neutralising his own Christian metaphysics to a very large extent. Whereas Thomasius doubts whether God's ultimate goal can be known, Velthuysen does not presuppose the possibility of such knowledge in a literal sense. The burden falls on the second of the two epistemic principles: the Deistic reference to the 'order and relation' of the created world as the fountain of moral knowledge. Here Velthuysen is adamant in his defence of a kind of second-order repetition of the Christian-pagans argument: just as morality cannot depend crucially on Revelation

<sup>38</sup> *Finis scilicet constitutio differentiam virtutis & vitii facit: iustitiae & veritatis exercendae decretum, vel potius naturalis in Deo necessitas, hominibus & omni creaturae liberae necessitatem imponit studii virtutis, & fugae vitiorum. Nam licet per ordinem in mundo constitutum, decori & indecori notitia sese prodant; non video tamen inde deduci posse hominis officium esse, pulchritudinem illam sectari, si ex turpi re plus voluptatis sit percipitur*. p. 963/10-11.

<sup>39</sup> *quicumque dat jus ad finem; dat etiam jus ad media sine quibus ille finis obtineri non potest: et necessitas finis facit jus in moralibus. Sic verissimum est, respectu Dei: qui vult finem, vult necessario ille media, sine quibus ille finis obtineri non potest: et ideo Deus tales leges abrogare non potest*. p. 964/15.

<sup>40</sup> See on 'ordo et schesis': *Deus debet necessario leges naturales tamquam justas aestimare, posito et constituto ordine in hoc universo, qualem jam esse quorumvis oculis ingeritur, et non potest non quicquid ab iis deflectit, tamquam iniquum aut indecorum agnoscere: cujus rei ratio est, quod omnes res quas cogitatione nobis imaginari possumus, semper quandam schesis et relationem habeant, natam ex intrinseca rei natura, quae a re, si quis rationis usum sibi interdiceret nolit, separari non potest*. p. 973/52.

<sup>41</sup> *ut certo ducatur ad cognitionem Dei voluntatis. De via indicata per revelationem hic difficultas nulla est; sed de via, quam gentiles quibus oracula Dei nunquam concredita fuere ingredi debent, simul etiam de ea, qua illae difficultates expediuntur, quae solutionem manifestam in Sacra Scriptura non reperiunt; sed discursu indigent*. p. 964/12-13. Velthuysen's later position on this issue is more radical, but his role in the debate on reason and revelation in the exegesis of the Bible will not concern us here.



because that would exclude the pagans from its jurisdiction, neither can morality depend crucially on reason, since it would put children in the age of innocence in an position of forced amorality. And the same would apply to nations in a less enlightened phase of history. If there are universal principles of morality, they have to be phylogenetically and ontogenetically invariant.

Grotius, one will recall, referred both to the *a priori* and the *a posteriori* method to discover the contents of natural law. The first is the work of right reason, deductively arguing from right principles; the second expresses the *sensus communis* of the more enlightened nations.<sup>42</sup> Both principles are rejected by Velthuysen. The first principle, which is evidently the one stressed in *De Cive*, II.i, does not explain why ordinary people demonstrate a practical notion of justice.<sup>43</sup> Concerning the inductive argument from consensus, Velthuysen is siding with Hobbes against Grotius: 'But this declares not who shall be the judg of the wisdom and learning of all Nations'. Or, if consensus is to be understood as 'the Generall consent of all Man-kind ... then it were impossible for any but Children, and Fools, to offend against such a Law'.<sup>44</sup>

The rules of natural morality coincide with the *praecepta naturalia* (both *affirmativa* and *negativa*).<sup>45</sup> The rules that are not (cannot be) invariant in both respects comprise the *jus permissivum naturale*.<sup>46</sup> They have a 'duplex order' to the *finis mundi*, and although depending on circumstance and human inconstancy, they nevertheless embody the moral reality of creation. The 'duplex ordo' indicates a historically or ontogenetically qualified 'principle', something that indicates an open moral space to be legitimately filled out only according to the actual situation of the community or the person concerned. It seems possible to present the body of the *Dissertatio* according to these distinctions and their ensuing problems. The quest is to find the mechanisms of invariance and variance in matters moral. There evidently are also matters that are morally irrelevant, because otherwise 'the stuff of virtue and vice is discovered everywhere'.<sup>47</sup> This Deist ontology evolves into an inquiry into the moral mechanisms of the created world, intended to provide a classification of sin into a) sins against nature *sensu stricto*, b) sins against *decus naturale*, because in conflict with human dignity, c) sins against the rights of others.<sup>48</sup>

<sup>42</sup> DJB&P, I.I.512

<sup>43</sup> See Velthuysen's praise of ordinary morality: *Epist. Diss.*, 979/81-2.

<sup>44</sup> *De Cive*, II.I.; *Epist. Diss.*, Praefatio.

<sup>45</sup> p. 964.

<sup>46</sup> *res ex circumstantiis mutabilibus acquirunt duplicem hunc ordinem ad finem, et tales praescribuntur aut prohibentur jure permissivo naturali: suntque affirmativa, vel negativa.* p. 695.

<sup>47</sup> *et ubique materia vitii aut virtutis inveniretur.* p. 966/24.

## 5 Natural morality and sociability

Velthuysen endorses the argument from contradiction: on penalty of contradiction God is said to do this or permit that by necessity; the negation of a contradiction is a necessity.<sup>49</sup> Now, this procedure of arguing by *modus tollens tollendi* presupposes the truth of the first principles. These are posed as if by hypothesis: 'And so, since for example it is evident from what has been presupposed that such an order exists in the world as has its origin from God ...'.<sup>50</sup> The method used is first to derive what must be forbidden (the sins). The complement of the forbidden is the permissible, that is, the natural rights. Then follow the duties (to God, to oneself, but especially to fellow man). Lastly civil government and civil law are discussed: what sins have to be punished, what rights have to be respected, what duties enforced.

The empirical and the rational in natural law theory stand in a complicated relationship. As soon as empirical, and therefore debatable, information about human nature is introduced into the discussion, two altogether different avenues are opened up. So Grotius, by emphasising the *appetitus societatis* as a fact about human nature, elicited contentious reactions like that of Hobbes. But Hobbes did not confine himself to contradicting Grotius by proposing self-preservation as an alternative basic fact. He strove to improve and fortify his case by integrating this fact into a *prima philosophia* which purportedly proved his alternative reading of human nature. In this he was to no small extent aided by a general scepticism about the universal validity of the moral characteristics of man. Hobbes's minimalistic, as it were negative definition of the basic fact about man thus solved a pressing, present problem. His method, however, was essentially directed to the requirements of an empirical theory of man. No doubt, like all philosophers of natural law, he intended to come to normative conclusions, but in the process he already had created a bifurcation of the concept of rationality into *scientific* rationality concerned with proving empirical facts on the one hand, and *moral* rationality concerned with the investigation of *recta ratio*. The Franeker professor of jurisprudence Ulric Huber (1636-1694) who ardently criticised Hobbes in the

<sup>48</sup> In the second edition, (a) and (b) are changed into a) sins against *decus naturale*, b) sins against *dignitas hominis*, thus expressing a narrowing of *decus* to virtue and separating it from decency as *dignitas*.

<sup>49</sup> Evidently, this type of argument presupposes a deductive conception of morality, distinct from a probabilistic approach to the practical syllogism. In this respect, Velthuysen combines Burgersdijk's 'cognoscere causas rerum' with the Euclidian principles of the new philosophy.

<sup>50</sup> *cum itaque v.gr. ex praesuppositis constet, talem ordinem in mundo esse, qui a Deo originem habet* (967/30).

three editions of his *De Jure Civitatis* (1672<sup>51</sup>) identified Hobbes's use of the former type of rationality as the Cartesian method of doubt. For Huber it was self-evident that this method of doubt, this 'so-called bright light arising out of the darkness of absolute doubt' in effect resulted in closing the mind's eye to the Holy Spirit, that is to the light of natural reason.<sup>51</sup> By reversing the balance between the two forms of rationality, Huber then proceeds to accept as historical facts that the state of nature was a war of all against all, and that men entered into the state out of fear for each other (*mutui metu*). But his generosity is expressed only to endorse with even greater force man's innate love for the life in society, and Cicero's opinion that man is born for justice. What were inevitable, 'rational' facts for Hobbes became mere contingent, empirical facts for Huber, thus regarding these facts as additional arguments to follow the prescriptions of 'natura rationalis'. For Huber, therefore the rules of natural law *sensu stricto* obligate also in the state of nature.

Huber's distinction between empirical reality and the morality of reason has strong parallels in Pufendorf, whatever the differences in matter of substantial doctrine.<sup>52</sup> What neither of them contemplated was to attempt and defeat Hobbes by his own weapons. By the use of reason (i.e. rationality in the first sense) other descriptions of human nature are possible, as e.g. in Spinoza's analysis of sociability which he himself understood in this way: 'And if this is why the schoolmen want to call man a sociable animal – I mean because men in the state of nature can hardly be independent – I have nothing to say against them'.<sup>53</sup> This type of theory of sociability is the product of a much more widely ranging empirical theory of human nature, the affinity of which with that of Hobbes is less in content than in method. Suffice it to suggest that the criticism of Hobbes along his own lines was not altogether alien to the seventeenth century, as is also warranted, albeit in a less explicit way, by some of the principles behind the Cumberlandian reaction to Hobbes.<sup>54</sup> What is important to see here is that to Velthuysen the option may have been open between the two forms of rationality. In being one of the few Cartesian moral and political writers, Velthuysen may have even tried to perform the impossible. This is something one has also to bear in mind in trying to understand the *Dissertatio*.

When Pufendorf criticises the *Dissertatio* in *De Jure Naturae et Gentium*, II,iii,

<sup>51</sup> U. Huber, *De Jure Civitatis* (Franeker 1672) p. 225; See also Theo Veen, *Recht en nut, Studiën over en naar aanleiding van Ulrik Huber (1636-1694)* (Zwolle 1976) pp. 180ff.

<sup>52</sup> To my knowledge, a close comparison of Huber and Pufendorf is not yet available, but long overdue.

<sup>53</sup> 'et si Scholastici hac de causa, quod scilicet homines in statu naturali vix sui juris esse possunt, velint hominem animal sociale dicere, nihil habeo, quod ipsis contradicam', *Tractatus Politicus*, II, xv.

his central reproach is directed against Velthuysen's ontology. He despises Velthuysen's cavalier treatment of God and His power, and the entailed equivalence postulated of God and man. By imposing but the slightest hint of obligation upon God, Pufendorf maintains, Velthuysen is implying that God is not perfect. Obligations apply only where beings fall short of perfection, which cannot be said of God. This is not surprising in Pufendorf, who certainly held that the core principle of natural law is its being imposed as an obligation by God upon man, and hence any further attempt to define what God can and cannot will in imposing these obligations deprives Him of this perfection. But while Pufendorf predominantly fears the dangerous consequences of scepticism, this is less of a problem for Velthuysen who as a Remonstrant is confident about the existence of a generally acceptable set of fundamental tenets of Christian religion. Therefore Velthuysen feels free to discuss God's purpose with the world. In the end, both he and Pufendorf must confront the question about the reliability of and proof for their respective views of God's requirements of man. But their ways of providing these arguments are diametrically opposed. Pufendorf would say that it is God's will that men respect each other's rights, that they co-operate and take a positive interest in each other's well-being. This is no hard task for man to comply with since rational analysis will show that these are exactly the things man would like to achieve anyhow. Since, however, passions and affects contend for man's compliance, the law of nature has to be the express will of a competent law-giver, i.e. God. Velthuysen, on the other hand, is not liable to this tinge of voluntarism. His dominant fear is that if God's will is made the central category of analysis, it would sanction the theologians to vie for interpretations of God's will and to indulge in their political ambitions. To separate morality from religion requires Velthuysen to find the laws of nature in the principles and mechanisms of created nature.<sup>55</sup>

Pufendorf is aware of this turn in Velthuysen's argument. He immediately brings in the charge of naturalism, as he understands it. Naturalism for

<sup>54</sup> See Linda Kirk, *Richard Cumberland and natural law. Secularisation of thought in seventeenth-century England*. Cambridge: J. Clarke 1987, and more in particular Knud Haakonssen, 'The character and obligation of natural law according to Richard Cumberland', paper prepared for the international workshop on 'Unsocial Sociability', Göttingen, 26-30 June, 1989, who stresses the importance Cumberland attaches to the (empirical) discovery of obligation and its moral ground. This distinction corresponds to Velthuysen's repeated insistence on the difference of efficient and final causes of morality. See the discussion *infra* in the next chapter.

<sup>55</sup> Barbeyrac believes he can defend Velthuysen against Pufendorf's criticism by pointing out that Velthuysen only wishes to stress the necessity of God's perfection. But that does not seem to help much, if absolute freedom is another of God's attributes. See his note to *DJNE&G*, II, iii, 5.

Pufendorf is either the principle of *consensus communis*, or the reliance on private utility. These two varieties are forcefully and extensively rejected. But here Pufendorf misdirected his arguments. As pointed out, Velthuysen did not maintain either of these arguments. If, therefore, Velthuysen is vulnerable to Pufendorf's rejection of naturalism, because 'nature teaches nothing' – especially since we have no 'clear and distinct' way to understand God's ultimate purpose with the world – it must be for different reasons.

Velthuysen's naturalism is the outcome of a theological argument to separate theology and philosophy, which has its prime force in directing us to the investigation of nature as a first step in moral philosophy.

## 6 *Conveniens schesis atque relatio* <sup>56</sup>

It is a commonplace to compare our understanding of the world to that of a house as the work of an architect. Via the formula 'sarta et tecta' as expression of the purpose of man's life, the reference is even a rhetorical one. Velthuysen presents the architect-house simile only once, but at a central stage in his argument, viz. where he moves from the principle of the purposefulness of the world to our understanding of it.<sup>57</sup> From the construction of the house we understand that the architect intended the roof and the walls to remain strong and well-kept, in order that the house continues to provide reliable shelter to its occupants. From there arise the duties of the tenants concerning the house. The architect-simile differs from the clock-metaphor, which one might have expected from a Cartesian, in two respects. For one thing, it interrelates two sets of intentions: those of the architect and those of the occupants, whereas the clock-metaphor is limited to the intention of the maker only. The functionality of the elements of the clock, moreover, is set and fixed in its construction. The purpose of the clock itself is of no relevance to its elements taken separately. As a model for society, the clock is evidently inferior to that of the architect's house, but the latter entails conceptual problems that have no easy solution.

One can follow some of the problems by seeing Velthuysen struggle with one of his preferred examples: *pudor*. *Pudor* as shame, or shameful, indeed is made to perform a central role in a complicated argument. Referring to

<sup>56</sup> p. 975/64. It is surely suggestive to draw attention to the similar expression in Spinoza – *ordo et concatenatio* – used in the context of his monistic conception of substance. It is worth reflecting whether Spinoza's theme of the isomorphy of reason and extension may not be a refiguration of Velthuysen's basic problem in natural theology. See *infra*, chapter 7.

<sup>57</sup> p. 967/30.

shame as the principal locus of Adam's fall, Velthuysen attaches a double meaning to *pudor*. It denotes the *form* of sin, as well as its *mechanism*. What is shameful is sinful, and by experiencing shame man is driven to abstain from committing sin. But next to that, *pudor* has an actual meaning: the rules of propriety concerning the denudation of the *pudenda*. By taking issue with what Velthuysen evidently regards as bigotry, he is as well engaged in practical morality, i.e. trying to reconstruct the practical applicability of *pudor*. As an exercise in natural morality this is therefore both a way to explicate the underlying principles as well as a manner of intervention. By dissecting his treatment of *pudor* one may expect to come to grips with his core argument about sociability.

The argument starts by enumerating a series of facts of everyday life, like embarrassment, reticence, blushing, preference of beauty over ugliness, prudishness among brothers and sisters. These examples are all cases of *pudor*. 'It would be easy for me to recount an infinity of such things, to all of which, if the contrary is done, it is no sin. Let no one think that everything that excites a sense of shame is a sin, and is prohibited by natural law'.<sup>58</sup> All these things must belong to the *adiafora*, the things indifferent. They are historically and culturally variant, their observance develops according to education and training.

There was evidently no need for an extensive defence of shame as the primordial exponent of sin, as it was the epitome of any interpretation of man's Fall. Velthuysen immediately starts to discuss certain criticisms of this basic notion of shame. The prime example is here the supposed rule against going naked ('in detectione genitalium impudicitia'). On the one hand, Velthuysen maintains, we cannot strictly speak of a natural law, since there are exceptions to this rule (e.g. in feeding or pampering a baby, in medical practice); on the other hand, we would not want to admit that the fact that certain primitive tribes do not feel ashamed in going naked would imply that it is a purely arbitrary matter. Because if it is arbitrary, how can we continue blaming these primitive tribes for their nakedness? Since Velthuysen does not accept the argument from natural instinct, nor that from the superiority of the more advanced nations, would one not have to accept that these tribes will be excused before God? In order to answer this question, Velthuysen resorts to a further division. There is a *rusticus pudor*, an unpolished shame, to be distinguished from cultivated shame. Although the latter is more perfect, the former is not without virtue. There is, however, a species of shame, the absence of which can never be excused. That is to say that although shame as

<sup>58</sup> p. 974/60

such cannot be a criterion of virtue and vice, it does produce an understanding of its formal nature. The decisive mechanism is to be found in the consequences of shameless behaviour, that is the contempt of one's fellows.<sup>59</sup> This is a remarkable move in several respects. One is tempted to ask whether Velthuysen is not falling back on a principle he derided a minute ago, viz. that of *consensus omnium*. But that is not the case. He does not say that shameless behaviour is vice because one's fellows say so, but because the contempt of one's fellows conflicts with the principle of self-preservation. But then one might ask a second question: is Velthuysen's morality a (proto-)utilitarian one? Or is vice only to be determined by the negative effects on one's well-being? Velthuysen was evidently aware of this possibility, which would have driven him inevitably into Hobbes's moral psychology. Therefore, he continued his argument with an extensive exposition of his own moral psychology, a 'Cartesian' one based on Adriaan Heereboord and Henricus Regius.<sup>60</sup> Two things stand out: passions have their proper object and are natural in that sense, the application of the passions is guided by the fundamental law of self-preservation: 'In short, those common misfortunes, obvious to anyone, which follow from the violation of natural law teach everyone to live according to the dictate of natural law. But if the soul were to have no knowledge, either by instruction, or by experience of any of these evils, most men would be ignorant of what was just or unjust, since it is given to very few to deduce from first principles the origin of justice and injustice or to enter into knowledge of those demonstrations which philosophers employ to prove the existence of God'.<sup>61</sup> This notion of the passions and the role of *dolor* (878/76) and of the *perceptio gratiae aut ingratae* (977/75) as the mechanism that directs our moral sensitivity is more reminiscent of Francis Hutcheson than of Thomas Hobbes. Passing over the fact that Velthuysen uses the same mechanism to argue for natural religion,<sup>62</sup> it may be concluded that Velthuysen is very confident

<sup>59</sup> *Cuivis etiam manifestum jam est, quomodo peccata quae contra honestatem naturalem fieri dicuntur, mala sint quia fiunt contra primam et fundamentalem legem, conservationem scil. sui ipsius: nimirum enim fugit quanti referat ad bene esse, ut quivis contemptum a se moliat: at qui impudice se gerit, contemptum suorum effugere non potest, 977/72.*

<sup>60</sup> See Thijssen-Schoute, *Nederlands Cartesianisme*; Paul Dibon, *L'Enseignement philosophique dans les universités néerlandaises à l'époque pré-cartésienne 1575-1650*. The Hague: Nijhoff 1954; Descartes et Regius: *autour de l'Explication de l'esprit humain*. [Studies in the history of ideas in the low countries, II] Ed. Theo Verbeek. Amsterdam/Atlanta: Rodopi 1993.

<sup>61</sup> *Denique pro trita illa et cuivis obvia incommoda, quae sequuntur legis naturalis violationem, quemvis docent ex legis naturalis dictamine vivendum. Sed si anima, neque instituto, neque experientia ullam horum malorum cognitionem haberet, quid aequum, aut iniquum esset plerique homines ignorarent: cum paucissimis sit datum ex alto repetere originem iustitiae atque iniustitiae, aut in cognitionem illarum demonstrationum penetrare, quibus utuntur Philosophi ad demonstrandam Dei existentiam, 979/80.*

<sup>62</sup> *hominem ad quaedam dogmata amplectendum admodum pronum esse, (798/79).*

of the self-steering capacity of natural morality. But, next to his belief in the essential role of the passions in this process, he stresses as the dominant mechanism the interaction of men among each other. Acknowledging that Velthuysen is at this point still only treating the duties towards God and towards oneself, the conclusion must be that man is a social animal by nature. Not, however, for Aristotelian or Grotian reasons, but as man willy-nilly<sup>63</sup> is led to take into account the reactions of others. This social process is morality itself. To speak of *imbecillitas* or *indigentia* is but an imperfect metaphor to describe this process. *Caritas* and *iustitia* no doubt are virtues, but these are not presupposed.

Completely in line with his argument, it is only at the end of his discussion of natural morality that the duties towards others enter into Velthuysen's story. In a strict sense, therefore, sociability is the outcome of the fundamental law of self-preservation. To ask whether this sociability is unsocial or not, is a question that seems to have two different answers: sociability is unsocial in the sense that it is forced upon man as a nature- and self-regarding being, consequentially producing the notion of justice. There seems to be no unsocial sociability, if natural morality can only develop in the interaction of men with each other. But since even Hobbes presupposes that selfish man lives in groups, this second answer has not much to say in its favour. In the next chapter, I shall take up this matter again. In the context of a more detailed analysis of teleology, the original contribution of Velthuysen to the sociability discussion can be presented more clearly. It will show that sociability is a very precise rendering of the notion that one helps another best by helping oneself. This view of sociability and the underlying notion of self or individuality is one of the important outcomes of the naturalistic movement. It was to play an important role in the political theory of De la Court, and to be elegantly theorised by Spinoza.

## 7 A Calvinist argument about sociability

The ambiguity of Velthuysen regarding the separation of morality from theology was commented upon above from the perspective of his ontological premisses and the further consequences he derived. Its tendency was said to be atheistic, because its effect was to promote the study of causal mechanisms in man. Although much depends here upon a series of more precise decisions about the boundaries of the several domains of morality, to say that the rules

<sup>63</sup> *affectus eo quo feruntur rationem trahunt, (980/86)* it is said in a perfect ironisation of Stoic dogma.

of decorum depend on a social learning process in which man learns to understand the proper objects of his passions, as well as the evolving requirements of social life, relaxes in the end the connection between God as creator and his creation itself.

But, however much Velthuysen may later on have come to understand this implication himself in the perspective of Spinoza's *Tractatus Theologico-Politicus*, it seems less than plausible to assume that this was the original target of the *Dissertatio*. So one might well ask, what intention was originally behind this argument that ended up by having the disturbing consequences just noted. Velthuysen, then, as an active member of the *Eglise wallonne* was a Calvinist. Next to that, he found himself at home in Remonstrant circles. Many of his close friends (De Courcelles, Poelenburg) were well-known Remonstrants, others like Ostens at least shared many of their unorthodox views. In the *Dissertatio* a few Remonstrant positions stick out. Velthuysen's use of the fundamental tenets of belief as a basic set uniting all Christians was basically employed to fight off the ministers' pharisaic predilections.<sup>64</sup> The most contested Remonstrant view evidently was the notion of the resistibility of grace: the belief that man may be said to have been predestined to grace by God's decision, but that grace to be effective ('*gratia efficax*') presupposes the willing decision on the part of individual man to accept this grace.<sup>65</sup> For this reason, orthodox Calvinists were prone to accuse Remonstrants of Pelagianism. The political background to this important theological dispute had been the disputed political guardianship over the church, and in 1651 it still was. Since the early seventeenth century, Remonstrants had attempted to be freed from orthodox bickering by appealing to the civil authorities in order to have a policy of toleration imposed upon the church. Although this did have adverse consequences for some time (1619 to ca. 1630), Remonstrants continued this policy of defending their doctrinal freedom by invoking the government's help to ensure toleration. Orthodox Calvinists now continued to fight Arminians by attacking their minimal set of fundamental tenets of Christian belief. For toleration evidently was not valid for heretics. As a result of all that there was much debate about the most central elements of Calvinism: predestination, justification and grace. In Velthuysen one may notice that not only the origins of the debate had a political nature, but also the conceptual consequences. In Velthuysen's phrase:

And so, I know that God exists, that He created the world in His wisdom, that He proposed himself an end, and in consequence that He has ordained the means for its

<sup>64</sup> See J.H. Maronier, *Jacobus Arminius. Een biografie* (Amsterdam: Y. Rogge 1905) p. 362.

<sup>65</sup> *Jacobus Arminius, Examen libelli Perkinsiani de Praedestinationis modo et ordine*, [written 1599-1602] in: *Opera Theologica* (Leiden 1629) p. 755 (*Opera III*, p. 450), p. 776 (*Opera III*, p. 482).

attainment. I know that He made me a part of the means; and further that God has also demanded a duty of me and has made judgement upon it. But I know that He wishes me to choose it freely, which if I do a reward has been provided for me; if otherwise, a punishment has been ordered and will certainly be carried out. And further I know that I am no longer at liberty whether to choose to submit to my own desire or to the will of God.<sup>66</sup>

Arguing from his own list of the fundamental tenets, stressing the Arminian conception of grace, Velthuysen ends by indicating that the infliction of punishment and the promise of remuneration put men in the position of no longer being indifferent whether to follow their own desires or God's will. The constraint on man's licence is a prudential one. This view embodies a transposition of Arminius's theory of predestination. First, it expresses Arminius's infralapsarian position, which holds that man's capacity for virtue is dependent on Christ's moral teachings rather than on Redemption. Secondly, it contains an application of the *scientia media* and of the *concursum* that for Arminius connected God's free will with that of man. Thirdly, God wills obedience, but by having given freedom to man He also wills punishment of transgressions. Lastly, implied in this quotation, but explicitly stated elsewhere, is the view that God's will is transparent (not hidden) to man: He wants the *finis* to be known.

In a later publication, Velthuysen elaborates on the theological side of this argument.<sup>67</sup> But here the transposition from theology to natural morality is what concerns us. Given Velthuysen's acceptance of the view of moral philosophers like Franco Burgersdijk, that natural morality is concerned with the good in this world, independent of Revelation and thus valid and knowable for Christians and pagans alike, this transposition is a tricky one, surrounded by many difficulties. Predestination as such is about supernatural grace, about the justification in Christ, and hence a remedy against sin, rather than its prevention. Furthermore, predestination is about salvation through belief, and hence specifically limited to Christians. However much Christ can be said to have died for all mankind, *sola fide* prevents it from having any other than negative implication for pagans. Although Velthuysen may be said to concur with Burgersdijk that pagans (like Socrates) can be morally good, there is not an inkling of eighteenth-century outbursts of nat-

<sup>66</sup> *Scio itaque Deum esse, eum creasse mundum in sapientia; finem sibi proposuisse: & per consequens media ad ejus consecutionem ordinasse: me mediolorum partem facere: atque adeo Deum a me etiam officium postulasse, idque judicasse: sed velle ut libere id eligam; quod si fecerim, praemium mihi paratum esse, si secus, poenam denuntiata, & certo eventuram: atque adeo mihi amplius integrum non esse obsequi ne velim meae libidini; an Dei voluntati* (pp. 964/13-14).

<sup>67</sup> *Nova methodus qua traditur doctrina de gratia et praedestinatione*. Utrecht: Th. van Ackersdijk 1662.

ural theology to the effect that Socrates could have been saved. Transposing the Arminian model of predestination to moral philosophy hinges therefore on the crucial notion of *media*. In *scientia media* and *concursum* two elements come together: on the one hand God's foreknowledge employs middle knowledge ('*scientia media*') in order to foreknow what individual men will do acting in freedom, i.e. knowledge of the circumstances of man's acting provides this foreknowledge. On the other hand, the concurrence of first and secondary causes is embodied in the order of creation and in the *media* necessary to the *finis*. In the infralapsarian view, God created the world before decreeing predestination. Concurrence then has precedence over middle knowledge: the architect constructed the house *in order that* it would provide shelter, hence by his construction the means are adapted to that end. The architect therefore knows the effect of the means. It is because of this creation of means effective to the end that the occupants of the house are bound to observe a certain order so they may enjoy prolonged shelter. The transposition to the moral field is then the supposition that if God can effect supernatural salvation in this way, He could as well regulate natural morality (Augustinian shelter, so to say). But then the basic model of moral philosophy is set at the same time: (1) God's and man's free will concur in promoting what God in His benevolence has formulated as the purpose of the world, i.e. man's good in this world if only man assents to his duties; (2) God has prepared man's morality by creating the secondary causes;<sup>68</sup> (3) the infralapsarian position implies that sin is not the intended condition of mankind, but something to be averted to which purpose the means are provided as well.

The result is in fact an immanent conception of God's rule, in a double sense: not only the available notion of moral philosophy as distinct from theology is maintained, but it is also supported by a theological argument. It is a theologian's way to undercut the relevance of theology to morality. There can be no doubt about the political implications of this procedure. Orthodox protestantism was increasingly drawn into the pietist direction of the 'Nadere Reformatie', with its emphasis on the permeation of man's life by God's continuous attention, obligating man to live in love of God. Jacobus Koelman's strictures on Velthuysen, referred to in the introduction of this chapter, are a clear indication of the fears among pietists of the dissociation of morality from religion. In their view, morality can only be Christian piety

<sup>68</sup> Et cum Deus ad certas actiones me destinaverit, quae mihi innotescunt ex appetitu, et facultatibus animae, et membrorum structura: inde etiam sequitur, Deum simul imperasse ab iis me abstinere, et temperare, quae sua natura eas innuere videntur, quae prioribus contrariae sunt, p. 985/89.

and a life in permanent awe of God. The pietists rightly sensed the secularising tendencies in Velthuysen's programme.

Politically, Velthuysen's Molinean reconstruction of moral philosophy was anathema to orthodox belief that stood for an extensive religious interference with civil life. At several stages in the *Dissertatio* this opposition surfaces, as e.g. in his repeated remark that unless one accepts the existence of matters morally indifferent 'everywhere will be found cause for [the allegation of] sin', or where he denies that changes in a country's official religion can be made according to the preference of a majority in the population. Religion is no longer a fountain of morality. The principles of justice and decorum can be formulated without recourse to Revelation, let alone to the Old Testament which contains rules only for the Jewish People.

Taken together, the infralapsarian use of secondary causes and the Arminian political attitude provided Velthuysen with a moral metaphysics that makes moral relativism a very powerful argument to present sociability as the natural outcome of man's moral predicament: to take care of one's self-preservation in a given historical context, to understand the relativism of one's moral situation, in order to improve upon the rational quality of one's morality and to overcome the dogmatism of bigotry.

In this light, sociability understood as the duties towards fellow-man becomes a multi-layered thing. For Velthuysen as a theologian friendship, or love, and benevolence are not to be discarded. The central contention, however, based on the three types of duties (towards God, oneself and fellow-man respectively), while referring sociability to the third category, boils down to a very restricted notion of justice indeed. Not to harm other people's rights, except in the case of rightful defence of one's own preservation is the pivotal notion; a second one is to view government as an institution to prevent harm, instead of to promote justice, which necessarily throws all the weight of the argument on the central processes of the formation of morality. Hence, these other dimensions must be understood as elements of sociability as well. As Spinoza will express this in his early writings during the 1660's, to find the truth is a social process. His particular arguments turned out to be different from the ones of Velthuysen, but the principle behind is the same: not living in isolation (a biological fact), being bound by one's natural endowments to attend to one's self-preservation, man is forced by shame to integrate the social into his care for his duties towards himself. To conclude from this<sup>69</sup> that man is social by nature would be a contraction of an argument that is too subtle for that. Nevertheless, it is evident that man is social by nature, but neither by the working of a simple *vis socialis* nor by that of *ratio recta*, but rather by a complex interaction of men. It is true that nature guides the will-

ing, and forces the unwilling, but even the willing have to learn and develop their capacities. It had been this conceptual problem that Velthuysen as an Arminian and natural moralist was keen to exploit.

In this chapter, Velthuysen's contribution to the development of naturalism has been presented. Teleology and perfection, empiricism and rationalism, moral relativism and naturalism are topics that will return in chapters 7 and 8, in the most outstanding contribution to Dutch naturalism in the seventeenth century, that of Spinoza. In the next chapter, I shall sketch a further argument for the double bind of unsocial sociability that contains a very lucid conception of the interdependence of man and society. Thereafter, I shall follow up its political use in more detail in chapter 6 on De la Court.



<sup>69</sup> Barbeyrac, while annotating Pufendorf's criticism of Velthuysen in his French edition of the *DJN&G*, jumps to conclusions in his comment on Pufendorf's *DJN&G*, II, iii, 12, in identifying Velthuysen's notion of sociability with what is explicitly a derivation, i.e. with his quasi-utilitarian statement that the natural law prescribes what promotes the well-being of mankind, and forbids what harms mankind. Barbeyrac seems to overlook that, as expounded, this is but a conclusion from other principles.

## ‘TWO TYPES OF TELEOLOGY

### CHAPTER V

*‘Natura nihil omnino frustra*

#### 1 *Some English reactions to Velthuysen*

In the Preface to his *Demonstration of the divine authority of the law of nature and of the Christian religion* (1681), Bishop Samuel Parker remarks that among his predecessors ‘the author of the book *De Principiis Justi & Decoris* once or twice started the right notion of it [i.e. natural law, HWB], but quite lost it in the chace by quitting his own scent to follow mr. Hobbs’s cry’.<sup>1</sup> In this one sentence, Velthuysen suffers the short thrift Parker applied as well to Hugo Grotius (‘without the supposition of a Deity’), Samuel Pufendorf (‘has neither described its particular branches, nor demonstrated any of the grounds or reasons of its obligation’) and Cicero, who presumably wrote something of interest in his lost book *De Republica*. Happily, says Parker, we now have Cumberland. In 1691, James Tyrrell will scorn the by then late Bishop of Oxford for not giving sufficient credit to Richard Cumberland. Tyrrell himself is

<sup>1</sup> Samuel Parker (1640–1688) was educated at Wadham College, Oxford and obtained a doctorate in Divinity in Cambridge (1671). He was appointed Bishop of Oxford in 1686 and acted as President of Magdalen College, Oxford from 1687. Apart from theology, he had a vivid interest in botany.



keen not to make this mistake himself: his *Brief disquisition of the laws of nature* (1692) is explicitly presented as a compendium of Cumberland's *De legibus naturae* (1672).<sup>2</sup> And like Cumberland, Tyrrell's preferred list of precursors comprises Grotius, Robert Sharrock and John Selden. Robert Sharrock,<sup>3</sup> in turn, was the first among these 'Cumberlandians' to refer to Velthuysen, i.e. to the anonymous author of the *Epistolica dissertatio de principiis justi, et decori continens apologiam pro tractatu clarissimi Hobbaei de Cive* (1651).<sup>4</sup>

To all appearance, Parker was right in regarding Velthuysen as 'following mr. Hobbs's cry'. At least that is what Velthuysen explicitly sets out to do in the *Epistolica Dissertatio*: to defend Hobbes's *De Cive* (1642) against unjust criticism. Careful reading of the text shows, however, that Velthuysen was very precise: he does not want to defend Hobbes against just criticism. The latter may not be given in an overt way, but nonetheless is amply present. So there was sufficient reason, at first sight, for the Cumberlandians to take notice of this book. It was an early engagement to hunt the Leviathan, it was literally even a hunt *avant la lettre*, since presumably Velthuysen had not yet read *Leviathan* (1651) when writing his *Dissertatio*. The central conception of Velthuysen cannot have failed to attract the Cumberlandians: a full-fledged naturalism-in-a-theological-context, meant to bypass Hobbes on his own principles. Here we must find Parker's 'once or twice', as well as Sharrock's praise of this 'learned man, [who] in my opinion deals rather energetically with our subject matter'.<sup>5</sup>

Velthuysen shares a number of particular points with these Cumberlandians, as with Cudworth, or with the Cambridge Platonists in a somewhat loose sense of the term. Velthuysen was a central figure in Dutch Arminian

<sup>2</sup> Richard Cumberland (1631-1718) was educated at Magdalen College, Cambridge and became Bishop of Peterborough. His immediate fame was based on his *An essay towards the recovery of the Jewish measures and weights* (1686), only later to be surpassed by *De Legibus Naturae* (1672; English tr. 1727 and 1750; French tr. by Barbeyrac 1744 and 1757). See Linda Kirk, *Richard Cumberland and natural law. Secularisation of thought in seventeenth-century England*. Cambridge: J. Clarke 1987. James Tyrrell (1642-1718) set out for a legal career at Gray's Inn and the Inner Temple, but also attended Queen's College, Oxford. Retired to his estate at Oakley after 1667, he was a justice of the peace until disposed of by James II for not supporting the Declaration of Indulgence. A close friend of John Locke, he wrote against Filmer in his *Patriarcha non monarcha* (1681), choosing as a pseudonym Philalethes, the cynical courtier of Algernon Sidney's *Court maxims*. His *Brief disquisition* is said to have displeased Locke.

<sup>3</sup> Robert Sharrock (1630-1684) was educated at Winchester School and New College, Oxford. After holding the bishopric of Waltham, he was appointed Archdeacon of Winchester in 1684.

<sup>4</sup> 'a brilliant and partially sympathetic consideration of Hobbes', James Tully, *A discourse on property. John Locke and his adversaries* (Cambridge: Cambridge University Press 1980) p. 86-7.

<sup>5</sup> *vir doctus, [qui] satis nervose videtur de hac materia disserere, Judicia (seu legum censurae) de variis incontinentiae speciebus* (1662) pp. 76-80.

philosophy, and joined a fundamental religious attitude to a keen interest in 'modern' philosophy, i.e. Hobbes and Descartes, together with a profound criticism of Spinoza.<sup>6</sup> He felt, like his English counterparts, that 'Nature' was central to moral philosophy, and like Sharrock he took a strong interest in the development of a system of 'middle duties', designed to provide guidance in the practical life of a changing society.

The historical point to be made in this argument is that Velthuysen was the more radical critic of Hobbes, in that he dealt with Hobbes's moral solipsism along lines that not only share many of the characteristics of the Cumberlandians, but also establish and confront the inherent difficulties of this programme. It can be no surprise that he was received so well. It is, however, no surprise either that he was not followed to the end, since the political message of Velthuysen was much too radical for the Anglican doctors in the Cumberland circle. It is only in Locke that Velthuysen's radicalism surfaces again.

I shall discuss the arguments of the Cumberlandians and of Velthuysen on a number of points in a comparative way. It should be remarked that I shall deal with Sharrock, Parker and, to a lesser degree, Tyrrell, as Cumberland himself is more well-known.<sup>7</sup>

## 2 The Hobbesian challenge

Sharrock, whom Tyrrell took to be a founding member of the Cumberlandians, is explicit and straightforward in his description of the situation. After decrying Catholic philosophers who demand that 'we submit our reason to the sensitive appetite and to the senses we have in common with brutal animals', he clearly expounds his own dangerous position of implication:

Hobbes, Spinoza, and other very recent and monstrous innovators among philosophers and theologians shall wrestle from us, even against our will, this honour.<sup>8</sup>

<sup>6</sup> Rosalie L. Colie, *Light and enlightenment. A study of the Cambridge Platonists and the Dutch Arminians* (Cambridge: Cambridge University Press 1957) pp. 94ff.

<sup>7</sup> See apart from Kirk, *Cumberland*, the paper by Knud Haakonssen, 'The character and obligation of natural law according to Richard Cumberland', presented to the international workshop on Unsocial sociability: modern natural law and the 18th-century discourse of politics, history and society, Göttingen 1989, to be published in Istvan Hont (ed.), *Unsocial sociability*, in press, as well as the short but very useful essay in *Moral philosophy from Montaigne to Kant. An anthology*. II vols, Ed. and with introductions by J.B. Schneewind (Cambridge: Cambridge University Press 1990), vol I, pp. 22-9.

<sup>8</sup> *Hunc sibi honorem Hobbius, Spinoza, alique Philosophorum Theologorumque novissimi, monstrosi novatores, nobis vel nolentibus extorquebunt*, Sharrock, *Hypothesis ethicae*, ed. sec., 1682, C<sup>v</sup>.

He wants to escape assimilation with the monstrous idiosyncrasy of these deviant notions. Although Spinoza evidently only appears in the second edition of the *Hypothesis ethice*, he is identified, like Hobbes, as an Epicurean. Sharrock, however, prefers the Academics and Peripatetics, but admits that ‘in this the Socratics, Platonics and Aristotelians agree with Epicurus and Hobbes, that “all nature is its own preserver in order that it be safe and preserve its own kind”’.<sup>9</sup> But he rejects both the Epicureans and the Stoics because the former

contribute too little to the mind, and take away from it modesty and shame, honesty and natural justice. On the other hand, one should quickly pass over the Stoic vanities, that contribute everything to the mind and do not consider the body.<sup>10</sup>

Sharrock clearly sides with Grotius: ‘Right, indeed, is that which neither a King can deny a citizen, nor a Christian non-Christians’,<sup>11</sup> and hence he attempts to deal in an alternative way with the shortcomings of the Grotian system, i.e. to give a more firm foundation for the obligation of justice (‘jus’) then in right reason only. But whereas Hobbes found the solution in the Leviathan, Sharrock believed in a very particular combination of utility and Christianity. For him the whole purpose of creation is a) to make men Christians, and b) to make men moral.

His argument smacks of of circularity, as in all Cumberlandians,<sup>12</sup> but it is a consistent circularity. It hinges on the traditional *nihil frustra*-argument: God’s creation of the world would be to no avail if natural religion were a sufficient foundation of morality. If Christian religion were not the first virtue, ‘the Christian religion would be without purpose, Christ would have been born and died to no avail; that is, if eternal salvation could be acquired by means of natural religion and the natural virtues’.<sup>13</sup>

Also the utilitarian element in Sharrock’s moral theory is based on the ‘*nihil frustra*’: the moral life pays. As Sharrock explains in his *Judicia*, ‘adultery leads to mischief’ and therefore it follows abundantly ‘that the Creator of nature did not without reason produce this common notion of the natural obli-

<sup>9</sup> In hoc Socrati, Platoni, Arist<sup>i</sup>, cum Epicuro Hobbioque convenit, “omnem naturam esse conservatricem sui ut salva sit, & genere conservatur suo”, *Ibid*, D4<sup>r-v</sup>.

<sup>10</sup> parum animo tribuunt, ab eoque tollunt pudorem verecundiamque; honesti justique naturalis: ex altera parte Stoicas etiam vanitates praeterfugietis, qui omnia tribuunt animo, adeoque nullam corporis habent rationem, *Ibid*, D4<sup>r-v</sup>.

<sup>11</sup> Jus enim tale quod nec Rex subditis negare potest, nec Christianus non Christianis, *Ibid*, G2<sup>r</sup>.

<sup>12</sup> Cumberland’s efforts to show that right reason is unvarying took him no further than a circular definition, Kirk, *Cumberland*, p. 37.

<sup>13</sup> frustra esset christiana religio, frustra natus, frustra mortuus Christus; si scilicet aeterna salus per naturalem religionem, & naturales virtutes possit acquiri, *Hypothesis ethice*, p. 52-3.

gation to care for one’s offspring’.<sup>14</sup> However, ‘utility follows by nature’s care only after honesty has originated’ and not the other way around.<sup>15</sup> Sharrock, therefore, is apt to make *societatis appetitus* central to his argument. But he is not content to take sociability as a primitive notion that has no further explanation. It cannot be primitive because ‘indeed, given the end, nothing else is looked for in the means ordained towards the end’.<sup>16</sup> The order of nature, i.e. justice, leads men to sociability, otherwise sociability would be some passion, and that would not do for Sharrock: ‘For, in particular, [God] determined that we are born to justice, and neither is right established according to opinion but by nature ... mankind is sociable by means of their virtue under the guidance of reason’.<sup>17</sup>

Whereas in Sharrock one should notice a wavering ‘modernist’ position – harking back to the ‘heathen’ philosophers, especially Cicero – Cumberland is straightforward in his ‘modernism’. Not only do we find him denying the possibility of a fully-fledged ‘heathen’ moral philosophy, he also seems to imply that Hobbes’s system fails at the point where he is just an Epicurean, that is, an ancient. Moreover, his reliance on modern science is very explicit, as is his utilitarianism. So it will not do to make these Cumberlandians simply a reactionary bunch of Grotians who failed to understand Grotius’s shortcomings. On the contrary, even more than Hobbes they contributed to the secularisation of moral philosophy, in particular since they happened to prepare the way for Christianity becoming superfluous as a source of moral standards by taking it seriously, instead of flatly denying it as the ‘atheist moderns’ did.

This characteristic is on a par with the life and works of this singular Dutch philosopher, Lambertus van Velthuysen. Looking back while preparing his *Opera omnia* for the press, he wrote:

I am aware how much those envious of me have always attacked my writings and my thoughts, how much they were foaming with rage when some tract of mine was published, and how much they thereafter gave all their effort to blacken me before my fellow-citizens.<sup>18</sup>

<sup>14</sup> notionem istam communem de naturali ad proles curam obligatione non frustra fecisse naturae conditorem, *Judicia*, p. 15.

<sup>15</sup> honestatem autem naturā procuratrice ortam consequenta est utilitas, non utilitatem honestas, *Ibid*, p. 15.

<sup>16</sup> posito enim fine nihil ultra requiritur in mediis quae ad finem ordinantur, *Ibid*, p. 15.

<sup>17</sup> Imprimis enim statuit nos ad justitiam esse natos, neque opinione sed natura constitutum jus. ... a virtute ducta ratione genus hominum sociabile, *Ibid*, p. 61-62.

<sup>18</sup> jck weet hoe mijne benijers mijn schrifte en bedenkingen al tijd gehekel hebben, hoe datse schuymbeckken als t een off t’ander Tractaetjen van mij werd uygegeven, en hoe seer sy dan daarna haer krachten ingespannen hebben om mij bij mijne Borgers swart te maken, *Opera Omnia*, Epistle dedicatory (manuscript-version), University Library Utrecht.

Lambertus dedicates the book to his brother Werner since he is aware that the same enmity can not be escaped by ‘whoever makes public his appreciation of my considerations’. And indeed, Velthuysen seems to have been more decried than discussed, at least in his native Utrecht. He was an independent mind, who set himself to defending the Catholics from the suspicion of idolatry, or the Copernicans from the charge of anti-biblical convictions. Indeed, his very first publications were devoted to delicate matters, written as they were in defence respectively of Thomas Hobbes and René Descartes. We made mention before of his critical stance towards Spinoza. Apart from his quarrelsome history, I venture that Velthuysen occupies a comparable position towards Dutch Arminianism as the Cumberlandians did towards Cambridge Platonism. But the differences with the Cumberlandians should not be overlooked. Despite his ambitions, Velthuysen never secured a position as minister of the Church. He became a physician instead. Now, the position of a Dutch minister does not compare with that of an Anglican bishop, and Velthuysen may have been better off as a physician, especially as he could combine this occupation with a political career on the Utrecht city council.

As my central aim is to compare Velthuysen with the Cumberlandians in their reaction to Hobbes, it seems appropriate to start the discussion of his philosophy by an analysis of the theme linking him to Robert Sharrock, viz. the discussion of natural morality and the middle duties.<sup>19</sup> It is evident from a first perusal of their relevant works that both authors share central convictions and central themes of discussion. Both emphasise the purposeful order of nature, the central role of reason, and the inherent importance of recompense and punishment in moral matters. Moreover, they both pay much attention to the foundation of the *officia*, or middle duties, that regulate the day-to-day life of the ordinary citizen. For Sharrock that interest may be related to a bishop’s care for the marital life of his flock. But the need he feels to give a philosophical foundation for the evils of adultery, bigamy, incest, fornication and the like, relates his interest to that of Velthuysen, who surprisingly tackles the same topics in his 1651-‘defence’ of Hobbes, before publishing in 1676 a volume completely dedicated to this matter.<sup>20</sup>

It is evident that Sharrock read Velthuysen’s *Dissertatio* before finishing his 1662 *Judicia*. But there is no textual evidence that he had read it before com-

<sup>19</sup> ‘Middle duties’ stand in between the ‘ultimate good’ and simple prudence. The term is a rendering of Cicero’s *officia*, contrasted by him to the ‘*finis bonorum et malorum*’ and the ‘*utile*’. Cicero aimed at an integration of the three, by presenting the middle duties as a specification of the ultimate good, and by maintaining that the useful ought to concur with the moral.

<sup>20</sup> *Tractatus moralis de naturali pudore & dignitate hominis in quo agitur de incestu, scortatione, voto caelibatus, conjugio, adulterio, polygamia & divortio, &c.* Utrecht 1676 (*Opera omnia*, pp. 160–240).

posing his first book, the 1660-edition of the *Hypothesis ethice*. For the Cumberlandians, Velthuysen will remain the *Anonymus* of the *Dissertatio*, as is witnessed by Samuel Parker’s description in 1681.

Sharrock correctly understood that the *Dissertatio*, notwithstanding its title (‘*continens apologiam pro tractatu ... de Cive*’), was not just another example of Hobbism. He must have recognised that Velthuysen shared his own ‘modern’ attitude. In a similar way the *Dissertatio* was described by Etienne de Courcelles as not just following the steps of Hobbes, but scrutinising his foundations, and supplying the missing ones. Indeed, for Velthuysen Hobbes is neither the herald of absolutism, nor that of voluntarism, but rather the critic of Grotius. If anything, Velthuysen’s moral philosophy is an emendation of that of Grotius, triggered by the criticism of Hobbes.<sup>21</sup>

### 3 The purpose of the world

‘Nature’ relates to a complex set of problems. First of all, it refers to creation, understood in a teleological sense. It is the order and ‘*schesis*’ of the world, ordained to some purpose, which is attainable by means provided by creation. This teleological means-end pattern, which is strongly reminiscent of the scholastic theory of secondary causes, supposedly was the foremost reason for Sharrock to see in Velthuysen a kindred spirit; only to discover in the process that Velthuysen moved in a different direction from this common starting point.

The following sections from Velthuysen’s *Dissertatio* are cited by Sharrock. He starts his quotation just after the point where Velthuysen gave this introduction to the topic under discussion:

When the discussion falls upon a *part* or *faculty* of man, all those things must be preserved intact which, if they be mutilated, dislocated or destroyed, God will seem to have given certain parts to man in vain.

Velthuysen continues this argument by distinguishing between the ‘parts’ themselves and their ‘uses’:

If an enquiry were undertaken into the use of *faculties* and *parts*, that would be said to be *natural* which leads us to that end towards which the nature of life and limbs and of the faculties characteristic of man leads us. However, that use is not only permitted, but also

<sup>21</sup> For a different view, see Richard Tuck’s analysis of the Grotius-Hobbes dimension in early-modern moral and political philosophy in his *Philosophy and government 1572–1651*. Cambridge: Cambridge University Press 1993; and on Velthuysen: Richard Tuck, *Natural right theories. Their origin and development* (Cambridge: Cambridge University Press 1979) pp. 9–141.

necessary, which if omitted subverts that end or is contrary to it. Moreover, that is a use against nature which distances us from the end, and it is not necessary if, when interrupted or entirely neglected, it yet does nothing against the natural purpose, [of which type are all those things which have no necessary connection with the natural purpose].<sup>22</sup>

Velthuysen then explicates the meaning of his distinctions by going into some examples. He stresses in particular that abstaining from the use of some part does not imply acting against nature (what he calls ‘sin’) if only the realisation of the purpose for which the part exists is not endangered. Sharrock takes up quoting Velthuysen again where the latter starts his discussion of one of the two main classes of sins against oneself or one’s dignity:

The sins which for a particular reason are said to be committed against nature are therefore judged to be sins because in them there is a turning aside from that purpose to which that appetite properly leads us, and which the mind is eager to pursue if it be left to its natural direction. For that appetite for sensual pleasure was introduced into man by nature, which can no more be doubted than that God bestowed upon man the feelings of love, hope, anger, courage and constancy. But just as each feeling (emotion) has been allotted a particular object and purpose by God which man cannot alter without stepping out of the line of his duty, so neither can he alter the object of the sexual appetite. Moreover, who among us does not see that this appetite cannot be legitimately satisfied unless in marriage with a beloved and consenting woman, just as neither can be loved unless in union with the beloved object, nor anger unless in the warding off of a future loss through the vanquishing of the thing which at this very time was inflicting some loss upon us and there is a justifiable fear that it be inflicted a second time. And so if anyone were to make use of the feeling of anger in another way, he would be presumed to be acting against the nature of anger. And so he who, for example, is inflamed by an inanimate object misses the point of anger, since the cause whereby it behooves a man to be reasonably borne to vengeance is not to be found in an object devoid of animate life.<sup>23</sup>

The argument is clear, passions, or emotions, are natural responses to specific circumstances. They embody a natural aptitude in man with – one might say – a survival value. Immediately after this passage, Velthuysen will point out that these aptitudes are related to self-preservation. There are evidently different ways in which these aptitudes can be called natural. They can be said to be so on the basis of being empirical facts. That is, we observe these aptitudes in man and conclude from it that these faculties must have a ‘use’ or function. The function we then happen to find upon investigation becomes, in its turn, the legitimation and the criterion for its use. Thus far, Sharrock

<sup>22</sup> Si instituat quæstio de usu facultatum et partium, is dicatur naturalis qui nos ducit ad illum finem, ad quem nos vitæ membrorumque, et facultatum homini propriarum natura ducit. Ille autem usus non tantum licitus, sed etiam necessarius; qui si omittatur, istum finem subvertit, aut ei repugnat: ille autem usus contra naturam, qui ab illo fine removet: is autem non necessarius, qui si suspendatur, aut plane omittatur, nihil tamen contra naturalem finem sit, Epist. Diss., pp. 38-39/969-970 (page references are to the 1st/2nd edition). As in the previous chapter, the translation provided is that of an English edition of the *Epistola Dissertatio* Malcolm De Mowbray and the present author are preparing.

and Velthuysen agree. The differences arise as soon as each of them starts to develop his own view of the function or use of the different passions. Sharrock’s main interest seems to be to save conventional morality. So he imputed to sexual appetite the function of leading to monogamous marriage, adding additional ‘empirical’ material to point out the functional, and hence moral depravity of fornication by observing that the semen contains precious energy not to be lost without purpose.

Velthuysen, however, intended to employ the same programme to develop some critical distance from conventional morality. He wanted to stress that ‘natural’ in the first place must mean: independent of human design. Hence for him an action cannot be unnatural if it is not in some sense universally forbidden by the law of nature. ‘Natural’, in other words, indicates some sort of invariance. His discussion of sexual appetite, therefore, takes a different turn. Incest, i.e. marriage between closely related members of one family, cannot be a natural vice, since otherwise one could never explain man’s descent from Adam and Eve. Whereas Sharrock abounds in proofs from the Bible and from Roman and English law to show that the degrees of incest have invariably been the same, Velthuysen is aware that he has to come forward with a different explanation. The same goes for monogamy. If monogamy is to be preferred over polygamy, it has to be for different reasons than that raising children presupposes a marriage – any form of marriage – because it needs the bonds of love between the parents. It is not unnatural, on the same principle, for sexual appetite to be directed to a member of the opposite sex, whichever member of it, whether it leads to offspring or not, since its natural function is exactly that: to attract. In distinction to Sharrock, therefore, Velthuysen has to deal with most moral matters from a different perspective.

As a first analysis, it is appropriate to say that Velthuysen relies on the

<sup>23</sup> Peccata quæ speciali ratione contra naturam committi dicuntur, ideo peccata esse judicantur, quia in iis est deviatio ab illo fine, ad quem proprie ille appetitus nos ducit, et quem assequi animus studet, si naturali suæ directioni relinquatur. Nam primo appetitum illum voluptatis libidinosæ a natura homini inditum esse, non magis dubitari potest, quam affectus amoris, spei, iræ, audaciæ, constantiæ homini largitus est Deus. Quemadmodum autem singulis affectibus speciale objectum, et finis a Deo assignatus est, quem immutare homo sine praevaricatione non potest: sic neque objectum appetitus venerei. Quis autem nostrum non videt isti appetitui legitime satisfieri non posse, nisi in conjunctione cum compari et adjutrice muliere: quemadmodum neque amor, nisi in unione cum re amata; iræ, nisi in propulsatione damni futuri, per debellationem rei, quæ nobis jam modo aliquod damnum intulit, et ne secundo inferatur, justus adest metus. Si quis itaque affectu iræ aliter utatur, contra iræ naturam agere praesumitur: qui itaque v. gr. in rem inanimatam exandescit, ille iræ finem praetergreditur, quia causa, quare homo cum ratione ad vindictam ferri oportet, in re vita animali destituta non reperitur, Ibid., pp. 42-43/970.

Grotian formulation of the *adiafora*, the things indifferent, to argue that polygamy has not always been morally wrong, but only became so in the due course of history in this, our more enlightened age. According to Sharrock, however, their vicious nature is universal. As a consequence of the natural processes involved, polygamy is and always has flown in the face of man's duties. He believes to have shown that the rules of incest have always been the same.<sup>24</sup>

In opposition to Sharrock, Velthuysen is sceptical of the *sensus communis* argument. Here he departs, with Hobbes, from the Grotian reliance on the *notiones communes*. If history proves anything, it is the relativity of moral standards. The order of nature has to be used precisely to redefine this overwhelming historical indexicality of moral rules.

Experience for Sharrock, however, shows:

Since nature does nothing wholly in vain, by providing us with more noble powers and faculties, it calls upon us to follow more noble actions and a certain superior purpose. If the purpose is superior, in the same manner the means have to be superior. The means for brutal animals are the acts of the senses and of the sensitive appetite. ... For men, without doubt, the means are the workings of reason, and in particular those of moral reason.<sup>25</sup>

Man is created with 'notiones de justo & injustu'. Things cannot have been left to the *adiafora*, there must be a *judicium*, i.e. the law of nature. This law is the result of reason, not of education (as if these laws could be given 'pro arbitrio'). 'In moral matters, we proceed from the better known to the less known'.<sup>26</sup>

It would be incorrect to take Velthuysen's different position as a Hobbesian one. Sharrock may not leave any alternative to his inborn law of nature but short of the monstrous reliance on *voluptas* and law by institution, Velthuysen precisely tries to formulate a *via tertium*. Velthuysen is no less a

<sup>24</sup> It may be noted that Cumberland on this topic sides partly with Velthuysen, in that he sees that 'in the first age of the world' incest was not forbidden, 'because necessary to propagate that race of men, and to raise those families, which reason now endeavours to preserve, by prohibiting such marriages, in order to extend friendship', *A Treatise of the Laws of Nature* (1727) p. 338. But as we will see more amply, for Velthuysen such a rule cannot count as a law of nature.

<sup>25</sup> Cum enim natura nihil omnino frustra fecerit, nobiliores potentias & facultates nobis elargiendo, actiones etiam nobiliores & finem aliquem superiorem consequendum indiguit. Si superior finis, media item superiore esse necesse est. Media ... bruta ... sunt sensuum actiones, & appetitus sensitivi. ... homines ... proculdubio sunt rationis opera, & praecipue moralis, *Judicia*, p. 62.

<sup>26</sup> Scientia [moralis] derivatur ab axiome scientia a synteresi seu practico axiome. In morali materia procedimus a notiori ad ignotius, *Ibid*, pp. 61-2.

staunch defender of reason than Sharrock is, or for that matter a Cambridge Platonist like Cudworth. But Velthuysen learned his moral psychology from Henricus Regius rather than from Descartes. 'External convenience and inconvenience, utility and inutility' should not be discarded.<sup>27</sup>

As Maria Emanuela Scribano has demonstrated, Velthuysen was groping for a transcendental metaphysics, but in his attempt was struck by the dilemma that man either attributes his own conception of perfection to God, or must abstain from saying anything at all about God's perfection.<sup>28</sup> As a consequence, Velthuysen's notion of God's veracity is a complicated one. In matters moral, his fundamental assumption is that God must have consistently set a purpose to his creation, that is, that he has provided the means that give sense to man's attempts to act according to the purpose. The means, therefore, have to be both efficient and morally acceptable. Apart from being an alternative to dismal interpretations of Machiavellism, Velthuysen's epistemological perspective on God's veracity leads him to what might be described as a dual methodology. On the one hand, he is wary of over-confident imputations of order on the basis of reason alone. He therefore is meticulous in his analyses of actual workings of causal mechanisms in the production of moral order. Human rationality has to be seen, at least partially, as an effect of human nature. On the other hand, human rationality is also the medium of our understanding of the (moral) world. Velthuysen no doubt concurs with Cudworth's emphasis on knowledge and science. However, he does not regard it as the formal essence of human nature, but as its final essence only. Man does not need to be a scientist or scholar to be fully human, although the quality of life evidently is enhanced by understanding the principles behind the moral life. It is a protestant, congregational rather than an Anglican, episcopalian understanding of morality that Velthuysen presents us with.

<sup>27</sup> See now on the Regius-Descartes distinction Theo Verbeek (éd.), *Descartes et Regius. Autour de l'Explication de l'esprit humain*. [Studies in the History of Ideas in the Low Countries, II] Amsterdam: Editions Rodopi 1993. See in particular, Theo Verbeek, 'Le contexte historique des *Notae in Programma Quoddam*', pp. 1-33, which may be read as an important contribution to a gradual re-definition of 'Dutch Cartesianism', part of which resurfaces in Velthuysen as well.

<sup>28</sup> Maria Emanuela Scribano, *Da Descartes a Spinoza. Percorsi della teologia razionale nel Seicento*. Milan: Franco Angeli 1988, see in particular pp. 145-150, where she discusses Velthuysen's doubts concerning the Cartesian conception of the creation of eternal truth: 'Se la verità umana è equivoca rispetto all'essenza divina, lo sarà anche l'idea di Dio contenuta nell'intelletto umano, dunque la premessa da cui si era partiti è annientata della conclusione che se ne trae', p. 146.

## 4 Knowledge of the purpose and the means

Bishop Parker, in some respects stands closer to Velthuysen than does Sharrock. Experience is much more central to Parker, and gets a more strict interpretation. This must make a difference, especially where the *Nature of Things* again is the rallying cry. Again the discussion is partly in terms of a modern, systematic moral ontology, partly in terms of a critique of Epicurism and Stoicism. In the latter terms, Parker's position is that both are wrong. In the explanation of the *summum bonum* and the 'causes and objects that produce it', Parker discerns 'three famous opinions': the one exalts pleasure, the other virtue, whereas Parker defends the view that the *summum bonum* has to be found 'in both together with the goods of fortune'.<sup>29</sup> Evidently, Parker is eager to come up with a defence of the *status quo* of a strong Christian state and a strong Anglican church.<sup>30</sup> Like other Anglican divines, he aims at a demonstration of the Christian religion, whereas Velthuysen attempted a separation of religion from philosophy. But for all these circumstances, Parker's is a more coherent and systematic argument.

In what must be a comment on Velthuysen, Parker claims that '[I] founded my argument of the law of nature not upon the bare supposition but the evident demonstration of a Deity'.<sup>31</sup> As we shall see, this 'demonstration', although it gets its start from the 'bare supposition' is coherently integrated into his general argument. 'The existence of a Deity ... is the most certain thing in nature, and of which I have as good assurance as of my own being' might be taken as Parker's expression of the 'bare supposition', which, he assures us, is far superior to Hobbes's mechanical understanding of the world.

And when Mr. Hobbs tells us that *reflexion upon my own thoughts is nothing but the reaction of one parcel of matter upon another*, the notion is just as wise and philosophi-

<sup>29</sup> *A Demonstration of the divine authority of the Law of Nature and of the Christian Religion* (London: Royston 1681) p. 87.

<sup>30</sup> As he did in his anonymously published *A discourse of ecclesiastical politie: wherein the authority of the civil magistrate over the consciences of subjects in matters of religion is asserted; the mischiefs and inconveniences of toleration are represented, etc.* London: John Martyn 1670. This book was a forceful attack on the 'little mushroom wits' and 'ambitious priests' of the Commonwealth period, as well as on Hobbes. He repudiated 'that argument that so strongly possess the warm and busie brains of some undertaking men, viz. that liberty of conscience would be mightily conducive to the advancement of trade', because it runs against the 'ends and interests of government', pp. xxxiv and xlvi. His conclusion was: 'In cases of a public concern, private men are not *sui juris*, they have no power over their own actions, they are not to be directed by their own judgements, or determined by their own wills; but by the commands and determination of the public conscience ... 'tis better to erre with authority, than be in the right against it', p. 308.

<sup>31</sup> *Discourse*, Preface. Velthuysen indeed did the opposite, see e.g. *Epist. Diss.*, p. 8-9/962.

cal, as if the witty old gentleman had told us, that when one bowling stone beats back another, the repercussion is understanding.<sup>32</sup>

But to say that the world cannot be understood mechanically only, is not to deny the importance of observation, because

'beside this undoubted significance of [God's] will ... He has further secured our regard and obedience to it from the constitution of all things within us: there is no faculty or passion in humane nature that does not incline us to, or rather enforce us upon their observation, insomuch that we cannot neglect them without doing violence to all our own inclinations as well as affronting all the dictates of reason, and all our directions of nature'. Parker speaks even of 'a kind of fatal necessity' inherent in the 'observation of one's own interest' that is ordered by pain and pleasure.<sup>33</sup>

On Parker's principles, therefore, the empirical and the moral are not in opposition but sustain each other. Although Parker shares this conviction with Velthuysen, he nevertheless translates it into a further proposition that is not evident for Velthuysen: 'all our natural desires are not only just and reasonable in themselves, but they incline us to such designs and actions, as naturally tend to the good and welfare of mankind'.<sup>34</sup> From the perspective of an English Leviathan-hunter this is only too natural to say. We might provide the missing argument, by supposing that for Parker God's Providence not only created a coherence of causes and ends as far as natural desires and designs are concerned, but also as related to private and public actions. Against Hobbes, Parker sustains the view that empirical, passion-driven man is not only not immoral but also not inherently selfish. According to Parker, 'it is demonstratively certain by induction of particulars that every vertue has some natural efficacy in it to advance both the public good and the private interests; so that these things being so inseperably join'd together, and that by an order and necessity of nature'.<sup>35</sup>

Observation of the nature of things as central to Parker's argument raises some interesting questions. One understands the *ad quem* of his argument that from the 'first principles of natural philosophy' and from 'daily experience' one must conclude that the virtues are 'highly useful and rather absolutely necessary to all the comforts of humane life, to health of body and satisfaction of mind, as well as to happiness of society, the preservation of government, and the securing of all men in their just rights against all manner of injuries and oppression'. But one is curious to know how Parker arrives

<sup>32</sup> *Discourse*, p. xxiii.

<sup>33</sup> *Discourse*, p. 42, 44-5.

<sup>34</sup> *Discourse*, p. 50.

<sup>35</sup> *Demonstration*, p. 62.

at this conclusion, if it is one at all. In contrast with Hobbes, Velthuysen or Pufendorf, there is no unsocial sociability involved in Parker's social world. So he does not consider the task of constructing a social order out of man's drive to self-preservation to be a problem. For Parker, it is man's self-interest to be social, because 'daily experience' and 'first principles' prove it to be so.

But what then about the 'commercial interest' that runs against the 'ends and interests of government'? How is one to decide in this matter if not on faith only? It is at this point of his argument that Parker proves to be a straightforward Cumberlandian, by bringing in the central piece of belief, that 'all goodness and wisdom of virtue is reducible to these sure principles, first to propound worthy ends, and then to pursue them by suitable means'.<sup>36</sup> So at the crucial point of his 'demonstration', Parker turns the tables, and instead of engaging to prove from experience that the 'faculties or passions of human nature' enforce upon men the observation of the laws of nature, he, by sleight of hand, takes the thing to be proved as criterion for morality. If all means indeed are providentially arranged to the end, one can as well judge the means from the end instead of undertaking the troublesome task of inductively demonstrating the end from the means. Parker may have abhorred taking this latter route because he identified it with 'mr. Hobbs's cry', but that does not absolve him from a tendency typical of much functionalistic theorising, i.e. unwarranted inference from functional relevance to causal explanation.

The centre piece of Parker's harmonious moral ontology is his proof of a hereafter. Whereas his basic presupposition was that by 'some kind of fatal necessity' man is driven to do the good, he is aware that there is an element of fortune as well that means that morally good actions do not always carry their own recompense. In order to solve this gap in his utilitarian approach, 'unavoidably comes in the happiness of a future state', where the final recompense for virtue is to be had. And, again arguing from the end to the means: 'whatever advantages ... to present interest ... may make them crafty, but never honest'. 'Man that is honest ... prefers his duty before his present interest'.<sup>37</sup>

Parker's completed argument then runs as follows: the providential order of the world makes men's passions draw them to selfish behaviour which is at the same time (by providential arrangement) ordered to the public good. But as far as the recompense of virtue falls short of guaranteeing virtue, by necessity an afterlife has to be supposed. Therefore our real end is the afterlife, and hence natural morality without Christianity is impossible. Our

<sup>36</sup> *Demonstration*, p. 70.

<sup>37</sup> *Demonstration*, pp. 85, 124 and 128.

understanding of the nature of things must by necessity include our knowledge of a wise Creator and man's being ordained towards the hereafter. In conclusion, therefore, the Christian virtues are necessary because they are conducive to happiness (as much as possible in this life, and finally in the hereafter). So anyone who sees potential conflicts between passion and reason, or between self-interest and the public good, is the victim of an incorrect view of the nature of things. One should see, according to Parker, that an interest taken in the nature of things frees one from the limited empirical view of e.g. Hobbes. Vice is following one's natural inclinations without seeing that these inclinations should direct one towards God. It is not a denial of experimental knowledge of the social world. It is a reproach of those who take the empirical reality at its face and as the only value. And possibly against Velthuysen, Parker is adamant that if the 'opinion of the multitude' and 'casual custom and opinion' were the measure, man would not be refrained from 'betray[al and]...murder ... if he can but avoid the shame of discovery and the inconvenience of popular hatred'.<sup>38</sup> Man has to live in awe of God's law, which is the law of nature.

This physico-theological moral philosophy is in its consequences comparable to Cudworth's. Morality is both coherent with empirical reality and at the same time presupposes God's wisdom and goodness. It is merely accommodation of experience, in order to render brute reality innocuous and lacks genuine interest in experimental inquiry itself. In an essay on the nature and propagation of the law of nature, which John Maxwell annexed to his 1727 English edition of Cumberland, we find a long-winded exposition of Newtonian gravitation and cosmology. Here again the purpose seems to be to show the coherence of Cumberland's moral philosophy with the newest trend in science. Next to that, Maxwell maintains that gravitation must be a mental force.<sup>39</sup> This, and his censure of Cumberland's utilitarian mode, indicate that Maxwell preferred to integrate Cambridge Platonism and Cumberland. In respect of moral philosophy there may never have been a need to do so. So close to each other had these two schools worked in political philosophy in order to defuse Hobbes's bomb.

One may well ask how Parker perceived Velthuysen's Hobbesian lapse. Velthuysen's methodological principles were more parsimonious than Parker's. Velthuysen's appeal to the purposeful order of creation was not made in order to prove God's existence, but in order to devise a moral philosophy. Moreover, his appeal to experimental knowledge was not meant to

<sup>38</sup> *Demonstration*, p. 125.

<sup>39</sup> There is, however, evidence that Newton would have agreed, see James Tully, *A discourse on property. John Locke and his adversaries* (Cambridge: Cambridge University Press 1980) pp. 42–3.

render Hobbes's empirical approach to morality harmless, but to improve on it. Velthuysen, a doctor in medicine, not in divinity, had a clear understanding of the difference between causal and functional explanation. And where he made an attempt to integrate, it was in order to improve on the results obtainable by either of these alone. His argument may be said to be inconclusive in many respects, but never does it exhibit essential flaws in the methodological set-up.<sup>40</sup>

Velthuysen expressed the same basic convictions as we found in the Cumberlandians: God's purposeful order of the world, and the provision of the means appropriate to the end; the naturalness of the passions; the importance of mind and body alike; the importance of utility and of recompense; the importance of experimental knowledge and a belief in laws of nature. Next to that, however, Velthuysen was aware of two possible pitfalls: exaggerated confidence in experience as well as exaggerated apriorism or dogmatism. Once or twice, Velthuysen distinguishes the analysis from efficient causes and that from final causes. Efficient causes bring about behavioural patterns in man, final causes give these their meaning. This should make man wary of experimental analysis only, but it is evident that man's knowledge about final causes is inherently incomplete. Man may be made for perfectability, but has to find out about it in the first place. And here the analysis from efficient causes has its role to play. The philosopher should discern in the causal processes of the human world how morality can be said to arise at all. To do so, one must presuppose that the world is ordered purposefully, according to Velthuysen. It is not, however, necessary (let alone possible) to know beforehand how the world is purposefully ordered. Since the Fall man is engaged in the slow process of articulating the principles of moral goodness that, before the Fall, were followed by Adam and Eve in an unconscious and automatic manner. Man lost his innocence, retained only sparks of reason, so the process of reconstructing a lost morality could only be a slow one. How was that to proceed?

At the outset, Velthuysen is confident that his analysis is one of natural morality, for heathens and Christians together, and hence not to be decided by revelation. There is no *Deus ex machina* to be relied upon, only a *Deus in machina*, a purposeful ordering of creation to get this moral progress started. The brutal passions (hunger, thirst, sexual drive) evidently made man survive and procreate, but next to that man was endowed with a further passion – shame – as well as with the faculty of reasoning. According to Velthuysen, at

<sup>40</sup> Due to a series of changes appearing in the second, 1680-edition of the *Dissertatio* some coherence was lost there. Apart from the fact that apparently it was the 1651-edition that established his influence, this is the main reason to stick to the first edition here.

the intersection of efficient and final causes the modern philosopher can formulate the moral principles:

We are speaking, however, of the knowledge that is investigated by means of the thread of reason, and not that which rests upon instinct and natural inclination, which indeed is not to be excluded and whose great benefit is pre-eminent in moral science. Nevertheless, we should not take up as a [moral] principle what cannot be weighted in the scales of reason, as will be proved at greater length in what follows.<sup>41</sup>

The first moral principle to be postulated is the 'fundamental law of self-preservation'. According to Velthuysen, man has been endowed with the means conducive to self-preservation. Creation, however, would be incomprehensible if its purpose were not at least that the created things should have self-preservation as their goal. Therefore self-preservation is not only an empirical necessity but also a right and a moral duty. The contrast with the Cumberlandians is straightforward: Velthuysen restricts the natural duty to perform one's function in the purposeful order to its bare minimum: i.e. to the duty to exist. Thus he draws the consequence from his principle that there is no *a priori* knowledge of the purpose of the world, apart from knowing that there must be such a purpose, i.e. that the world is God's creation.

But he cannot stop there. What is conducive to self-preservation? Here again the argument splits into an efficient and a final part, that is, into a passionate and a reflective side. If man knew the laws of nature beforehand, it would have been easy and straightforward to do what is conducive to self-preservation, i.e. to do the morally right thing. But this knowledge of the natural laws is only to be gained in due course. How? Again by finding the intersection of efficient and final analysis. That is, by stumbling upon actions that further the rationality of this primitive drive towards self-preservation. In elaborating this central tenet, Velthuysen has two equally unacceptable claims to keep free from. On the one hand, he could not accept Hobbes's rationalistic notion of contract (nor, I believe, his pessimistic view of man in the state of nature). On the other hand, Velthuysen was very much opposed

<sup>41</sup> *Loquimur autem de scientia, quae rationis ductu investigatur; non instinctu et naturali inclinatione innitur; quae quidem excludenda non est, et insignem suum usum praestat in scientia morali pro-principio tamen, quod ad rationis trutinam appendi non debeat, assumere non oportet: sicut in sequentibus fusius probabitur. Et ita demonstratam putamus viam, quae nos ducit in cognitionem cultus naturalis: & quae ejusdem necessitatem declarat, Epis. Diss., p. 32 (1651 only), my emphasis.* Linda Kirk at one place argues that Cumberland (i.e. in his utilitarian version) took the same position, and attempted to develop natural law from 'ordinary existence' instead of from 'some unchanging criterion set up outside space and time', i.e. a 'system of morality which is binding on man not because he is a Christian or even a deist, but simple because he is human' (Cumberland, p. 37). Cumberland, however, suppressed this utilitarian side of his, according to Kirk, while seeing *De Legibus Naturae* through the press.



to Calvinist moralistic dogmatism. In order to escape both unacceptable finalistic arguments, he went on stressing firstly that what commonly is taken as a law of nature, often is not. This is Velthuysen's cultural relativism. Secondly, he felt forced to elaborate the efficiency side of his argument. One finds both combined in his discussion of shame.

Shame is something natural in man. Its effect is that man blushes if actions come into the open that bring him into disrepute among his fellow-men. Moreover, such disrepute will do harm, and thence too has to be prevented in accordance with the law of self-preservation. Now, disrepute depends on criteria of decency. Whence do these arise? In order to see this, we must analyse Velthuysen's main example, that of shame for nakedness. By comparing cases in which nakedness is accepted (as in nurturing babies) with those in which it is decried, as well as by comparing nations that on principle go naked with those that adorn themselves with clothes, Velthuysen comes to the conclusion that the real object of shame for the 'revelation of the parts dedicated to procreation' is its eventual indecorous intention. It is the falling short of a measure of perfection that a person requires in himself, that is to say, it is a falling short of the standards applied by those whose esteem the person cares for. In a way, this is an elaborate manner for Velthuysen to say that a lot of things normally regarded as sinful, are in effect not. It is a defence of a sphere of moral indifference, and hence of personal autonomy. Thus Velthuysen employs the cultural relativity of shame/blushing/esteem in the first place to show us the distance from proper laws of nature. But at the same moment he has succeeded in presenting an analysis from efficient causes of part of our moral make-up. This latter element was stressed by his argument that some perfections are 'flowing from the natural condition of man, as man is, and ... [others] from the circumstances of the situation and of the character'.<sup>42</sup> At the intersection of efficient and final causes we find a moral principle, as we can see now more clearly: the duty of decorum concerning the overt behaviour God demands of man. Not everything that the causal mechanism of shame produces is moral, for then 'an infinity of things ... would add to the number of sins, which can enter the mind of no one who is not full of prejudices'.<sup>43</sup> But on the other hand the mechanism is not pure convention nor just an element of cultural relativity. It is the empirical condition under which the morality of decorum can arise at all.

As a matter of fact, Velthuysen makes sure that he believes that even ordinary man, without the assistance of philosophical analysis, has a basic grip of morality. 'In short, those common misfortunes, obvious to any one, which

<sup>42</sup> Epist. Diss., p. 93/985.

<sup>43</sup> Epist. Diss., p. 95/986.

follow from the violation of natural law teach everyone to live according to the dictate of natural law. But if the soul were to have had no knowledge, either by instruction or by experience, of any of the evils, most men would be ignorant of what was just or unjust, since it is given to very few to deduce from the beginning the origin of justice and injustice or to enter into knowledge of those demonstrations which philosophers employ to prove the existence of God'.<sup>44</sup>

One can see here the extraordinary distance that ultimately separates Velthuysen from the Cumberlandians, where Parker writes:

thus it is notorious from the first principles of natural philosophy as ... [of] daily experience, that temperance, love of friends and neighbours, faithfulness in oaths and promises, an aptness to kind and obliging offices, gratitude to benefactors, love and affection to natural relations, and a gentle and peaceable disposition towards all good men are highly usefull and rather absolutely necessary to all the comforts of humane life, to health of body and satisfaction of mind, as well as to happiness of society, the preservation of government, and the securing of all men in their just rights against all manner of injuries and oppressions.<sup>45</sup>

## 5 Benevolence and property

The same critical naturalism emerges in Velthuysen's discussion of benevolence and property which, apart from enforcement of the natural and civil law, are the main topics addressed under the heading of our duties with regard to others. The Cumberlandians describe, without much ado, benevolence as a natural duty, because we have a duty to sustain the whole of society and thence each of its parts, but on the other hand they were adamant that the existing order of property should be sacrosanct.<sup>46</sup> The parts more important to the whole – i.e. the more wealthy parts – command more rights, the less important should as far as possible be prevented from perishing. It is a distributional ethics of each person according to his station in life. The emotions of fellow-feeling and property, however, in Velthuysen are dealt with less conventionally.

Here is his argument. Benevolence is a laudable emotion, but cannot require us to neglect our own self-preservation. Velthuysen speaks of 'our principles, which derive the origin of friendship and charity from necessity'.<sup>47</sup> In particular, we have no duty to sacrifice our own life, or the means

<sup>44</sup> Epist. Diss., p. 80/979.

<sup>45</sup> Demonstration, p. 62.

<sup>46</sup> See Thomas A. Horne, *Property rights and poverty. Political argument in Britain, 1605-1834* (Chapel Hill/London: University of North Carolina Press 1990) pp. 28-33; Kirk, Cumberland, p. 37.

<sup>47</sup> nostra principia, quae ex indigentia repetunt amicitiae et charitatis originem, Ibid, 27/967.

thereunto – i.e. property – , to the safety of our neighbour:

But it was to have been proved [for the consistency of the viewpoint of Velthuysen's opponents, HWB] that we proceed to the establishment of natural laws because we owe something to our neighbour. This we deny and continue to deny. For it comes about because we owe something to ourselves, which requirement we cannot fulfil without the benefit thereof recurring to the neighbour through the same effort. For we argue thus, for instance, in the establishing of laws of charity: acts of charity must be carried out because unless men have leisure to attend to these too, the human condition will be harsh for each individual, etc. And so, while individuals argue thus, because of the disadvantages which each foresees will redound to him if acts of charity be removed from human life, individuals conclude that these must be carried out if they do not wish themselves to be deprived of infinite benefits.<sup>48</sup>

Velthuysen combined the Grotian notion of negative community with the Hobbesian right of everyone in everything, in his quest for the explanation of property.<sup>49</sup> Original appropriation as an explanation of property rights requires somewhere the acknowledgement of the rights of others.

In his discussion of negative community, Velthuysen has made it clear that this natural right is limited to non-rational beings only. Men are created equal by God. The ensuing respect for other persons excludes using them as a means to one's own self-preservation. 'I am not free to save my own life by sacrificing that of another, or to kill a man upon the order of someone else in order not to perish myself, except in cases of just self-defence'.<sup>50</sup>

The natural right according to which man can have a right in a specific thing, is the kind of right that says that this person is free from obligation in his use of the thing in question, except for the obligatory nature of the origin of the right: self-preservation. He has a duty towards himself, but not towards others in this respect, nor do others have a duty towards him. This natural right can be called a right-liberty.<sup>51</sup> It cannot be said to be a claim right unless something else is added. This 'something else' is to be resolved in order to formulate the nature of moral obligations towards others in

<sup>48</sup> Sed probandum erat, nos ad legum naturalium constitutionem progredi, quia proximo aliquid debemus: quod negamus, et pernegamus. Fit enim quia nobis aliquid debemus: quod opus explere non possumus, quin eadem opera inde etiam ad proximum redeat utilitas. Sic enim argumentamur v. gr. in constitutione legum charitatis: opera charitatis sunt exercenda, quia nisi etiam iis vacent homines, humana conditio singulis acerba futura est etc. Dum itaque singuli ita argumentantur, propter incommoda, quae quisque ad se redundatura praevidet, si opera charitatis ex humana vita tollantur, concludunt singuli, ea esse exercenda, nisi infinitis commodis sese privatos velint, *Ibid*, pp. 111-114/990.

<sup>49</sup> This argument is to be found in *Epist. Diss.*, pp. 102-2/987-995.

<sup>50</sup> non autem licet mihi, vita proximi meam redimere; aut ad alterius imperium hominem interficere, ne ipse peream ... extra moderamen legitimae defensionis, *Ibid*, p. 2/995.

<sup>51</sup> See the lucid treatment in Jane Hampton, *Hobbes and the social contract tradition* (Cambridge: Cambridge University Press 1986) pp. 51-55.

respect of property. Moreover, in so far as property is the paradigmatic case of claim rights, the analysis is to resolve the fundamentals of duties towards others in general.

The discussion about claim rights could take its starting point in Grotius's discussion of property. The Grotian 'right of first occupation', however, cannot produce a claim right *per se*, since another continues to have a natural right to the same thing I have occupied. And why could not there be a 'right of first sight'? It must be a matter of conventionality what counts as a valid foundation for a claim right. The causal mechanism, therefore, behind claim rights is convention, and hence is not part of the laws of nature as such (but of social convention and/or of civil laws). I can have a claim right only if my actual natural right is respected by someone else, that is if the right in the same thing is transferred by the other.<sup>52</sup> A son only has a claim right to his father's inheritance if the father has bestowed it to him by his will. Or, in general terms, claim rights originate from contract, by the giving away of some of one's natural rights to another. This is even more evident from the fact that in cases of extreme necessity, we fall back on our natural right in everything.<sup>53</sup>

What is the intersection of final and efficient causes in this case? Which are the causally determined emotions, whose practice may lead to an understanding of the law of nature with regard to benevolence and property rights? Benevolence is, in accordance with the previous quotation, caused by the individual's care for his own conveniences: we give away because we are driven to prefer a convenient life. In property, however, we receive because others are driven to prosper. Therefore, neither is benevolence in conflict with property, nor property with fellow-feeling. The finality of each, however, is in the opposite direction, and thence the duty of benevolence is other-regarding and that of property self-regarding.

Human society is a frail system. Although benevolence, this emotion of fellow-feeling, is a faithful expression of the respect for other persons, it can never override the fundamental law of self-preservation. Thus, human society is not possible without contracts, the freely giving away of one's natural rights in certain things. Moreover, according to Velthuysen, this is on a par

<sup>52</sup> Velthuysen recognises the claim right of life and liberty as a natural right, as a consequence of his teleological ontology. Men as means to God's end have no right to interfere without due cause with other men in their quality of 'means'. While this viewpoint rules out the acceptance of Grotius's defence of slavery, it does not, however, imply *per se* a duty to care for other persons' self-preservation.

<sup>53</sup> See for an endorsement of Velthuysen's analysis in respect of the contractual nature of claim rights, Samuel Pufendorf, *De Jure Naturae et Gentium*, IV, 4, §5 (Carnegie-edition, p. 366-7).

with the origins of political society, which – except in tyrannical systems – is a matter of the contracting away of natural rights in order to better protect one's contracts. But men never allowed the government more rights than they thought fit, while here as well cases of extreme necessity dissolve contracts. And even in absolute monarchies, the monarch understands that liberality is a prerequisite for the well-being and stability of the state.<sup>54</sup>

Velthuysen ends his *Dissertatio* with what seems to be a long-winded discussion of the government's duties in the punishment of sins against God, oneself and fellow-man. The upshot is that the extent and severity of punishment should depend on the severity of the sin, in accordance with the opinions of society. A strange but significant *peroratio* follows in which his dual analysis bears fruit in the understanding of everyday political morality. Reason can never fully supplant the causal mechanisms of emotion that flow as effects from the first cause, however much it can contribute to their understanding and improvement.

#### 6 A last echo

James Tyrrell published *A Brief Disquisition of the Laws of Nature, According to the Principles laid down in the Reverend Dr. Cumberland's ... Latin Treatise on that Subject. As also his Confutations of Mr. Hobbs's Principles ... With the Right Reverend Author's approbation* (London: Richard Baldwin 1692), which he produced as 'summary for the better remembrance & introduction to ethics for relatives'. It was 'done some time ago', and Boyle 'encouraged me to make it public'.<sup>55</sup>

Tyrrell attempted here an inquiry into the 'natural causes, internal as well as external, remote as near, since by this series of causes and effects, we may at last be more easily brought to the knowledge of the will of God, their first cause, from whose intrinsick perfection and extrinsick sanctions, by fit rewards and due punishments, we have endeavoured to shew, that as well their authority as promulgation is derived'. Indeed, according to Tyrrell, we learn the laws of nature 'either from the certain and manifest effects and consequences that proceed from their observation', and here he refers to Grotius, Pufendorf, Sharrock and Selden, 'or, 2dly, from the causes from which they are derived', without a further reference this time.<sup>56</sup>

We know that John Locke was not too pleased with this work of Tyrrell's.<sup>57</sup> I venture to remark that this was because Locke believed he had

<sup>54</sup> Epist. Diss, p. 152/999.

<sup>55</sup> 'Epistle dedicatory', A3<sup>v</sup>.

<sup>56</sup> 'Preface', b8<sup>v</sup>.

applied the same method more appropriately. Locke's arriving at comparable consequences as Velthuysen had drawn in his *Dissertatio*, we can conclude that in the end Parker's judgement that Velthuysen 'quite lost [the right notion of it] in the chase by quitting his own scent to follow Mr. Hobbs's cry' was repudiated, and that Locke had shown that Velthuysen's 'right notion' was more consistent than the Cumberlandians had been willing to accept.

#### 7 Emotions and rationality

Much of our understanding of seventeenth-century moral philosophy is predicated upon a modern conception of behaviour. Our contemporary interpretation of the early-modern paradigm of 'passions – reason – interests' seems to have a high degree of plausibility. Almost every version of the modern analysis of behaviour, normally presented in terms of desires and beliefs, seems to embody precisely the 'modernity' of seventeenth century moral psychology. Whether desires and beliefs are pictured as preferences and objective restrictions as in economics, or as some variety of stimulus-response theory as in behavioural psychology, we immediately seem to recognise Hobbes's moral psychology as 'modern'. There may arise all kinds of further problems of analysis, but the basic underlying behavioural model seems not to be among these.

This, however, was not the case for contemporary students of Hobbes's model. Seventeenth-century philosophers, even those in sympathy with Hobbes, believed that the passions–reason scheme contained some severe problems that they did not want to pass by without discussion. The argument in this chapter is precisely that many of the debates on Hobbes's moral philosophy obtain their relevance from at least some of these problems. As such the argument presented here emerged as part of a more general historical thesis about the conceptual preparation of eighteenth-century moral philosophy.<sup>58</sup>

Modern theories of emotion in several respects tap important aspects of seventeenth-century notions of the passions; moreover, in virtue of this, they contribute to our understanding of what these Hobbes-debaters were discussing.

<sup>57</sup> See for a recent thoughtful discussion of Locke's moral method: A. John Simmons, *The Lockean theory of rights*. Princeton (NJ): Princeton University Press 1992, and obviously Tully, *Discourse*.

<sup>58</sup> See for a forceful statement of the connection: Knud Haakonssen, 'Natural law and moral realism: the Scottish synthesis', in: M.A. Stewart (ed.), *Studies in the philosophy of the Scottish enlightenment* (Oxford: Oxford University Press 1990) pp. 61–85.

Some of the first modern theories of emotions had a strong physiological bias. William James, for one, regarded emotions as manifestation of strong physiological reactions. Fear, e.g., was but the complex bodily change (or rather our perception of it) consisting in the increase in adrenalin, contraction of the blood vessels, etcetera, in reaction to a threatening situation. According, to James's famous phrase, 'we don't cry because we are sad, but are sad because we cry'. Later theorists, however, prefer to integrate emotion into a theory of action, into the social psychology of identity formation. Emotion presumably is made to refer to a partly nonrational, partly irrational, partly even rational aspect of man's behaviour. Somewhat disturbingly, however, theories of emotion separate strongly into philosophical, psychological, socio-psychological and sociological ones. There does not seem to be a self-evident integration of these several approaches at hand. One of the reasons for this pluralism of paradigms is reflected in the fact that approaches to the emotions along 'folk-psychological' lines tend to take people's descriptions of emotions at face value, whereas those directed at a theoretical reconstruction of 'real' emotions have as yet difficulty in fleshing out their actual empirical import. It is not surprising, therefore, that the outcomes of these different theories, e.g. the several lists of basic emotions, are at high variance. But the requirements for any emotion-based theory of morality can be readily stated in the words of Annette Baier:

Hume believed that all of morality was a matter of what he called reflection, turning natural responses, not just on their natural target, but on responses, turning self-interest on the workings of self-interest, turning sentiments on sentiments. ... The moral sentiment, just as much as that "reasoning" about morals which Hume tried unsuccessfully to dethrone, may subvert itself when it examines itself. I think we do not yet know whether that is so, because we have been so fixated on the kind of thinking about morality which Hume condemned as rationalistic and idle, but which Kant successfully revived, building in our heads systems of ideal moral laws or ideal institutions, that we do not yet know much about the direction in which the other sort of moral thoughtfulness would take us.

Baier aims at 'an approach to ethics ...which is realistic in starting with functioning moralities, and which tries to understand those moralities – to discover, not prescribe, what sort of coherence they have, what links the bits together'.<sup>59</sup>

The historical variation of answers to these questions, according to one of the

<sup>59</sup> Annette Baier, *Postures of the mind: essays on mind and morals* (London: Methuen 1985) pp. 225-6. The quotations are from the chapter on 'Secular faith', originally in *Canadian Journal of Philosophy*, 10 (1980) 1-48; cf. David Gauthier, 'Why ought one obey God, reflections on Hobbes and Locke', *Canadian Journal of Philosophy*, 7 (1977) 425-46.

major modern writers on the emotions, proves that

'[m]uch of the history of thought can be seen as the attempt to show why we are better than (other) beasts, or than machines – depending on where the competition currently seems most threatening'.<sup>60</sup>

Plato was the first of many dualists who found emotions something of an embarrassment, as they seemed to resist the application of straightforward models of the mind and body. One reason for this seems to be the ambiguity of emotions which on the one hand are clearly set responses to external events, but on the other hand embody some subjective (or identity-related) elements. The Aristotelian theory of the passions takes the first position. Hobbes, in his characteristic anti-Aristotelian way took the second alternative. Both have, be it each in his own way, escaped mind-body dualism. Hobbes's position is characterised by a flat, unreflective naturalism. We want what we want and therefore, what we want is (our) good. A reflective element comes in, where the consequences of actions are considered and thereby the relative priority of desires is changed. In a political sense, this moral scepticism transforms itself into the necessity of a lawgiver, i.e. an institution that authoritatively decides on the 'meaning of terms'.

What is at stake is the relevance of a teleological perspective (i.e. the intentionality of the emotions); of an objective notion of the passions (i.e., the formal focus of the emotions); of some form of evolutionism (i.e., the survival value of emotions); of the social context, and thence of the moral relevance of the passions.

In chapter 3, elements of this new programme have been discussed, where Burgersdijk's notion of the affects reflected the tensions and potentialities of the Aristotelian and Stoic approaches. It should be indicated that the discussion on teleology and emotions in the present chapter indeed is a version of the old opposition between the Aristotelian and Stoic conception of the affections of the soul. As Michael Frede put it:

In the Platonic-Aristotelian tradition one opted for the position that the affections are commotions which are quite independent of reason and have their origin in an irrational part of the soul. But, in taking this position, one consciously rejected the Socratic position, that the affections of the soul which lead us to behave irrationally, are nothing but aberrations of human reason. And it is obviously this Socratic position which the Stoics try to defend. ... and insist, instead, on treating them as voluntary, but irrational motions of reason.<sup>61</sup>

<sup>60</sup> Ronald De Sousa, *The rationality of emotion* (Cambridge (Mass.): MIT Press 1987) p. 3.

Naturally, both the Aristotelians and the Stoics regard reason as the epitome of humanity, but in conformity with their different views on the nature of the affections, they also differ on how rationality can be achieved. The Stoics believe that man is born an animal, and by a natural process of maturation can become a perfectly rational being. 'By nature we are, as children, inclined towards those things which are conducive to our survival as animals. ... If all goes well, we learn to avoid what is detrimental and to go after what is wholesome'.<sup>62</sup> And, whereas the Aristotelians believe that to become rational is to make reason exercise its rule over the irrational part of the soul, the Stoics maintain that in the process of maturation the irrational part of the soul has disappeared and turned into human reason.

This contrast between maturation as the vindication of reason and maturation as the transformation of the natural inclinations into reason has important consequences for the understanding of morality. According to the Stoics:

As we become rational we are supposed to realise that there is a natural, rational order of things of which we are just a part, that we from birth have been constructed in such a way as to help to maintain this natural order and to maintain it by means of reason, once we have become rational, and that it is hence the most rational thing for us to do to try as well as we can to maintain this order, since, given that everything is fated, we cannot act against its design anyway.<sup>63</sup>

We have seen Burgersdijk wavering between the Aristotelian position (the objects of natural inclinations are goods and evils) and the Stoic argument (the natural inclinations mature into rationality). Velthuysen also may not be free from some ambivalence in this respect, but in the end his introduction of the teleological argument puts the discussion on a different level. His interpretation of 'fate' in terms of the causal order of the world (God's wise design) leads to a dual understanding of rationality: that implied in the order of nature, and that involved in human partaking in this nature. In this formulation, two perspectives on maturation emerge: that of the child to adulthood, and that of human society to a rational political order. The latter form of maturation again is open to an Aristotelian and a Stoic approach: guidance versus understanding. The relationship between affections and reason is thus replicated as one between the people and its rulers. The Aristotelian point of view is to regard the rulers as the embodiment of reason to guide the mob.

<sup>61</sup> Michael Frede, 'The Stoic doctrine of the affections of the soul', in: M. Schofield and G. Striker, *The norms of nature. Studies in Hellenistic philosophy* (Cambridge: Cambridge University Press 1986) pp. 93-110; quotation on pp. 98-99.

<sup>62</sup> Frede, 'Stoic doctrine', p. 108.

<sup>63</sup> Frede, 'Stoic doctrine', p. 109.

The Stoic perspective sees political rule as the outcome of a rationalisation of the natural inclinations of men towards each other. The great insight of Velthuysen was his understanding that, from the latter perspective, to understand political rule is to understand the genesis of morality itself. He may have overestimated his novelty in comparison to Hobbes in this respect, but he was right in seeing that in reducing morality to political rule the core of the naturalistic enterprise is lost.

Just as ordinary man is in between natural inclinations and rationality, societies are a half-way house between the state of nature and the political order implied in God's design. Like individual man, society is involved in a continuous process of improvement in understanding its place in nature. This naturalist type of teleology hence can be easily scorned for what became the main heresies in the seventeenth century: that of Pelagianism and fatalism. In particular, these heresies seem to apply both at the same time: it is the belief in the improbability of man's moral goodness by reflecting on the causal order of the world.

Thus, the two types of teleology discussed in this chapter provide a seventeenth-century context for a modern argument on the emotions. The first type, as presented by the Cumberlandians, argues for a dogmatic, *a priori* ontology. The second type, that of Velthuysen, employed teleology as a ladder to be thrown away after reaching the point from which onwards moral and political philosophy can continue their progress unsupported. To this second type also belongs Kant's understanding of teleology as a 'regulative Idee', the restoration of a harmony of the 'objective' rationality of the blind forces of nature (both within man and without) and the 'subjective' rationality of man's goal-oriented behaviour. In this programme, emotions are pivotal since they are both the expression of blind forces and the embodiment of man's conscious strivings. It is precisely this duality of the emotions that the seventeenth-century debate on teleology brought into the open. In the following chapters we shall follow its further development in the naturalistic political theory of De la Court and in the philosophy of Spinoza, who attempted an encompassing formulation of the programme.



Two types of teleology

## DE LA COURT AND ‘INTEREST OF STATE’

### CHAPTER VI

*‘Necessitas non habet legem*

THE WRITINGS OF JOHAN (1622-1660) AND PIETER (1618-1685) de la Court undoubtedly represent another important step in the development of the naturalistic programme, in their political theory in particular. In a strongly anti-voluntarist attack on traditional notions of political morality, they designed a political theory based on necessity. While ultimately Spinoza gave it a fully elaborated formulation, and although De la Court detracts the reader from the central argument by a penchant for abundant quotations from the classics (Tacitus, Machiavelli) – and in general prefers florid language over systematic treatment – nevertheless one finds here readily available theoretical distinctions forged into something completely new. The argument in this chapter turns around reason of state, the standard early-modern vocabulary for discussing the strength of states. The introduction of the language of reason of state in the setting of a republic is not a simple matter. Constitutionalism, privileges and their reformulations in terms of liberty strongly limit the space for the harsh reality of the ruses of power politics. In particular, attempts to introduce reason of state by means of an absolutist theory of the state, like that of Dirck Graswinckel (1600-1666), had no chance

of being accepted. Instead, De la Court aims at showing that it is not by freeing princes from the law that their political valour – and hence their state – can prosper, but rather that political effectiveness can be produced by appropriate institutional safeguards only. In so far as republics are less dependent on the fortuitous political virtue of their leaders, they must be superior to monarchies. De la Court thus re-interpreted the classical adage 'necessitas non habet legem', necessity has no law, as saying that necessity cannot be captured in laws that morally prescribe, but ought to be incorporated in institutions that force politicians to behave effectively. The standard interpretation, evidently, was that necessity derogates the law. In his criticism of monarchy, De la Court showed the self-denying consequences of that interpretation.

This chapter does not intend to give a full-scale analysis of De la Court's thought, but will concentrate on this central reformulation of reason of state doctrine within the Dutch debate. By way of introduction, however, it is helpful to give an impression of the general tendency of their thought.

The brothers De la Court represent the rapidly increasing seventeenth-century category of non-academic, bourgeois philosophers in the Republic. Both studied at Leiden University in the 1640's and made a Grand Tour to France, Italy and England; they eventually took over their father's business as cloth manufacturers and traders. So they practised philosophy as dilettantes, in more than one respect along the lines of the 'Rederijkers', the literary circles of the late sixteenth and seventeenth century. Their intellectual interest was to understand their society, their practical interest was related to the promotion of the new commercial interest against monopolies of guilds and government alike. The brothers De la Court, especially Pieter who outlived his brother by twenty-five years, had a vivid interest in the new philosophy of Descartes and Hobbes, and were well versed in the classical authors of republican tradition, like Tacitus, Machiavelli and Guicciardini, and practised protestant religion in a personal and independent way.

Following the death of his brother in 1660, Pieter – probably profiting from some manuscripts of Johan – proved to be a prolific author. He published five editions of his *Consideration van staat, ofte politieke weeg-schaal* (Considerations of State, or Political Balance) between 1660 and 1662, *Interest van Holland, ofte gronden van Hollands-welvaren* (Interest of Holland, or foundations of the Well-being of Holland) (nine different editions in 1662), *Historie der gravelike regering in Holland* (History of the Regime of the Counts in Holland) (four editions since 1662), *Politieke discoursen* (Political discourses) (three editions 1662–3), *Aanwysing der heilsame politieke gronden en maximen van de republiek van Holland en West-Vriesland* (Demonstration of the Beneficent Political Foundations and Maxi-

mes of the Republic of Holland and West Frisia) (two editions, 1669 and 1671), a collection of emblemata titled *Sinryke fabulen* (Meaningful Fables) (1685), and there still exist two manuscripts on the 'Well-Being of Leiden', one of these published in 1911. So De la Court's career as a 'dilettante' philosopher was a political fact of outstanding importance.<sup>1</sup> One may appreciate this even better, considering the fact that the anonymous book *De jure ecclesiasticorum* (1665) was (falsely) attributed until far in the eighteenth century to both De la Court and Spinoza. De la Court was perceived by the defenders of the House of Orange and by orthodox Protestants as a partisan of republicanism without a stadholder, but the governing circle of regenten must have seen him as a critic of their burgeoning practice of closed shops and monopolistic tendencies. While he once collaborated with Johan de Witt in the editing of the *Interest van Holland*, to which the latter contributed two chapters, Pieter later on unsuccessfully sought De Witt's protection, trying Pieter de Groot as his Vettori.<sup>2</sup>

As De la Court is, next to Machiavelli and Hobbes, one of the political writers Spinoza refers to explicitly, I shall briefly sketch the outlines of his ideas. The power and charm of De la Court may partly be found in his many figures of speech and his florid way of expression. One may distinguish two patterns. On the one hand De la Court wants to make clear that man is always striving for independence and self-reliance: 'a man's home is his castle', 'better a minor lord, than a major servant', or the Spanish expression 'en mi ham-

<sup>1</sup> *Pieter de la Court in zijn tijd (1618-1685). Aspecten van een veelzijdig publicist*. Ed. Hans W. Blom & Ivo W. Wildenberg. Amsterdam: APA 1986; Theo van Tijn, 'Pieter de la Court, zijn leven en economische denkbeelden', *Tijdschrift voor Geschiedenis*, 69 (1956) pp. 304-370; Eco O.G. Haitsma Mulier, 'The myth of Venice and Dutch republican thought in the seventeenth century', Assen: Van Gorcum 1980; Eco O.G. Haitsma Mulier, 'A controversial republican: Dutch views of Machiavelli in the seventeenth and eighteenth centuries', in: Gisela Bock, Quentin Skinner & Maurizio Viroli (eds.), *Machiavelli and republicanism [Ideas in Context, 18]* (Cambridge: Cambridge University Press 1990) pp. 247-263; Ivo W. Wildenberg, *Johan & Pieter de la Court (1622-1660 & 1618-1685). Bibliografie en receptiegeschiedenis. Gids tot de studie van een oeuvre*. Amsterdam: APA 1986; Hans W. Blom, 'Political science in the Golden Age. Criticism, history and theory in Dutch seventeenth century political thought', *The Netherlands' Journal of Sociology*, 15 (1979) pp. 47-71. Noel Malcolm, in his 'Hobbes and Spinoza', in J.H. Burns (ed.), *The Cambridge History of Political Thought 1450-1700* (Cambridge: Cambridge University Press 1991) pp. 530-557, esp. 547-549, correctly points out that 'the problems of constitution-building assumed a central place in the work of the De la Courts', but overstates the influence of Hobbes. On this last point, see the contribution of R. Janse to *Entre Descartes et Hobbes: la philosophie politique aux Pays-Bas avant Spinoza*, [Studies in the History of Ideas in the Low Countries, III] Ed. by H.W. Blom, Th. Verbeek & Y.-C. Zarka. Amsterdam/Atlanta: Editions Rodopi, forthcoming.

<sup>2</sup> Hans W. Blom & Jaap M. Kerkhoven, 'De la Court en Spinoza: van correspondenties en correspondenten', in: Hans W. Blom & Ivo W. Wildenberg (ed.), *Pieter de la Court in zijn tijd (1618-1685)* (Amsterdam: APA 1986) pp. 137-160, esp. pp. 142ff.



bre mando yo' (for all my hunger I command), and a host of other, similar expressions. On the other hand, he expresses and praises the dominant principle of self-interest: 'nobody suffers from another's pain', 'he who eats the porridge, cooks it the best', 'one's own always takes precedence', or somewhat more maliciously, 'set another's house to fire, to warm oneself by its coals', 'don't trust, so you won't be betrayed'. These figures of speech are more than rhetoric, they embody a substrate of basic ideas. De la Court's abundant use of Tacitus follows similar lines. Tacitus is used as a common-place book, to provide support for De la Court's own ideology.

On a theoretical level, however, De la Court is rather more shallow. He presents us with a scarcely elaborated compilation of Cartesian psychology and Hobbesian politics. His interpretation of Hobbes can prove the point. He starts with the state of nature and men's strife for as many goods as possible to promote their uncertain conservation. But then he argues that in the state of nature, man is subject to the laws of nature, the principal of which is, 'don't do unto another, that which you don't want to suffer yourself': Grotian moralism, not Hobbesian rationalism.

The Machiavellian element is more prominent and more genuine. Man may be born subject to passions, but reasoning and experience permit him to suppress and regulate these to enlightened self-interest. The state is necessary to promote order and law, because laws make men morally good. But since everybody is aiming at self-interest, political order should be arranged in such a way that the interest of each is to promote the common interest. 'The best government is where the fortune and misfortune of the rulers is connected to the fortune and misfortune of the subjects', a formula Spinoza will repeat – e.g. in *Tractatus Politicus*, VII, 31. De la Court's political theory can be seen as an extensive elaboration of this notion. It is central to his attack on absolute monarchy. Princes, by the principles of court politics, end up promoting the misfortune of their subjects. They surround themselves with flatterers, they have an interest in not educating their children for fear of being overthrown, they are war-prone and taxing to the economy. It is quite likely that Algernon Sidney in his *Court Maxims* was elaborating on the same repertoire as De la Court in this respect.<sup>3</sup> In any event, Spinoza certainly did so in his construction of a constitutional monarchy. Both Spinoza and De la Court maintain that a republic can best be arranged according to the self-interest principle: rotation of office, open access to offices, measures to prevent (religious) cabals and factions (all of which was not the standing Dutch practice), would bring the rulers' self-interest into accord with that of the citizens.

<sup>3</sup> See 'Introduction', in: Algernon Sidney, *Court Maxims*. Ed. and intr. by Hans W. Blom, Eco Haitsma Mulier and Ronald Janse. Cambridge: Cambridge University Press (forthcoming).

De la Court's double aim is evident. Although he wrote in the preface to the *Consideration* that he 'had no intent to harm any person in the world, let alone an innocent child', the most evident practical implication was that the then minor William III – to be 'child of State' from 1666 onwards – should never become a stadhouder in the Republic. But he was also convinced that the regenten were too keen on 'warming themselves at the coals' of the burning houses of others.

## 1 Prudentia mixta

Ever since Justus Lipsius argued for *prudentia mixta*, it seems to have been received opinion in Dutch political thought that some measure of cunning is acceptable, provided it is undertaken for good purposes. It is evident that much can be said about what has to count as 'good purposes', or for that matter, as 'cunning'. A constant feature of acceptable cunning is that it has to be in the interest of the commonwealth, according to the somewhat threadbare '*salus populi suprema lex esto*'. A sovereign cannot be morally censured for deviating from Christian moral values in the dutiful pursuit of the tasks he is confronted with. As a principle of *prudentia mixta* this approach has several peculiar traces and creates a series of particular problems in its elaboration. Part of these characteristics and ensuing problems are peculiar to the starting point itself, partly they follow from the political situation in which this notion of *prudentia mixta* is developing. In the constitutionally embedded politics of the Dutch Republic, as we shall see, its admissibility is highly circumscribed by the constitutional roles played by the various political forces. As far as the stadhouder is concerned, pro-Orangist literature points out the advantages of secrecy and swiftness of decisions a stadhouder can provide. The unruly mob should be contained by *simulacra*, 'shadows', and be provided 'with puppets to play with', as in particular the anti-Orangist States-party is prone to argue. It is doubtful whether either of these *arcana*, secret arts, contains much in the sense of extraordinary politics.<sup>4</sup> Even in cases of emergency such as foreign aggression, Orangist political writers maintain that the stadhouder has only narrowly circumscribed, delegated powers, as befits a republican constitution. The elevation of William III to stadhouder of Holland (1672), however, gave rise to the articulation of the notion that in conditions of emergency it is to the ordinary citizens that extraordinary powers pertain. Indeed, the citizens called the nation to order under the threat of the French

<sup>4</sup> See the discussion of extraordinary and ordinary rule, *supra* pp. 47ff.

attack of 1672, as they had done under the Spanish suppression and afterwards, in the wake of Oldenbarneveltdt's 'assault' on the independence of the church, during the years that led to the Synod of Dordt in 1618-1619. These eruptions of popular turmoil were definitely extraordinary, and outside the normal in terms of Dutch constitutional arrangements. But according to the Orangist analysis, the *vox populi* has to speak where everything else fails, since then 'necessity breaks law'.

Clearly, in the debate on the position of the stadhouder from the early 1650's right through the 1670's, no invectives were reserved to accuse the other party of misuse of power and of placing private interests above the common weal. But was not that in effect an endorsement of the limited acceptability of *prudencia mixta*? In cases of emergency, when things go wrong, it is not to one of the two mutually distrusting parties but to the 'many-headed monster' in its manifestation of the 'freedom-loving citizens' that befalls the embodiment of reason of state. If one looks for reason of state in the Dutch Republic, short of the limited versions of *prudencia mixta*, one should look into the role of the people, as separate from and in opposition to established constitutional politics. In a contemporary metaphor, the ordinary sailors corrected the steersman when the latter tried to sail the ship into a French harbour.<sup>5</sup> As another pamphlet explains, pointing to the dangers of the situation: 'Extremis malis, is the proverb, extrema adhibenda sunt remedia; and: necessity breaks all law'.<sup>6</sup>

Spinoza's *potentia multitudinis*, the power of the multitude, will a few years later tap important dimensions of this Orangist notion, albeit in the context of a general theory that in no way appealed to these defendants of the extraordinary powers of the people. De la Court did play a role in the preparation of this development. But let us first consider the *status questionis* of Dutch reason of state in the middle of the seventeenth century.

## 2 Reason of state or Interest of state?

Mainstream reason of state thinking is surprisingly scarce in Dutch seventeenth century political thought. There does not even seem to be an exact

<sup>5</sup> *Verhael van de gemeene Bootsgesellen van 't schip Hollandia, 1672* (Knuttel 10300); see Pieter Geyl, 'Democratische tendenties in 1672', in Idem, *Pennestrijd over staat en historie* (Groningen: Wolters-Noordhoff 1971) pp. 72-129, in particular 85-93; according to popular opinion Johan de Witt's foreign policy of balance of power was in reality a pro-French alignment, which brought the 'ship of state' in the hands of the French.

<sup>6</sup> *Copie van een Brief, Geschreven uyt Rotterdam aen N.N., Licentiaet in de Rechten tot Dantzig, 1674* (Knuttel 10479); the extreme remedy evidently was the preferment of William III to the position of stadhouder.

Dutch equivalent of the term 'ragione di stato', as one may conclude from the following remark by Petrus Valckenier (1641-1712) in his 't Verwerd Europa (Tormented Europe) of 1675:<sup>7</sup>

This much about the five maxims and principles of state, on which every state is founded and erected, and by the observance of which is maintained the right and true Interest of every state, which is called by contemporary political writers *ratio status*, by the old *jus dominationis & arcana imperii*, by the Italians *ragione di stato*, and by the French *raison d'état*.<sup>8</sup>

As in the seventeenth century, modern Dutch is still without an equivalent. Nowadays, we do not even accept the identity Valckenier stipulated between 'interest of state' and 'reason of state'. Reflecting the author's personal allegiance, a modern Dutch historian will use 'raison d'état', 'reason of state' or 'Staatsrason'.<sup>9</sup> The question then arises whether Valckenier in identifying 'interest van staat' with 'reason of state' was coining a word, or confusing things. Is 'interest van staat' really the same as 'reason of state', or was Valckenier mistaken in presuming that his 'political and historical description of the foundations and causes of the wars and revolutions in Europe', as the subtitle of the book has it, does really belong to that tradition of reason of state that so excited political thinkers in the rest of Europe? On the evidence of Valckenier's book alone he seems to be wrong. In this somewhat neglected book on international politics between 1664 and 1674 we find much about the economical and political determinants of the shifting balance of power in Europe, and even more about the 'disastrous' politics of John de Witt in the years prior to the French invasion, but next to nothing about the moral dilemmas of 'royal' prerogative as far as William III was concerned. A Grotian perspective on international relations is used to measure the perfidy of France, and a realistic assessment of national interests is applied to scorn the stupidity of politicians who expect that treaties be kept against the basic

<sup>7</sup> Petrus Valckenier, 't Verwerd Europa ofte Politijke en Historische Beschrijvinge der waare Fundamenten en oorzaken van de Oorlogen en Revolutien in Europa, voornamelijk in en omtrent de Nederlanden zedert den jaare 1664 gecauseert door de gepretendeerde Universele Monarchie der Franschen. Amsterdam: Hendrik & Dirk Boom 1675; Valckenier studied law in Leiden and after a lawyer's career in Amsterdam occupied various diplomatic posts since 1676.

<sup>8</sup> Dus verre van de vijf Staats-Maximen en Gronden, waar op elken Staat is gevest en getimmert, en by welkers observantie word gehandhaeft het rechte en ware Interest van elken Staat, 't welk de hedendaagse Politijken *Ratio Status*, de oude *Jus Dominationis & Arcana Imperii*, de Italianen *Ragione di Stato* en de Franse *Raison d'Estat* noemen, Valckenier, 't Verwerd Europa, p. 24.

<sup>9</sup> As e.g. in J.C. Boogman's 'De raison d'état-politicus Johan de Witt', in Idem, *Van spel en spekers* (Den Haag: Nijhoff 1982) pp. 162-189; one may question whether here is not just meant: 'statesman'. If that is correct, in Dutch the difference between 'reason of state' and the seventeenth century 'staatskunde' or even 'geheimen van staat' (literally: 'secrets of state', a less cogent rendering of *arcana*, than e.g. 'mysteries') presumably is quite small.

interests of the parties involved. 'Interest does not lie' is Valckenier's basic conception and he derides John de Witt's States-party which believed themselves able to promote both their own private interests and the interests of the Dutch Republic. His preference for the stadhouder-system with a prince of Orange as the 'heroic supervisor of the political building' (de heroïque Opsiender van 't Politijk Gebouw) is but a tame affair compared with the reason of state-based arguments for absolute monarchy.

But should one stop here? Is indeed Dutch interest of state but an analysis of the conditions of political prudence, stopping short of the exaltation of reason of state over constitutional politics? In answering this question it seems helpful to draw attention to the ideological side of Valckenier's book. His critique of the disastrous politics of the States-party may be reconstructed as a denunciation of the false reason of state it embodied. But this description of Dutch politics before 1672 does not entail for Valckenier a concomitant defence of true reason of state, since in his opinion the return of Orange is a restoration of the constitutional order, in which this 'heroic supervisor' lawfully checks and balances the factitious private interest of the Dutch regenten. The dutiful administration of the Dutch interest, not its cunning promotion is what is proposed. Convinced that morally good behaviour will also be rewarded in politics, reason of state fulfils only a negative function in dissecting the arguments of the other party. We shall argue that this negative function of reason of state is a more general feature of the Dutch interest of state debate. We shall argue as well that only in some cases does the negation lead to a relevant contribution to this debate.

In more than one sense Valckenier's 't Verwerd Europa is an outcome of the Neostoic movement, an answer to the troubles of the time, that like Lipsius's *De Constantia* (1584) sought to find an answer to the bewildering empirical realities of contemporary politics, in order to restore some kind of harmony between private endeavour and public necessities. In this restoration of harmony the virtuous prince who subordinates his private interest to the public good is the pivotal figure, as Lipsius expounded in his *De politicorum* (1589). A clear understanding of the workings of politics gathered from the study of history is a necessary precondition for the effectiveness of the virtuous prince. Without understanding, the passions will ride freely as the Stoics taught, and hence the public good will be subjected to the private interests or passions of the prince. Understanding the causes of things permits effective interference, although it may necessitate a little cunning in order to reach the goals stated. But, again, *prudencia mixta* should not be dissociated from the prince's virtue, because in the end it is one of its manifestations. Some secrecy in this princely cunning is necessary, not because by intentional ruses the prince will lose his

reputation, but above all because the people, less informed about the intricacies of politics, will not understand.<sup>10</sup> These *topoi* of Neostoic politics – understanding as the regulation of passions, empirical or historical knowledge as the principle of effective politics and of prudence in general, the distinctive capacities and roles of rulers and subjects, together with a rather tangible interpretation of the *salus populi* in terms of the well-being of the subjects – had been present in much of seventeenth-century Dutch political thought. Whatever Dirk Coornhert's radical theology may be said to imply for the inadequacy of Lipsius's position on toleration, it was Lipsius and not Coornhert who pervaded later political thought. Its presence is noticeable in much of Dutch Tacitism, and shall be argued in more precise terms while discussing De la Court's contribution. In general, the wish to contain extraordinary powers within the confines of constitutional politics is present throughout the political spectrum.

The distinction between mixed government and unitary government does not affect this limiting predisposition towards reason of state. But then it may be that the republicans, in their defence of unitary government with undivided sovereignty, in reality proposed a system of political balance.<sup>11</sup> Orangists tried to decry De Witt as a dictator, a second Julius Caesar destroying liberty, in stark contrast with the actual limited free space left to this 'first minister of state'. Republicans, on the other hand, feared dictatorial powers given to the stadhouder as captain-general, lest he might develop into an absolute monarch.<sup>12</sup>

Nor do we find a positive argument for the opposition of ruler and country, which is a further reason not to expect a full-fledged, traditional doctrine of reason of state. Politically disruptive private passions, the most important cause of *flagitia*, vices, of extraordinary rule, are put to use in arguments

<sup>10</sup> See Valckenier, *Verwerd Europa*, pp. 111–119.

<sup>11</sup> In a strict sense, this is not true for 'republican' thought in the first half of the century. Proponents of undivided sovereignty like Grotius and Graswinckel defend their position in terms of a strong notion of sovereignty, or *summa potestas* (in preference to the less applicable *iura regia*, or *maiestas*). The argument in terms of a self-correcting system of countervailing forces is typical of later republicans like De la Court and Spinoza. But in any case, as soon as the question of efficiency comes up after 1650 ('can a system without a stadhouder provide the goods?') answers tend to be about the efficiency of the system instead of in terms of the efficiency of leaders. A prevailing aspect of Johan de Witt's was to shield his personal qualities and personal involvement behind the workings of the constitutional order. He was his masters' voice, i.e. the minister of the *Hoogmogende Heren*.

<sup>12</sup> See J.D.M. Cornelissen, 'Johan de Witt en de vrijheid', in: Idem, *De cendracht van het land. Cultuurhistorische studies over Nederland in de zestiende en zeventiende eeuw*. (Amsterdam: Bataafsche Leeuw 1987) pp. 127–9; Pieter Geyl, 'Het stadhouderschap in de partij-literatuur onder De Witt', in: Idem, *Pennestrijd over staat en historie*. (Groningen: Wolters-Noordhoff 1971) pp. 3–71, and Pieter Geyl, 'Democratische tendenties in 1672', in: *Pennestrijd*, pp. 72–129.

against the constitutional arrangements of the opposition. Just as Valckenier accused the regenten of the States-party of furthering their private interests under the cloak of the common good, his opponents would point out the dynastic agenda and quest for honour detrimental to the Republic's interest. But both parties would maintain, each within their own system, that the ruler's interest and that of the country are identical.

The absence of a centralised or centralising centre of power in the Republic may well explain the lack of programmes of political modernisation, and therefore the absence of a further rationale for a real doctrine of reason of state. Although concepts of progress are readily on hand, for instance in Velthuysen, they tend to take political change as the outcome and not the basis of such progress. In the second half of the eighteenth century, the need for politically induced innovation becomes pressing, but proves as difficult to realise as the older concept of progress had failed to fulfil its expectations.

The circumstances for the development of a doctrine of reason of state in the Republic have not been optimal in the absence of these characteristics of early-modern political thought present elsewhere in Europe.<sup>13</sup> We shall see, however, that these exceptional conditions produced another and quite unusual type of reason of state doctrine. First a discussion will follow of the explicit introduction into the Republic of writings on reason of state of the Altdorf professor of jurisprudence Arnold Clapmarius (1574–1604). Although in the context of the Neostoic movement the reception of Tacitus preceded the impact of Clapmarius, and provided Dutch political thinkers with an elaborate set of historical examples and emblemata widely used throughout the century, its theoretical impact (short of a fairly general atmosphere of moral and political realism) seems to wane around the middle of the century.<sup>14</sup> The development of an influential moral psychology superseded the psychological convictions of Tacitean realism and brought forward a new theoretical setting for political debate. Moreover, the first steps were set for the transformation of the categories of reason of state and for adapting these to Dutch political reality. By this development reason of state became a the-

<sup>13</sup> Friedrich Meinecke, *Die Idee der Staatsräson in der neueren Geschichte*. München/Berlin: Oldenbourg 1925 (1924<sup>1</sup>); Horst Dreitzel, *Protestantischer Aristotelismus und absoluter Staat. Die Politica des Henning Amiseus* (ca. 1575–1636). Wiesbaden 1970; Nannerl O. Keohane, *Philosophy and the state in France: the Renaissance to the Enlightenment*. Princeton: Princeton University Press 1980.

<sup>14</sup> See fundamentally J.D.M. Cornelissen, 'Hooft en Tacitus. Bijdrage tot de kennis van de vaderlandse geschiedenis in de eerste helft van de zeventiende eeuw', in: Idem, *De eendracht van het land*, pp. 53–102; on the decline of Tacitism see Eco O.G. Haitsma Mulier, 'Spinoza et Tacite', in: H. W. Blom, Th. Verbeek & Y.C. Zarka (eds.), *Entre Descartes et Hobbes. La philosophie politique aux Pays-Bas avant Spinoza* [Studies in the History of Ideas in the Low Countries, 3] Amsterdam: Editions Rodopi, forthcoming.

ory of interest of state, in which both the articulation of public interest and its achievement were included.

### 3 Clapmarius in the Republic

In 1662, a book was published under the acronym V.D.H. – 'Van den Hove' being the Dutch rendering of De la Court – under the title of *Naeuwkeurige consideratie van staet, wegens de heerschappye van een vrye en geheymen staets-regering over de gantsche aertbodem*, i.e. 'Precise consideration of state, regarding the rule of free and secrete governments all over the world'. It was published in Amsterdam, by one of De la Court's publishers, but historians have generally been reluctant to take De la Court as the author of the work. Recently it has been discovered to be an almost *verbatim* reprint of an earlier book, the *Bedekte konsten in regeringen en heerschappien*, i.e. 'Secrete arts in republics and monarchies', published in 1657 by the Utrecht lawyer and notary Gerard van Wassenaer.<sup>15</sup> This work on *arcana* is strongly influenced by Arnold Clapmarius's exposition of the ancient mysteries of state in his *De arcanis rerum publicarum* of 1605. This was not the first reception of Clapmarius in the Northern Netherlands. In 1641, Joannes Corvinus had edited *De arcanis* itself and provided it with a long preface to explain the *simulacra imperii seu libertatis*, the 'shadows' of rule or liberty.<sup>16</sup> In 1644 a second edition was presumably in demand. It would be wrong to see these four publications between 1641 and 1662 as a sure sign of a Dutch reception of Clapmarius's conception of reason of state. Indeed, Clapmarius in many respects demands the same restrictions on the use of *simulacra* as we found in Lipsius and his intellectual progeny in the case of *prudencia mixta*: the *salus populi* condition, for one, and the prevalence of public over private interest, especially in the case of the ruler. But we may doubt whether the Dutch fully accepted Clapmarius's endorsement of the saying of Seneca that 'necessity, this great fosterer of human weakness, breaks any law'. The Dutch Neostoic indeed enjoyed the first part of the clause and expressly embraced necessity as the protector of the human deficit, *patrocinium imbecillitatis humanae*, but was less sure about it being a legitimate ground for breaking the law. The Dutch, jealous of their fundamental laws and privileges, would never go along with the latter view, although as Neostoics they agreed with Clapmar-

<sup>15</sup> See Eco E.G. Haitsma Mulier, 'De Naeuwkeurige consideratie van staet van de gebroeders De la Court. Een nadere beschouwing', *Bijdragen en Mededelingen betreffende de Geschiedenis der Nederlanden*, 99 (1984) pp. 396–407.

<sup>16</sup> *De arcanis rerum publicarum libri sex, illustrati a Joan. Corvinus I.C. Accessit v.d. Chr. Besoldi de eadem materia discursus, nec non Arnoldi Clapmarii et aliorum conclusiones de jure publico*. Amsterdam: L. Elzevir 1641 (1644, 2nd rev. edition).

ius that 'it is this force of necessity, this dignity, which often brings lawfulness and equity to an illicit business'.<sup>17</sup>

A surprising fact about these four books on *arcana* is that their respective authors or editors, from Joannes Corvinus to Pieter de la Court, have a shared political allegiance. Corvinus (1582-1650) studied theology in Leiden and was a pupil of Arminius. As such he not only defended his master against his slanderers, but also represented the Remonstrants at the Synod of Dordt in 1618-19. As for many Remonstrants, this episode ended in exile, from which he only returned in 1632, to establish himself as a lawyer and sometime professor in law in Amsterdam. The author of several books on law, he was highly thought of by Grotius.<sup>18</sup> Also Gerard van Wassenae (1589-1664), the Utrecht lawyer, lived with a vivid memory of the *coup d'état* of prince Maurits. He lost his position in the Utrecht *vroedschap* after that event, never to return to his seat again. Many of his friends were important Remonstrants, his son studied under that arch-enemy of Dutch Calvinism, the Cartesian and Utrecht professor of medicine, Henricus Regius. Pieter de la Court, lastly, was already as a student in Leiden heavily involved in the Cartesian movement, as well as seeking, partly through the agency of Grotius's son Pieter, the protection of the States-party. He was a vehement opponent of orthodox Calvinism. One could suppose that at least for Corvinus and Wassenae their loss of power made them retire to their study for a disinterested reflection on the principles of politics. But political indifference was not their way of life, however scholarly their attire. Gerard van Wassenae, possibly co-operating with his son, attempted a republican emendation of Clapmarius. De la Court was possibly here following Wassenae's example, which may explain his re-issue of the *Bedekte konsten* as a homage from pupil to master. But the scholarly aspect need not detract us from the obvious ideological characteristics of these authors. Indeed, in an anonymous defence of the Act of Exclusion of 1654, banning the stadholdership from Dutch politics, we find again reference to Clapmarius.<sup>19</sup> As shall be indicated more fully in an analysis of the writings of De la Court, the Dutch use of Clapmarius has a particular purpose: in revealing the hidden agenda of princes it supports the exclusion of William III from the stadholdership of Holland in 1654, and explains the theoretical

<sup>17</sup> 'Necessitas magnum imbecillitatis humanae patrocinium omnem legem frangit'; 'Et tunc necessitatis ea vis est, ea dignitas, ut saepe rei non licitae jus et aequum tribuat'. Cited by Meinecke, *Idee der Staatsräson*, p. 169.

<sup>18</sup> Grotius refers to 'vetera nostra amicitia' in a letter to Corvinus (7 Jan 1640; *Briefwisseling van Hugo de Groot*, vol XI, nr. 4458), while he praised his juridical talent in a letter to his son Pieter (8 July 1639; *Briefwisseling*, X, nr. 4194).

<sup>19</sup> *Korte aenteekeninge, dienende tot antwoord [...] nopende den Artijckel van Seclusie*, s.l. 1655 [Knuttel 7660].

preconditions for a flourishing body politic. In confronting themselves with Clapmarius, and hence with Tacitus and Machiavelli, these republicans forged their weapons against Orangism, by showing the dismal consequences of the supposedly indispensable *simulacra imperii*, shadows of rule. They sought to achieve this end by demonstrating that only false reason of state reigns, that *flagitia*, vice or baseness, and not true reason of state is the first principle of princely or monarchical rule. In other words, as by definition false reason of state promotes the private interest of the ruler to the detriment of the public good, under princely rule the subjects will suffer.

If indeed this attack on Orangism was their ideological target, how did they expect to be successful taking recourse to the reason of state tradition, the prime aim of which was to show that true reason of state is a real, and necessary option? How successfully to argue against the reason of state position that history shows the *arcana* to be a sure means for the defence of the public good? It may seem a rather stupid thing to try. Classical arguments against reason of state, in some way or other inculcated into the more prudent versions, like that of Lipsius, relied heavily on demonstrating the immorality of the *arcana*. But this would go against the grain of realism these authors embrace. De la Court, for one, is happy to point out the similarity between his own description of man as selfish and vicious, and the Calvinist notion of the sinfulness of man. It is not a complacent moral attitude they bring in against reason of state. They are looking for means to demolish monarchy, i.e. Orangism, by demolishing one of its theoretical foundations, i.e. reason of state, by taking it as a strong case. Although partial answers to this question may be found in Corvinus and Wassenae, it seems that only De la Court was able to deal this blow to Orangism in a fully articulated way. He is also the only one ending up with a positive theory of reason of state, if it may be called so, applicable to Dutch politics as he saw it.

#### 4 'Nadien de nood geen wet heeft'<sup>20</sup>

Nonetheless, the importance of Corvinus is beyond doubt. The elaborate introduction to his edition of Clapmarius comes as a highly significant summary of *De arcanis rerumpublicarum*. Moreover, he sets the tone for Wassenae. He presents his topic as an 'ars regnandi', the art of government, within the limits of trust, honesty and virtue,<sup>21</sup> in the pursuit of longevity and stability

<sup>20</sup> 'Since necessity has no law', Wassenae, *Bedekte konsten*, p. 190.

of the common weal. It may be that the means to these ends are 'surely not in the open and following the royal way, but by means of hidden simulation',<sup>22</sup> and that they follow 'on the one hand definitely from the argument of necessity, which rather gives than obeys the law, on the other hand even from public utility',<sup>23</sup> but they should not defy trust or social morality, 'fidem sive pudorem', good faith or honour.

Although Corvinus summarises the contents of *De arcanis* quite faithfully, on certain points he presents his own arguments, these deviations stemming from both theoretical and practical origins.

Quite appropriately for a jurist, Corvinus endorses Clapmarius's foundation of the *arcana* in the *imperii & majestatis jura*. If the latter are in peril, the former should be used. For Corvinus the application of the *arcana* has essentially to do with the redress of the process of decay of the state. The doctrine of Clapmarius provides the reader with an analysis or diagnosis of the *morbi Reipublicae*. The Prince of the Peripatetici indicated that establishing the diagnosis of illness amounts to providing its therapy. In the same vein, knowing the causes of the decay of states is to know the therapies. Therefore, Corvinus opines, Aristotle, who is not in favour of the use of *arcana* and judges these to contain more fraud than just false prudence, nevertheless regards the *arcana* appropriate in totally disturbed states 'where one cannot follow the right procedure, unless with public injury'.<sup>24</sup> Corvinus advises the reader to judge for himself whether this argument is in agreement with Aristotle. The implication is that the doctrine of *arcana* is first of all there to be used against state-destructing *flagitia*, performed by any of the parties of the body politic: the prince, the aristocrats or the people. In particular the people is to be feared, but wisely Corvinus did not endorse the negative qualification by Clapmarius (cap. V, § 19) of leaders who mobilise the easily roused people.

Wassenaer, writing in 1657 during the politically less confining stadhouder-less period, was more audacious in this respect. In his discussion of the 'calumnies and rogueries' he proposes a hierarchy of brutality. After summarising those liable to be practised by monarchs, he points out that the same and even more are present in aristocracy, but even more among the

<sup>21</sup> 'Habet tamen ars simulandi suos limites; fidem, honestatem, virtutem; quos qui egreditur, nae vafri & nefarii hominis potius, quam politici nomen videtur', Corvinus, *Arcanis*, Introduction, p. 2-3.

<sup>22</sup> 'non aperta quidem et via regia, sed per tacta simulacra', *Ibid.*, p. 1.

<sup>23</sup> 'tum quidem ex argumenta necessitatis, quae legem potius dat quam accipit ... tum etiam publicae utilitatis', *ibid.*, p. 26.

<sup>24</sup> '[Aristoteles] occultorum usum minus probat. Calliditatem iis inesse potius existimat, quam veram prudentiam plane perperam', *arcana* to be used in very disturbed states where 'non possis recta incedere via, nisi cum damno publico', *Ibid.* (2nd ed.) f2'.

people:

there is nothing more brutal and cruel than the people, in particular if it has an instigator and head, because the people does not start easily, but having a head that leads, it follows immediately and rages as if addicted by a raving disease.<sup>25</sup>

At least part of the people's *flagitia* therefore goes on the account of the 'head'. Moreover, as a consequence of the use of *simulacra* the people obtains a role to play in the state, over and above its legal rights:

[The people] is given certain images, puppets, or simulacra of government and freedom ... One cannot deny that as a consequence of these shadows the ways of government are changed somewhat, such that because of these shadows one state seems to tend more to the people, and another more to princely or noble rule.<sup>26</sup>

Clapmarius and Corvinus had maintained that the *simulacra* cannot change the actual political relations, since these are founded on the *iura imperii* alone. Yet Wassenaer is aware of the wider ideological effects of make-believe. In the second half of his book, Wassenaer elaborates this insight into a more general theory of political behaviour.<sup>27</sup> As we have seen, he himself was out of political power. It seems therefore appropriate that he discusses the theory from the point of view of 'the art and ways to achieve political functions and status'. Again we see a Neostoic at work: in his emphasis on the role of fortune, in his dissection of the passions, in stressing the importance of prudence as the middle way between obstinacy and subservience. Politeness and civility, prognostic reasoning and artful skill, patience, humility, courage and experience are the prerequisites of successful political behaviour. In order to efficaciously control one's own emotions, the politician should cultivate the vir-

<sup>25</sup> daer is niet harder en wreder als 't Volk, bysonder alsse een aanleyder en Hooft hebben, want 't Volk begint niet lichtelijck, maar een Hooft hebbende die voorgaet, volcht het terstont ende raest als met een aenslaende sieckte aengeroert zijnde, Wassenaer, *Bedekte konsten*, 104. 'Head' or 'eminent head' (eminent hoofd) is the standard Orangist denomination of the role of the prince in the Dutch political order.

<sup>26</sup> '[t Volk] eenige Beelden, Poppen, of gelijckenisse van de Regeeringhe ende vryheydt in de handt gestopt worden; ... Niettemin kanmen niet ontkennen dat door deese Schaduwen de maniere van regeeren enighsins verandert wort, sulx dat den eenen staat door deze schaduw meer nae het Volkx, de andere meer nae Princelijke of Adellijke Heerschappie schijnt te hellen, *Ibid.*, 105, 119.

<sup>27</sup> In the moral psychology that Wassenaer employs, the collaboration with his son, a student of medicine in Utrecht, is evident. The theory of humours is presented to explain the change of man's character during the different phases of his life; whether we have here a Cartesian psychology as Haitsma Mulier suggests (Haitsma Mulier, 'De Nieuwkeurige consideratie') seems questionable. It contains at least all the characteristics of the Burgersdijk-Heereboord tradition of Neostoicism *cum* Aristotelism, so typical of the Dutch philosophical opposition against the Calvinist orthodoxy of the 'Nadere Reformatie' of Gisbertus Voetius c.s.

tues of magnanimity, strength and caution:<sup>28</sup>

But the necessity should be understood above anything else, and we should try to supersede in any way available, with power and force, whatever opposes us, and cannot be bypassed, in the pursuit of our intentions; but first we should consider the value and importance of the end we are aiming at, and that forces upon us this necessity, and we should compare its outcome with the labour and costs we will have to suffer in order to obtain the necessary means. Because if the losses are greater than the advantages that we can expect, it would be better to attempt something else; one has (also) to consider whether there are different means that lead to this end. From these one should choose first the most secure, then the most easy, and lastly the less indecent. Since necessity has no law, and the end is honest, the means used to obtain an honest end will be overlooked and excused, although they may not have been very honest.<sup>29</sup>

Gerard van Wassenauer's 'bourgeois courtier' is occupied in trying to understand his own and others' passions, preparing for the adversity of fortune, cautious about his reputation, aiming at moderation, but most of all, calculating his chances to further his own considered interest. Although Wassenauer agreed with Clapmarius in his criticism of Machiavelli (cap. V, § 1), who is said to have believed that 'princes should sin as much as possible', he is rather elusive about the justifying ends. Wassenauer is convinced that people in general are more prone to indignation and outrage than to do the good. In effect, Wassenauer is saying here that there is no objective definition of the good. The violent passions are to be subdued because of their socially adverse

<sup>28</sup> Voorts om onse bewegingen in goede ordre te brengen, soo komt de Voorsichtigheyt, wiens eerste werck is alle oorzaken en ghelegenheden wegh te nemen die in ons onmatige bewegingen soudén kunnen verwecken, want het is lichter de zelve buyten te sluyten, als ingelaten synde te regeren; daer nae oversien alle het goet en quadt dat in 't vervolgen vande saecke sal kunnen voor-komen, *Ibid*, 168 ('Furthermore, to arrange our movements [of the soul] in good order, there is caution, of which the foremost effect is to take away all causes and circumstances that could produce in us intemperate movements, since it is easier to cast these off, than once introduced to command them; next we survey all good and bad things that in the pursuit of a matter can possibly happen'). As is evident from this quotation the Dutch Neostoic does not shun from introducing Aristotelian elements as well.

<sup>29</sup> Maer de noodzakelijckheyt moet voor alle anderen ingesien worden, en dat men in alle manieren met magt en geweld te boven komt al 't geene ons tegenstaet, en dat niet ontgaen kan worden, om alsoo tot ons voornemen te geraeken; dogh moet men eerst de waerde en 't gewichte van het eyndt dat wy zoeken te bekomen, ende dat ons tot dese nootsakelijckheyt dringht, wel overwegen, en vergelijken met de moeyten ende kosten die men sal hebben te dragen om die nodige middelen te boven te komen, want soo de schade groeter soude wesen als het voordeel datmen daaruyt te verwaghten heeft, ist beter yet anders voor te nemen en sigh tot wat anders te begeven, men moet oock sien of daer niet veel middelen sijn die tot dit eynde dienen. Waer van men voor eerst de seekerste, daerna de lighste ende eyndelijck die minst onbetamelijck sijn moet kiezen. Want nadien de nood geen wet heeft, en het eyndt eerlijck is, so sullen de middelen die men om een eerlijck eyndt te bekomen gebruykt heeft, verschoont en veronschuldicht worden, al ist dat die niet al te eerlijck geweest zijn, *Ibid*, 190-191.

consequences only, moderation is to be the rule, risk-aversion the wisest option in this uncertain world, and Wassenauer refers his readers to 'the common sentiment', 't gemeen gevoelen, instead of to the 'teachers of wisdom' if they want to understand the good.

Against this background De la Court's contribution is to be understood. Adorned with the learning of the Tacitean repertoire, De la Court presents a realistic moral psychology that does not suffer from the absence of an objective definition of the good. As he is best known for the one book translated into English and French, the *Aanwysing* (1669) – a revised edition of the *Interest van Holland* – there is a tendency to regard De la Court as primarily an author on international relations, and since these publications went under the name of John de Witt, they were furthermore primarily received as the theoretical foundation of De Witt's and accordingly of Dutch foreign policy. But the upshot of my argument so far is that the reason of state literature was made use of as a very powerful argument in internal constitutional debates in the middle of the seventeenth century and aimed at some sort of re-introduction of the 'people' into the workings of the body politic. De la Court as a reason of state theorist has to be studied in this context.

Since it is not appropriate to discuss here De la Court's political thought in full, we can bypass problems of its origins, thereby freeing ourselves from enumerating and judging the various strands of Tacitism, Machiavellism, Cartesianism, Hobbesianism, humanism and what else. The central themes of the pivotal intervention of De la Court in the Dutch constitutional debate along lines of reason of state, realism and morality or necessity and virtue, political order and efficacy, private and public interest shall be discussed, in this order in what follows.

## 5 Necessity and virtue

Obviously the cunning that is mixed with prudence to produce *prudencia mixta* can only be legitimized by the end it pursues, and by its efficacy in producing this end. Supposing for the time being that there is no uncertainty about how to describe the end in question, the burden for the legitimation of *prudencia mixta* falls on its efficacy. According to the summary view of Machiavellian doctrine, the efficacy of political action is the outcome of the interaction of *necessità*, *fortuna*, and *virtù*. Although it may seem that this somehow expresses a formal structure of political action, some reflection brings forward the inherent complexity and indeterminacy of this formula. In his permanent preoccupation with avoiding adverse fortune, the virtuous (i.e. effec-

tive) politician will always act upon the necessities of the situation: he will not try to postpone decisions that may seem unattractive, because that will make him lose grip on events. In general, he will try to evade indeterminacy, unless there really is no way to turn. The many examples Machiavelli brings forward illustrate this point. One may have the good fortune to attain one's ends by being lenient and just like Scipio, but if one has not, one should be harsh like Hannibal. But in either case, the emphasis is on the circumstances and the highly specific character of the political leader. It is the kind of analysis that requires the right person at the right place in order to maintain rule. However, it is one thing for a ruler to remain in power, another for a body politic to maintain its strength. In particular, by focussing on the institutional guarantees of the state's power, the argument concentrates on the self-sustaining qualities of virtuous politics, on the long-run effects of short-run politics.

It is in this perspective that De la Court captures in a formula Wassenauer's exposition of rationality:

[rationality is] to consider the present advantage or disadvantage with that of the future, and to refrain from a small good in order to obtain thereby a greater; or to willingly suffer a small disadvantage in order to elude a greater in consequence.<sup>30</sup>

On this principle, De la Court presents his criticism of monarchical reason of state. As a matter of fact, the first third of the *Consideration en exempelen van staat* (1660) is devoted to this matter. There, he intends to demonstrate the gap between the private rationality of a ruler and the public rationality required in a state. Moreover, De la Court generalises his forceful criticism of monarchical reason of state into a principled disbelief in any public virtue, turning to an analysis that focusses on the aggregative effects of self-interest. His first act, as said, is to summarise in two pages the advantages of monarchical rule. Arranged in seven points, he suggests that an absolute ruler, because of his unbounded power will defend and promote his country, because he thereby will defend and promote his own power. The monarch can rule secretly, decide quickly, stick to his decisions, execute them resolutely, effectively impose justice, and lastly remove all corruption from his country:

<sup>30</sup> het teghenwoordige goed ofte quaad, wel met het toekomende te overwegen, en een klein goed te versuimen, om een groter daar naa te verkrygen; of wel een klein quaad gewillig te dragen, om een groter te ontgaan, *Consideration en Exempelen van Staat omtrent de Fundamenten van allerley Regeringe*. Beschreven door V.H. (Amsterdam: I.I. Dommekracht 1660) p. 5; This book will be renamed from the second, revised edition (1661) onwards: *Consideration van staat, ofte politieke weeg-schaal*. See for a presentation and analysis of the oeuvre of De la Court, the problems about attribution to Johan and Pieter, the literature mentioned in note 1 supra, in particular Wildenberg, De la Court, and Haitsma Mulier, *Myth of Venice*.

All these seven prerogatives are, apparently and by speculation, so enormous that, if actions and practice concur [with this speculation], one indeed has to admit that Monarchy is the only honest and divine form of government.<sup>31</sup>

What follows is a passionate critique of monarchy in many of its aspects, central to which is the inherent impossibility for the absolute ruler rationally to promote his country's best interest. A monarch will, for all his best intentions, get entangled in institutional structures that will reduce him to a selfish, pleasure-seeking and incompetent, merely symbolic head of the empire. He will be ruled by fear, by his favourites, by his courtesans, and he can only expect to precipitate civil war whenever he tries to escape from this morass.

Indeed, the argument of De la Court is that virtue will not help. Where a shrewd and cunning prince may fail, a virtuous prince will certainly fail. De la Court is pulling the reason of state analysis to its ultimate conclusion: the *flagitia* are not just imperfections to be shunned, but the inevitable consequences of this type of rule. Thus he dissects the dismal consequences of hereditary kingship. He accepts the argument that hereditary kingship is preferable to election, because it seems more effective in maintaining the principle of absolute rule. However, hereditary kingship is threatened by the uncertainties of fortune: it depends on the availability of a strong successor at the right moment, whereas history teaches that often the only successor available is a child, a weak old man, or worse, a woman. It is threatened by necessity as well, since the successor, to be a strong monarch, should have a good education. But that is not to be had. As said a Spanish critic of monarchical rule: 'Heredad por heredad, un hijo en la vieja edad'.<sup>32</sup> Having children too young, and educating them too well, is only a sure way to create a competitor to one's own rule. Rational kings will tend to avoid that, but thereby imperil the continuity of monarchical rule itself.

Along the same lines, De la Court explodes the other expectations based on the seven advantages of strong monarchical rule. Since one man cannot effectively rule on his own, he will necessarily be surrounded by people that have to function as his eyes and ears, that have to execute his commands. But since the monarch is unable to control them, he will end up by being their prisoner and the victim of their selfish passions. He will be flattered and soothed, and end up indulging in what they make him to believe to be his interest, which is in most cases the *seraglio*. The only ones who really promote

<sup>31</sup> Alle welke seven Prerogativen, in schijn en speculatie, soo groot zijn, dat, indien de daad en practijk daar mede over een komt, men gewisselijk moet seggen, dat de Monarchale, alleen een oprechte, en Goddelike Regering is, *Consideration*, p. 13. See the precise and astonishing analysis of these 'advantages' of monarchical rule, and its reversal of Hobbesian principles in Janse in *Entre Descartes et Hobbes*.

<sup>32</sup> Heredity for its own sake means having one's son and heir at a later age.



their interests are the courtiers. They divide the spoils, and impoverish the country. Kingship for De la Court is exploitation of the people by the warders of the king:

Cursed forever be the name of the man who willingly and knowingly in his free Fatherland, advances the first step to Monarchical rule, because all further steps will follow by necessity. Who does not want the latter, should abstain from doing the former.<sup>33</sup>

Monarchy is a vicious circle of exploitation and corruption. The people will end up labouring for the benefit of the courtiers, devoid of any impulse to develop their rational qualities. If not the king himself, his courtiers will 'slaughter the sheep instead of shaving them'.<sup>34</sup> This negative spiral has to be prevented:

Now I am satisfied that I have said enough against those speculative perfections of monarchical rule, to convince [the reader] that in this vile world, one could not think of anything worse for human society, than to reason on the formation of governments and the formulation of laws from prudent and virtuous rulers and subjects, free from passions; and that on the other hand nothing can be more beneficial than to consider cautiously how vile, malicious and truly passionate men are predisposed, in order to construct the policy and all laws in such a way that malign rulers and subjects always are necessitated to behave well.<sup>35</sup>

He cannot stop himself from adding that 'although this conclusion conforms with no religion better than with the Reformed religion, I nevertheless want to go into more detail'.

We will not follow De la Court in his analysis of ancient and modern monarchies, but rather attempt to summarise his inversion of the reason of state arguments about monarchical *flagitia*. According to De la Court, reason of state doctrine is right in stressing the importance of effectiveness in politics, but wrong in supposing that cunning can be held in check by princely

<sup>33</sup> Vervloekt zy des menschen naam in der eeuwigheid, die willens en wetens in zyn vry Vaderland, na de Monarchale regering, de eerste treede geeft, want alle anderen moeten noodzakelijk volgen; sulx die het leste niet wil, zich zorgvuldiglik voor het eerste wachten moet, *Consideration*, p. 161–162.

<sup>34</sup> Wassenauer, *Bedekte konsten*, p. 97: 'de schaepen de keel aff-steken en niet scheren'.

<sup>35</sup> Nu laat ik my voorstaan, genoeg gezegt te hebben tegen die speculative perfectien der Monarchale regeringe, om te doen gelooven dat hier in deze boze werelt, voor de societeit der menschen, niet schadelikker en kan worden bedacht, dan dat men, in het formeeren der regeringe en maken van Wetten, voor ogen hebben, hoe voorsichtige, deugdzaam en ongepassioneerde Regeerders en Onderdanen behoorden gezind te wezen; en dat in zo een geval ter contrarie niet heilsamer en kan werden bedacht, dan wel te considereren, hoe doortrapte, boosaardige en alleszins gepassioneerde menschen gezind zijn, om de Politie en alle Wetten zodanig te formeeren, dat de boosaardige Regeerders en Onderdanen altijd genoodzaakt werden zich wel te gedragen. Hoewel deze conclusie met geen Religie beter over een komt als met de Gereformeerde [...] zal ik nochtans [...] nederdalen tot eenige particuliere [speculationen], *Consideration*, p. 75–76.

virtue. Virtue is not the check on necessity, but, if anything, its consequence.

Behind his argument is to be found the Aristotelian-cum-Cartesian approach to the passions, characteristic of the Dutch *philosophia novantiqua* of the middle of the seventeenth century. In this perspective, man is born as a bundle of passions, because as yet without the actual command of reason. As this is a fact of nature, we cannot but accept it. What is more, the passions of the newly-born child are the only means it has to further its own well-being. It would be foolish to deride these passions. They have to be nurtured by an understanding and helping parent or teacher. In due process, these passions will be understood by the child, it will learn to put them to the right use and in the end, as a grown-up, quietly change to endorse new manifestations of his passions that seem more promising for attaining his goals. In this way, education, experience, and reasoning<sup>36</sup> are the three central concepts by which passionate man becomes rational. But it would be incorrect to understand this process as one in which the passions are subdued, or overcome. Passions are the things that drive man, without passions there could be no action. Reason may not be the slave of the passions, but at least action is always the effect of that which moves man, i.e. his emotions or passions.

#### 5.1 Order and efficacy

De la Court is thus stressing the need to construct the system of government on the passions of men, but his model is underdefined because he has no concept of 'basic' passions to refer to. If the actual passions of men are dependent on their learning, they are at least partially dependent on the institutions in which they are born. As a consequence, passions and institutions are interdependent. Institutions have to be constructed according to the actual passions of men, but their passions are to a large extent a consequence of these institutions. This in itself may be taken as a corrective commentary on the thesis that De la Court followed Descartes in his theory of the passions.<sup>37</sup> Descartes was totally unconcerned with the social setting of the passions, whereas for De la Court this is the essence of what turns out to be a dynamic theory of politics.

This general thesis about the interdependence of passions and institutions does provide the way to a better understanding of De la Court's critique of monarchical rule. He is trying to say that from a long-term point of view monarchical institutions are detrimental to the flourishing of the required type of rationality itself. In a monarchy, on this view, many people are obstructed in the rational pursuit of their passions. The common people

<sup>36</sup> Onderrichting, Ervarentheyd, en Redenkaveling, *Consideration*, p. 5.

<sup>37</sup> Haitsma Mulier, 'De Nieuwkeurige consideratie van staat', pp. 406–407.

especially are kept from enjoying the fruits of their labour, they by necessity become indolent because whatever they do, they will be plundered and exploited by the king's favourites. But also the king has no rational strategy, but is bound to rest satisfied with indulging in his basic, unpolitical passions. That is, the monarch is driven to escape from progressive adaptation into the safe confines of the *serail*.

The consequences for the nation as a whole are less than optimal in this analysis. As national power in one way or another is based on the collective efforts of the people, systems that do not promote men's urge for riches, nor their desire for honour, are bound to fall short of the capabilities these systems have. Exploitation keeps industry and trade low. Wars and the spirit of conquest not only contribute to higher taxes, but promote oppression as well since foreign conquests are hard to maintain, as the Spanish experienced in the Low Countries, and thence the army will be put to internal use. And lastly, a people without a stake in the nation is bound not to care about its defence in case of foreign attacks.

One may notice the overtones of republicanism in this account, but I should like to stress the obvious. De la Court's republicanism is not of the traditional kind, although some of his theoretical assumptions as well as some of his conclusions do concur with Machiavellian *obiter dicta*. The most interesting part of his analysis, seen in the perspective of reason of state, is his uncompromising pursuit of its key theoretical principle, that of efficacy as the central evaluative standard. Efficacy must be taken as a long term concept, because passions and reason are institutionally based. Political effectiveness lies in the evolutionary development of an institutional structure in which the 'right' passions are promoted, rather than in the accidental and uncertain presence of political virtue.

## 6 Private and public interest

In this long term perspective De la Court's step from passions to interests is performed. Although the political analysis starts from passions, we have noticed a tendency to speak about interests, both private and public.

In his well-known phrase:

the interest of every country consists in the well-being of its rulers and subjects together, and it is dependent on a good form of government, and therefore that is the foundation on which the well-being of the commonwealth is built; so one has to understand, that a good form of government is not where the well- or ill-being of the subjects depends on the virtue or vice of the rulers, but (and this should be noted) where the well- and ill-being of the rulers, by necessity follows from, or depends on the well- or ill-being of the subjects.<sup>38</sup>

Interest is well-being, as yet undefined, but structurally conditioned by the interconnection, or interdependence, of the interests of rulers and subjects. But what safeguards these interests? In effect, nothing. Fundamentally interests are a species of passions, but it is evident that not all passions can qualify as interests: they have to conform to the formula of interdependence of the well-being of citizens and rulers alike. Whatever satisfies the formula denotes interests.

De la Court now concludes his positive formulation in the last phase of his reason of state excursion: the description of the best form of government.<sup>39</sup> His basic statement is:

The popular form of government is not based on violence at all, but is natural, rational and fundamentally equitable.<sup>40</sup>

In this form of government the principle of *Salus populi suprema lex* is literally true. Here one finds the coherent pursuit of wealth and honour, to the mutual benefit of every citizen and thus the realisation of the real interest of the country. But this involves some problems, mainly regarding the lower classes of uneducated citizens. They, the rabble, are less apt to rationally follow their passions. They are volatile, arrogant, passionate, riotous, inconstant in their judgements.<sup>41</sup> But the government should not treat them too harshly, because this will easily arouse more opposition than can be handled.

<sup>38</sup> aller Landen waerhaftig Interest, bestaet in het welvaeren der Regeerderen en Onderdanen gesamentlijk, en het selve kennelijk aan eene goede Regeeringe hangd: alsoo die warelijk is de Grond waar op alle het welvaeren des Gemeenen Lands geboud is, soo moet men weten, dat eene goede Regeeringh is, niet daar het wel ofte qualijck vaeren der Onderdaenen hangd van de deugd ofte ondeug der Regeerderen, maer (dat seer aanmerkens-waardig is) daar het wel en qualijck vaeren der Regeerderen, nootwendigh volghd op, ofte hanghd van het wel ende qualijck vaeren der Onderdaenen (emphasis original), *Aanwysing der heilsame politike gronden en maximen van de Republike van Holland en West-Vriesland* (Leiden/Rotterdam: Hakken 1669) p. 2.

<sup>39</sup> I will restrict myself here to the first edition of the *Consideration*. As is well-known, in later editions De la Court came to favour 'an aristocratic government that is as close as possible to democratic government'. Received opinion takes this to be a consequence of Pieter's rewriting of Johan's original manuscript. It may be pointed out, however, that the change is one of emphasis more than of principle, and that the growing emphasis in the later editions on institutional mechanisms, to ensure the interconnection of the rulers' private interests with the common good, necessarily leads to an additional restriction on the set of feasible political forms. Presumably, Pieter de la Court understood that control mechanisms of political leadership cannot be identical with continuous democratic interference with the actual decision-making itself.

<sup>40</sup> Populare regering [is] op geen geweld gefondeerd, maar naturelik, redelik, en in zich zelven billik, *Consideration en exempelen*, p. 252 (mis-paginated = 352).

<sup>41</sup> See for the prevalence of this opinion and the embarrassment the populist movement caused: Geyl, 'Democratische tendenties', in particular pp. 77-85. Geyl, however, did not consider the novelty of De la Court's ideas, presumably on the supposition that the regenten in general were critical of populism as well.

In a way the government should act as an understanding parent or teacher, knowing that experience teaches (even) the stupid, 'experientia stultorum magistra'.<sup>42</sup> The government should keep to the principle that slow progress is the most secure, 'chi va piano va sano'.<sup>43</sup> Moreover, in a popular government one cannot expect political decisions to get an easy and universal acclamation. This last notion is reflected in the saying engraved on the town hall in The Hague: 'not even Jupiter can satisfy everybody in everything'.<sup>44</sup>

There are sufficient advantages to compensate for problems caused by the common people. Social mobility based on education and achievement is a very important one. The more well-to-do set the example. As a consequence many become qualified for functions in government, and one necessary condition for rotation of offices is fulfilled.

According to De la Court, one cannot put the potentialities of the people to use by subduing them. Here we have an unexpected application of the reason of state doctrine that one cannot expect the prince to promote the strength of the state by (constitutionally) subduing him. Powers have to be unleashed to be useful. Their usefulness is in the end their *raison d'être*. De la Court is quite certain where the power is to be found: not in a monarch, but in the people. The real reason of state is the promotion of an active and prosperous population, since only then will the rulers, out of their own interest, be forced to care for the public interest. This unleashing of the *potentia multitudinis*, we will see in the next two chapters, is the core political principle in Spinoza's thought. It is here that a new notion of republican reason of state is born, out of the confrontation of naturalistic ethics and the Dutch practice of political liberty with the classical doctrine of reason of state.

## 7 The spirit of conquest versus the politics of peace

There is no doubt that the preceding analysis leads straightforwardly to De la Court's *Interest van Holland* and its analysis of the particular interest of Holland as a national power. This is the more familiar side of De la Court, with its insistence on Holland as a sea-faring trading nation, profiting from peace, and hence from a government that abstains from waging war, or even acts as intermediary in promoting peace between warring nations. As in national

<sup>42</sup> *Consideration*, p. 272 (=372).

<sup>43</sup> *Consideration*, p. 263 (=379).

<sup>44</sup> Non quidem Jupiter omnes in omnibus. The implied relativism is characteristic for De la Court's notion of rationality, as shows in some further adagia: 'Duobis malis, minus rationem boni habet'. 'Sola Divina absoluta bona', *Consideration*, p. 282 (=388).

politics, on the international scene the balance is again the dominant metaphor. Distrustful of idle words and solemn pledges not supported by necessity, the only way for Holland to promote peace is, again, to make it the outcome of interests.

This argument is further strengthened by De la Court's introduction of the topic of colonies. For him they are a way to counteract the disruptive trade monopolies of the ruling elite, not to promote the glory of the nation, but to serve the interests of the people by setting up settlements of superfluous people from the homelands. Agriculture and trade are their purpose, not empire.

But, then, this option for a popular form of government (or as in the later editions of the *Consideration*, an aristocratic form of government that is most near to the popular one) has one straightforward consequence:

the popular form of government is inconsistent with a Head, taxes, and offensive war.<sup>45</sup>

De la Court had wanted to take the wind out of the sails of populist Orangism, by employing the adage that 'interest does not lie', not even to the ordinary people. In doing so, he gave a modern restatement of traditional popular involvement in Dutch politics. His use of the vocabulary of reason of state doctrine was essential to this ideological innovation: the extraordinary powers of the people were to be profited from instead of subdued, as a prerequisite to a strong republic. The novelty of this idea can be judged from a comparison with one of De la Court's fiercest critics. Valckenier, aware of the disruptive powers of the people, explained the French military attack which put an end to the 'reign' of Johan de Witt from 'the total decay of the foundations and pillars of the state of the United Provinces'.<sup>46</sup> He left no doubt about the true nature of this decay: absence of military training and the negligence of the land army had led to loss of military valour. Peace and a flourishing trade, the indulgence of luxury (French fashion, French food and wines) had done the rest. Against De la Court's agnostic derivation of the common good as the concurrence of interests, Valckenier played the drum of private interests as essentially disruptive, as passions to be controlled by a virtuous prince. No doubt Valckenier was right in his appraisal of De la Court's ideological position. He was definitely right in seeing the conflict as one of two different versions of reason of state doctrine. It is mistaken to see both writers as involved in merely an ideological debate: their central bone of contention was the real nature of reason of state. Although in the short term this

<sup>45</sup> de Populare Regeering [is] tot een Hoof, Imposten, en offensiven oorlog onbequaam, *Consideration*, p. 287 (= 395).

<sup>46</sup> Valckenier, *Verwerd Europa*, p. 264.

debate was won by Valckenier c.s., partly because of the upsurge of Orangist feeling in the nation, in the long run De la Court's analyses proved to be right. Herbert Rowen has pointed out that in the end the policy of Johan de Witt was successful, although he did not live to enjoy it, and it was a prince of Orange who concluded his policies.<sup>47</sup> It was for later political thinkers to take up these issues of republican interest of state again.



<sup>47</sup> See in particular: Herbert H. Rowen, 'The Peace of Nijmegen: De Witt's revenge', in: Idem, *The rhyme and reason of politics in early modern Europe. Collected essays of Herbert H. Rowen*. [International Archives of the History of Ideas, CXXXII] Ed. Craig E. Harline. (Dordrecht: Kluwer 1992) pp. 9-147.

## THE MORAL AND POLITICAL PHILOSOPHY OF SPINOZA

### — CHAPTER VII —

*‘Per proximas suas causas*

SPINOZA WILL BE PRESENTED HERE AS the proponent of a radical and extremely consistent version of the seventeenth-century Dutch naturalism discussed so far. As a consequence of burgeoning bourgeois self-confidence during the heyday of their Golden Age, Dutch philosophers, attracted by Ciceronian republican moral ideas prepared the way for a philosophy of man and society in which natural processes and mechanisms had an important role to perform. Although they understood themselves as partisans of widely divergent philosophers like Aristotle or Descartes, political philosophers like Burgersdijk, De la Court and Velthuysen shared the conviction that man’s moral predicament should be analysed from a naturalistic point of view, advocating an almost autonomous position for philosophy, separate from religion. They were confident that sufficient attention paid to the natural capabilities of mankind would show the way to overcome the consequences of human weakness. This philosophical programme, propagated by otherwise conventional Calvinists, was constructed on the basis of a theological notion of means-end relations, its proponents were unaware that ultimately this programme would turn out to secularise human teleology completely.

A highlight of this later development is Adam Smith's theory of the invisible hand, in which individual and society are functionally interrelated by the laws of human nature. The possible influence of Spinoza on Bernard Mandeville, as well as on Scottish moral philosophy at large may be something to reflect upon. In this perspective, Spinoza's philosophy of man and society was part of an early and thorough attempt to realize the seventeenth-century Dutch naturalistic programme leading to the secularising of the human condition. I shall follow Spinoza in his attempt by developing his moral and political philosophy against its Dutch background, eventually indicating why the response he met with was so critical and hostile.

After the introduction (§ 1) follows a restatement of some characteristics of political philosophy in the Dutch Republic (§ 2), next the presentation of Spinoza's reaction to the key-issues involved therein, especially as far as his moral philosophy is concerned (§ 3), then his political philosophy proper (§ 4). In the conclusion (§ 5) we shall enumerate some of the more pressing research questions of this programme in political philosophy.

## 1 Introduction

Political philosophy may well be seen as one of the most important topics in Spinoza's philosophical system, as far as modern Spinoza-research is concerned. This is also evident from Spinoza's own principles as a philosopher. I remind the reader of some of these central convictions. First of all, he preferred the view – in his first writings, the *Tractatus de Intellectus Emendatione* [TdIE], and the *Korte Verhandeling van God, de Mensch en deszelvs Welstand* [KV]<sup>1</sup> – that the realisation of philosophy's goal is a social activity;<sup>2</sup> Not only do people need each other in their quest for truth, but also specific conditions have to be fulfilled lest this quest be pursued in a successful way: peace, security and toleration. Not by accident, then, did Spinoza postpone the writing of his *Ethica* [E] in the mid-sixties to complete the *Tractatus Theologico-politicus* [TTP], published in 1670. In this, his first publication on politics, Spinoza opens with a forceful attack on superstition and the belief in signs and all kinds of insincerity that put prejudices ahead of rational analysis. He seems to be confident that the causes of these dogmatic barriers to philosophical enquiry

<sup>1</sup> Both texts were written in the early 1660's, the TdIE being published in the *Opera Posthuma* (1677), the manuscript of the KV being rediscovered in the nineteenth century.

<sup>2</sup> TdIE, 14; KV, XXVI 10; Alexandre Matheron, *Individu et communauté chez Spinoza* (Paris: Minuit 1969) p. 283: 'C'est la médiation politique, et elle seule, qui rend possible le passage du fondement de la vie raisonnable à son déploiement effectif'.

should be looked for in the political order. As is well known, the *Tractatus Theologico-Politicus* concludes with a dramatic plea for toleration. But before reaching this peroration, the social and political reality is discussed and central conceptions like 'power', 'right', 'reason', 'belief' and 'passion' have their intermingled relations disentangled and are employed to a further understanding of the meaning and limits of sovereign power.

The central contentions of Spinoza's political philosophy itself point to its relevance in the overall philosophical system. Freedom being the core concept of the *Ethica* refers as by logical necessity to the social and political conditions of its realisation. How far is the individual's freedom hindered or enhanced by power relations between men? Can man be free in a society that is not free? Can a society be arranged in the interest of the promotion of freedom of its members? The answer to these and related questions necessitates a perspective on individual self-determination and social determination, as well as on their interaction. How do we understand the bonds that tie and relate men? What about laws, ordinances, rights, and power? What is their origin, what their legitimacy, what their effect?

These interests led Spinoza to write a second treatise on politics, the *Tractatus Politicus* [TP]. In this work published posthumously in 1677, he discusses the several forms of government, their principles and most rational practical application. In this book Spinoza's conviction that philosophy is inherently a social affair is evident again. As in his involvement in religion, toleration and the state in the *Tractatus Theologico-Politicus*, here again Spinoza takes issue with contemporary opinions and debates as he found them in the Dutch Republic. He comes forward as an 'interventionist', who not only wants to change philosophy but political practice as well. One of our further interests will be to define Spinoza's role as an interventionist in the political debate and strife of his own times.

From a systematic point of view also, political philosophy presents itself as an necessary sequel to the *Ethica*. Quite a few propositions of the latter must have invited or even challenged the author to check the consistency of their interhuman consequences. Principles like the parallelism of the attributes of substance, the identity of right and might, and the conception that a continuous collection of individuals forms an individual as well, all seem to have a meaning for groups and organisations of men as well.<sup>3</sup>

<sup>3</sup> Spinoza's metaphysics as such will not be discussed here, it will be referred to only as far as is relevant to the argument presented. See for a good introduction: G.H.R. Parkinson, 'Spinoza: metaphysics and knowledge', in G.H.R. Parkinson (ed.) *The Renaissance and seventeenth-century rationalism* (Routledge History of Philosophy, vol IV) London: Routledge, 1993, pp. 273–312.

Spinoza will even argue for his political philosophy by presenting it as a deduction from the *Ethica*.<sup>4</sup> In doing so, he takes issue with rival conceptions of politics of his time, coming forward as a theoretical interventionist as well.

In terms of Hannah Arendt's distinction between political philosophers (Plato, Hobbes, Marx, e.g.) and political thinkers (Machiavelli, Rousseau), Spinoza must be classified as belonging to both categories.<sup>5</sup> Like the former, Spinoza formulates his political conceptions within a philosophical system, and like the latter he does not shun rhetorics. His practical and his theoretical interests went hand in hand. His practical involvement in real politics is well-known. Possibly connected to his alleged acquaintance with the raadpensionaris Johan de Witt, Spinoza's strong reaction to the murder of the De Witt brothers in 1672 is quite understandable. It was only the cautious intervention of his landlord that prevented him from nailing a placard saying 'ultimi barbarorum' (outrage of barbarism) at the location of the murder.<sup>6</sup> In the *Tractatus Politicus* he alludes to this episode by censuring the Dutch regenten for using the raadpensionaris as a scapegoat for their own shortcomings.<sup>7</sup> His visit to the headquarters of the French occupation army in Utrecht in 1673, for all its possibly purely intellectual purposes was regarded by the man in the street as an act bordering on treason. His practical involvement in politics is also evident from his appreciation of Machiavelli and Pieter de la Court.

In presenting Spinoza's moral and political philosophy, therefore, I could scarcely pass over the contextual element. In chapter 2 I have drawn attention to the anomaly that this context, as a matter of fact, was. When Spinoza was born, the seven Provinces were still (since 1568) at war with Spain. Only in 1648 did the peace treaty materialise, only then was the Dutch Republic fully and *de jure* accepted in the European system of states. But being a republic, and a very powerful one, it was a double anomaly between the rising powers of absolutism. The relatively egalitarian society of shopkeepers and traders, governed by brewers and merchants, stood out for a relatively free intellectual climate. This anomaly stood in need of self-definition, as old conceptions had run out of relevance, and new ones were yet to be invented.<sup>8</sup> Philosophers and theologians, lawyers and politicians, lay and professional alike, all had their share in this reformulation of the characteristics of their political

<sup>4</sup> TP, I, 4-5.

<sup>5</sup> Hannah Arendt, *Between past and future. Six exercises in political thought* (New York: Viking Press 1968 (1961<sup>1</sup>)) pp. 24ff.

<sup>6</sup> K.O. Meinsma, *Spinoza en zijn kring. Historisch-kritische studiën over Hollandsche vrijgeesten* (Den Haag: Nijhoff 1896) pp. 357-358.

<sup>7</sup> TP, VIII, 44: *ministros gloriae cupidos ex plebe eligunt, qui postea vertentibus rebus, veluti hostiae, caeduntur ad placandam eorum iram, qui libertati insidiantur.*

situation. Spinoza may himself be depicted by some modern commentators as a savage anomaly in relation to the main traditions of philosophy,<sup>9</sup> more importantly he was engaged in exactly surmounting the double anomaly the Dutch confronted. It can be no surprise that the Dutch were keen on new developments in philosophy and reacted with great interest to thinkers like Thomas Hobbes and René Descartes. But their main motivation came from what we might call, by hindsight, their bourgeois understanding of their own society. We will turn first to some of its elements as a background relevant to Spinoza's moral and political philosophy.

## 2 Aspects of moral and political concern in the Dutch Republic

To provide some context to Spinoza's moral and political philosophy we will summarise three distinct contributions discussed in previous chapters. In the first place the Stoic-Aristotelian approach of Justus Lipsius (1547-1606) and Franco Burgersdijk (1590-1635) will be restated. Here we find not only the basic arguments of Orangist political theory, but also the beginnings of naturalistic tendencies. In the second place, we will recapture the innovative contribution of Lambertus van Velthuysen (1622-1685). Velthuysen attempted on the basis of a rather general Cartesian methodology, to define the implications of the new individualism of Grotian-Hobbesian natural law in his peculiarly Aristotelian teleological scheme. Thirdly, I discuss the intense, rhetorical intervention in and the theoretical contribution to mid-seventeenth-century political debate of Johan and Pieter de la Court (1620-1660 / 1618-1685).

### 2.1 Stoic-Aristotelian dimensions

When Justus Lipsius published his *Politicorum libri sex* in 1589, the Dutch

<sup>8</sup> See the basic discussion of this question in: E.H. Kossmann, *Politieke theorie in het zeventiende-eeuwse Nederland*. [Verhandelingen der Koninklijke Nederlandse Akademie van Wetenschappen, afd. Letterkunde, N.R. 67-2] Amsterdam: Noord-Hollandse Uitgeverij 1960; E.H. Kossmann, 'Bodin, Althusius en Parker, of: over de moderniteit van de Nederlandse Opstand', in: Idem, *Politieke theorie en geschiedenis*. (Amsterdam: Bert Bakker 1987) pp. 93-110.

<sup>9</sup> Antonio Negri, *The savage anomaly. The power of Spinoza's metaphysics and politics*. Tr. M. Hardt. Minneapolis (Minn.): University of Minneapolis Press 1991; Gabriel Albiac, *La sinagoga vacía. Un estudio de las fuentes marranas del espinosismo* (Madrid: Ediciones Hiperión 1987) esp. pp. 299ff; André Tosel, *Spinoza ou le crépuscule de la servitude. Essay sur le Traité Théologico-Politique* (Paris: Aubier) p. 313: 'La pensée de Spinoza, ... unit en fait une révolution théorique, subversive et transformatrice de l'ancien ordre symbolique, à une révolution politique, sous la forme atténuée d'une transformation démocratique de l'État libéral, anti-féodal et anti-absolutiste'.

Revolt was raging. Although the Low Countries had proved to be a difficult aim for the far superior Spanish forces, there was no expectation of a speedy conclusion of the war. Lipsius for whom philosophy was most of all ethics and politics, tried to cope with the turbulence of his times. Taking politics to be the 'order of governing and obeying', he set out to give a highly practical answer, shunning the abstract categories of Scholasticism, harking back to Tacitus, Seneca and Cicero. A Neostoic practical philosophy provided him with a realistic morality: we have to live according to Nature, accepting what is inevitable, but working hard upon what is within our power. Morality of rulers and ruled alike consists in practical morality, of which the central instruments and targets are virtue and prudence. Lipsius preferred to see his philosophical task as different from theology. He did not abstain from using metaphysical concepts of the theological repertoire, especially that of primary and secondary causes, but put them to use in his analysis of human nature as a secular concept. The stability of the state, as far as that can be realised, was the central point of reference for him. The subjects have to accept their hardship if it must be, the rulers have to care for unity and concord. The *conservatio sui*, self-preservation, is an important principle. The influence of Cicero is evident, as when it is stated that nothing preserves a republic better than *fides*, (good) faith. As for religion, Lipsius believed that the power of the state depends on religious peace, to be had only if there is but one religion and only if that religion is subjected to the jurisdiction of the prince. Nevertheless, he was convinced that consciences could not be forced, only persuaded. He was forcefully attacked by Dirk Coornhert (1522-1590), who believed Lipsius betrayed their common cause of toleration.<sup>10</sup> But Lipsius kept to his opinion that the unity and concord of the country should not be put in jeopardy. As Tacitus had said, since a state is a single body, it should be ruled by a single mind. Lipsius concluded from this that monarchy is the superior form of government. A virtuous and prudent prince will further the *potentia*, the power of the state, which he described (referring to Cicero) as 'the faculty regarding useful things to keep one's own and to acquire those of foreigners'. This Ciceronian realism was complemented by a Senecan emphasis on *sapientia*, wisdom as the ultimate goal and moral end.<sup>11</sup>

Lipsius's practical intent shows in the guidelines for warfare which he presented in Book V of his *Politics*. Prince Maurits, who was not known for lit-

<sup>10</sup> Bongers, H., *De motivering van de godsdienstvrijheid bij Dirck Volckertszoon Coornhert*. Arnhem: 1954; Coornhert, Dirck V., *Proces van 't ketterdooden ende dwangh der conscientien. Tusschen Justum Lipsium ... ende Dirck Coornhert*. [Wercken, II, f. 42-109] Gouda: J. Tournay 1589.

<sup>11</sup> M.E.H.N. Mout, 'In het schip: Justus Lipsius en de Nederlandse Opstand tot 1591', in: S. Groenveld, M.E.H.N. Mout and I. Schöffer (ed), *Bestuurders en geleerden* (Amsterdam: De Bataafsche Leeuw 1985) pp. 55-64.

erary interests, was an ardent reader of this text and applied it to practice with a lot of success. However important this last aspect of Lipsius's work may have been, his lasting influence proved to be the introduction of Neostoicism into Dutch intellectual life. In particular, Franco Burgersdijk, who held Lipsius's chair at Leiden, was keen to continue this programme, be it under the disguise of his own brand of Neo-aristotelianism, much more fashionable in Calvinist circles. We may therefore speak of a Neostoic-Aristotelian programme, which is realistic, practical and, for all its pagan overtones, presented as a complement to Calvinist theology. Practical morality, that is prudence and virtue, can be studied independently of blessedness. Practical philosophy was studied as part of the propaedeutical curriculum, in the 'lower' or arts faculty in contradistinction to the higher faculties of theology, law, and medicine. Politics and ethics are central to practical philosophy. In his *Idea politica* (1644), Burgersdijk was in agreement with Lipsius, except for one important point. He tried to accommodate Lipsius's notion of unity and concord and his subsequent emphasis on monarchy with the by then established Dutch practice of aristocracy, supplemented with the institution of the stadhouder and that of captain-general, the political and military leadership of the Princes of Orange. Central to this accommodation was Burgersdijk's argument that the best form of government may not always agree with the preferences of the people. Indeed, for a people of shopkeepers and tradesmen, liberty is an important asset, which they unwillingly forgo. Therefore, Burgersdijk formulated the principles that may promote unity and concord in a mixed constitution. In doing so, he provided a model of mixed government to the adherents of the Orangist party, who sustained the Princes of Orange against the more specifically aristocratic preferences of the States party, that consisted of the majority of the regenten. We will see this Burgersdijkian concept of a mixed, Orangist constitution re-appear in Spinoza's treatment of monarchy in the *Tractatus Politicus*.

In moral philosophy, too, Burgersdijk continued and improved upon the lines set out by Lipsius. Although Burgersdijk subscribes to the opinion that we aim at good things when we understand them to be good, he is not content to leave this principle unanalyzed. He wants to understand how it is that we are moved to act. To this purpose he uses the concept of *affectus*, apparently in a rather innocent way identifying it as *pathē*, passion pertaining to the irrational part of the soul. But as we have seen, he makes this 'passion' into the basic concept of action. 'Affect is a motion of the sensuous appetite, with a non-natural change of the body, after a good object or a bad has been conceived and judged by the imagination, towards pursuing the former and avoiding the latter'. Affects are not natural faculties of the soul, but functions



or 'movements' of a natural faculty. Indeed, the seat of the affects is the *facultas appetens*, the desiring faculty. The principle of movement is the faculty of knowing, and the effect of movement is the modification of heart and body (the faculty of acting). Affects, so to say, represent a conceptual unity between knowing, desiring and acting, thereby suggesting that the three faculties are really aspects, and not parts, of the soul. In a subsequent rebuttal of the Stoic analysis of *affectus*, Burgersdijk exhibits his fundamental move away from Aristotle's psychology. Burgersdijk continues one step further on the Ciceronian path of naturalizing *pathē* to a central psychological concept, by transforming it to the one motivational link between desire and action. Although being a Calvinist, Burgersdijk defends free will ('*liberum arbitrium*'). According to his propaedeutic version of the history of philosophy, the Stoics reduced everything to providence, fate and the unchangeable concatenation of causes; the Peripatetics affirmed free will and denied divine providence. The Christians combine providence and free will, because they believe that 'God rules individual things by secondary causes each according to the mode of their own nature, in such a way that necessary things happen by necessity, and free things freely such that whatever has to follow from their actions is produced freely'. Will itself is defined as the faculty to follow what is good and to shun what is evil, it is a blind capability ('*potentia caeca*') because it depends on the direction of the practical intellect.

We will have ample opportunity to refer to Burgersdijk's moral philosophy when we discuss Spinoza.

## 2.2 Velthuysen's naturalistic programme

In 1651 the young medical doctor Lambertus van Velthuysen published an anonymous book, titled *Epistolica dissertatio de principiis justi ac decori*, Dissertation in the form of a letter on the principles of the just and the fitting. One would misunderstand this title, if it did not contain the supplement: 'containing a defense of the treatise *De Cive* of the most eminent Hobbes'. But it neither is just a defence of Hobbes. In the book, Velthuysen introduces three separate topics: first a teleological conception of morality, secondly a description of the rules of morality on the basis of 'the fundamental law of selfpreservation', and thirdly a political philosophy.

Velthuysen's aim is to formulate the principles of morality from a naturalistic point of view. His argument is on a level with Burgersdijk's use of the doctrine of secondary causes. God has created the world and man in particular to some purpose, some end. In doing so He must have willed the means necessary to this end (here God is compared to someone who builds a house). Man's nature, especially his natural appetites and the sparks of reason are the

means He has provided mankind with. Therefore, man is totally justified in using these means, most of all since he is only slowly recovering from the dark times after the Fall, learning by experience the principles that, before the Fall, he followed from the mere goodness of his nature. Inevitably 'nature incites', where reason fell short. Nature doesn't provide man in vain ('non frustra') with his natural inclinations. Pudence or shame is one of Velthuysen's favorite social mechanisms by which decency is inculcated in man. The natural appetites and social mechanisms explain most of the historical development of moral codes in human society. We understand from this perspective why e.g. in our 'more enlightened age' we sustain monogamy against polygamy as was the practice in the Old Testament, and is still among the Turks. Justice, however, should be understood from the 'fundamental law of selfpreservation'. Man has a natural inclination, and thence a natural right to put things and animals to his own use, but not his fellow creatures. He has a right to defend himself against others' invasion of his goods and person, and to punish them, but not to invade others' rights in turn. This would be unjust, and injustice collides with God's purpose with the world. This Ciceronian-Grotian conception of justice is the basis for Velthuysen's political theory. A sovereign is essential to the proper functioning of the body politic. A sovereign body can perform this function even better than one person, since the accommodation of divergent interests is central to politics. The sovereign is either absolute, or party to a contract. Against an absolute ruler the people have no right at all, although even an absolute ruler has to refrain from doing certain things (i.e. neglecting justice, usurping the citizens' property, violating women or chastity in general) because that would result in the ruin of the state. In religion, Velthuysen argues that the sovereign has to respect the accepted beliefs, and should not support claims from religious zealots because religious matters are not decided by majority. A tyrannical sovereign has to be admonished by the lesser magistrates.

Velthuysen's political philosophy, all in all, falls short of the naturalistic principles of his ethical theory, as the Grotian conception of justice dominates here. In this respect, we find a more radical approach in De la Court.

## 2.3 Republican reason of state: Johan and Pieter De la Court

The doctrine of reason of state itself is a naturalistic perspective on politics. In its cynical view on human behaviour, as well as in its emphasis on success whatever the moral costs or consequences to others, this doctrine makes sure that it cannot be blinded by moralist teachings in following its goal: the maintainance and strengthening of the ruler's power. While the Protestant

doctrine of reason of state tries to accommodate the ruses of power and the requirements of law, it further burdens the ruler with the constraints of the public good, and thus prepared the way to enlightened absolutism as in Frederick of Prussia. De la Court did not entertain particular expectations about the possible moral qualities of rulers. Tacitus and Machiavelli, together with a keen insight in the ordinary motives of day-to-day human behaviour taught that necessity rather than law rules mankind. But whereas writers like Richelieu accepted the cynicism of reason of state, and writers like Clapmar-ius or Conring overburdened their princes, De la Court aimed at a political theory that might produce both positive results on the basis of these undeniable human proclivities, and some sort of evolutionary process of political institutions.

On the foundation of the principle that political systems should produce rulers that out of their self-interest promote the common good, De la Court could show that strong and potentially self-reinforcing states can only develop if and only if the powers of the population are unleashed. Rulers should prefer a strong and independent population in order to serve their own interest, because only then is their interest identical to that of the state. De la Court's conception was a wonderful intuition which was not followed by a remarkable theoretical elaboration. However, Machiavelli had been domesticated within the 'garden of Holland' and basically been transformed into a republican theorist of reason of state.

### 3 Spinoza's position

Spinoza elaborates his conception of morality and politics against the back-ground of his predecessors, using their arguments, examples, and concepts. The result of this elaboration is both recognizable and totally different. Spinoza aims at conceptual integration and reformulates the convictions of spirits kindred to his own so as to adopt them to his own principles. Notwithstanding the evident ideological pre-occupations of these authors, Spinoza believed that in all judgements there is some element of truth. We don't correct false statements by pointing out their falsity, but by improving on their truth, as Spinoza already explained in his *Korte Verhandeling* and pos-ulated in *Ethica* II P35.

#### 3.1 Teleology

We have seen how on the foundations of the Leiden Neostoic-Aristotelian tradition, Velthuysen gave teleology a central place in his moral and political

thought. Spinoza reacts at length to this notion. In *Ethica* I App, he explains that the teleological conception of nature is a projection of man, who takes his own goal-oriented behaviour as a paradigm, unconscious of the fact that in reality everything happens according to causality. This projection leads to awkward consequences: 'But while they sought to show that nature does nothing in vain (i.e. nothing which is not of use to men), they seem to have shown only that nature and the Gods are as mad as men'.<sup>12</sup> Indeed, nature has also provided many inconveniences (storms, earthquakes, diseases, etc.) and they are imputed to the Gods being angry with men. Man may see him-self as the maker of things (e.g. a house)<sup>13</sup> and even form universal ideas or models to which these things have to confirm, but this does not apply to nature. 'The reason, therefore, or cause, why God, or Nature, acts, and the reason why he exists, are one and the same. As he exists for the sake of no end, he also acts for the sake of no end. Rather, as he has no principle or end of existing, so he has also none of acting. What is called a final cause is nothing but a human appetite insofar as it is considered as a principal, or primary cause, of some thing'.<sup>14</sup> This is typically Spinozistic argumentation – and sur-prisingly modern as well. An opinion or imagination is re-interpreted in terms of a more general theory. The opinion is not denied, but restricted in its applicability. These opinions can not be taken as genuine knowledge of nature, because they are only a consequence or part of nature.

As a common sense notion, teleology is thus done away with. On the other hand, although we might realise that causality is behind our convic-tion of goal-oriented behaviour, this does not provide us as such with a bet-ter understanding of our own behaviour. Why do we strive to realise certain things, and try to escape others? What should we strive for, and why? To answer these questions we need a more precise understanding of what a causal explanation of human behaviour amounts to. Burgersdijk and his school regarded affects as modifications of sensitive appetite caused by non-natural causes. Affects are the movement of this sensitive appetite, implying that affects are the prerequisite of any actual appetite, as appetite is the pre-requisite of actual behaviour. This position entailed furthermore that each affect being a motivation of behaviour, necessarily contains both bodily and rational elements. And lastly, they asserted affects to be passions, as far as they did not concur with the judgement of practical reason, and to be actions as far as they did concur. The ultimate end of ethics is then to let the affects be

<sup>12</sup> E IApp. (II 79). The English translations of the *Ethica* are according to Edwin Curley (ed.), *The collected works of Spinoza*, vol. I. Princeton: Princeton University Press, 1985.

<sup>13</sup> E IVPraef (II 205).

<sup>14</sup> E IV Praef (II 206-207).

in concurrence with practical reason, and thereby directed at beatitude, i.e. the good life. Ethics is for them the desire for the good life, or *eudaimonia*.

With this Neostoic, naturalistic 'theory of behaviour', Spinoza seems to have less difficulty than with teleology. Indeed, we find in Spinoza a theory of affects, of appetite and desire. The Neostoic principle of selfpreservation surfaces in the *conatus*, the conscious striving of each thing to persevere in its being (E III P9). We cannot overlook the role of the active-passive distinction in Spinoza, nor the importance of the body for the conception of action. 'A great many things happen from the laws of nature alone', i.e. from the nature of the body, Spinoza emphasises in *Ethica* III P2S where he explains the relative autonomy of body and mind. Furthermore, Spinoza's conception of the evolution of passion to action shares a conviction with Neostoicism: passive affects are not to be suppressed, but can proceed by natural force to become active.<sup>15</sup> That education should not be practised by force or punishment, but by admonition and example, is a point of view that is a complement to this notion of passion.<sup>16</sup>

But it is precisely against this background of shared ideas that in Spinoza's philosophical system no function is left for teleology. In this, he is drawing the naturalism of his predecessors to its full conclusion. The projection onto Nature of man's self-experienced goal-directedness is not a sign of action but of passion. Activity is living according to one's own nature, i.e. according to one's being as a particle in Nature, instead of (passion driven) believing oneself to be Nature's master.

The use of teleology in practical morality had been the formulation of practical rules for actual behaviour from the perspective of an ultimate goal. As it is presumably God's end for mankind to realise X, man has a duty to act so as to further X. Velthuysen amends this: God's end is X, man is provided with means M, so employing M will by God's provident ordering of Nature further X. In this version M provides in a derivative fashion the criteria for our practical behaviour. One of Velthuysen's main criteria is the 'fundamental law of selfpreservation'. However, Velthuysen had to accept that M is necessary but not sufficient, as where he has to fall back on X in arguing that men

<sup>15</sup> TTP XVI: 'all men are born in a state of complete ignorance, and before they can learn the true way of life and acquire a virtuous disposition, even if they have been well brought up, a great part of their life has gone by'. The English of the TTP is given according to Samuel Shirley's: Spinoza, *Tractatus Theologico-Politicus*, tr. by S. Shirley, intr. by B.S. Gregory, Leiden: Brill 1989.

<sup>16</sup> Cf. TP X, 8: 'But men are so to be led, that they may think that they are not led, but living after their own mind, and according to their free decision'. The English of the TP is according to Spinoza, *A theologico-political treatise and A political treatise*. Tr. and intr. R.H.M. Elwes. New York: Dover 1951 (1883<sup>1</sup>).

can not use each other as means to their own goal. In Velthuysen is a continuous moving to and fro between means and end. I have stressed the empirical orientation of these processes, particularly in contradistinction to dogmatic uses of teleology. In order to solve the indeterminacy of means as criteria of human action, Velthuysen tried to find the equilibrium (the 'cross-roads' as I called it) of efficient and final causes to solve the basic equation. Now, Spinoza's criticism of teleology discredits the use of final causes (the X) by pointing out the ideological function they have in ordinary behaviour. X is appealed to out of ignorance and hence cannot function as a criterion for M. Spinoza is no doubt the more radical thinker. According to him, we can know God only in so far as we adequately understand ourselves as part of Nature, or God. Our being a part of Nature is essentially our being caused by Nature to exist and to act in a certain determined way. This excludes teleology. Secondly, in analysing our being part of Nature in more detail, we should not 'prefer to curse and laugh at the Affects and actions of men, rather than understand them', but to 'consider human actions and appetites just as if they were a Question of lines, planes, and bodies' (E III Praef). Indeed, Spinoza wants to judge human actions according to their correspondence with reason, but here we should take 'reason' to be Spinoza's theory of human nature. So by really naturalising M, Spinoza is driven to eliminate X as irrelevant to his problem. Or, in a slightly different light, if morality is to live according to one's own nature, X is internalised.

We might sum up by saying, that those who live by their passions believe or imagine they are free and their own master, whereas one who lives according to reason knows he is determined (by his own nature) and is therefore really free from mis-understood outside forces. Freedom is the imagination of acting for an ultimate end. But in itself this imagination is an effect of particular causes. In Spinoza's 'end'-less world of causes, causes still seem to have the function that Velthuysen attributed them: the production of understanding and the enlightenment of mankind. Isn't thus our imagination of freedom a passion that may lead us in the end to real freedom?

### 3.2 Affects, passions, freedom: censuring the theory of the faculties

Spinoza presents his moral philosophy in the three last parts of the *Ethica*, dealing respectively with the affects, with the passions, and with human freedom. Fundamental propositions of the first two books are applied, such as the thesis of the parallelism of mind and body, and the doctrine of ideas. In this context I first discuss Spinoza's reformulation of the rebuttal of the doctrine of the three faculties as he found it defended by his Neostoic-Aristotelian predecessors. One step in his argument is formulated at the end of book

II, where is argued that will and intellect are one and the same (E II P49Corr). A further step is the integration of both will and intellect with acting, by means of the appetite.

Firstly, Spinoza argues that 'there is in the Mind no absolute faculty of understanding, desiring, loving, etc. From this it follows that these and similar faculties are either complete fictions or nothing but Metaphysical beings, or universals, which we are used to forming from particulars'.<sup>17</sup> From thinking oneself to be free, as we have already seen, we may be apt to conclude that freedom exists, but only wrongly so. Universals are not to be formed by way of generalisation. Our so-called faculties are to be investigated as singulars. Spinoza is interested in particular volitions, not in the obscure faculty of willing, and he defines a volition as the affirming or denying of something true or false. Volition is a mental category, and therefore it is to be seen in relation to ideas. Having an idea, and affirming it, or conversely having the idea that something is not the case, and denying it, cannot be different from each other. Spinoza is focusing here exclusively on the affirming/denying part of volition, thereby permitting himself to repeat his criticism of the human tendency to refer to criteria in *Ethica* II P43. Therefore, he can conclude in II P49: 'In the Mind there is no volition, or affirmation and negation, except that which the idea involves insofar as it is an idea'. This proposition is then defended against the Cartesian conception of infinite will and finite knowledge, and against the notion of the indifference of the will. In a way, Spinoza's dealing with volition is still in terms of first principles here, only to get its full meaning when he moves on to discuss appetite in *Ethica* III.

Secondly, minds and bodies being but modes of attributes and not of substances, and the activating principle of human behaviour no longer simply being identified with volition, Spinoza had argued for the equivalence of mind and body. '[T]he very structure of the human Body, which, in the ingenuity of its construction, far surpasses anything made by human skill' is not to be regarded as an instrument for use of the mind, nor as its temple, but as much part of nature as the mind is.<sup>18</sup> The body could not act if it were not determined to act *qua* body. However, for Spinoza the notion of 'thing' indicates existing objects without special reference to the attributes. Since he is convinced that all things can be analysed according to the two attributes we are acquainted with, and that the order and concatenation of matter is the same as that of ideas, he holds that we can explain things both ways. Surely, Spinoza does not follow up this principle in all details. In particular, since we lack precise knowledge about the workings of the human body, we had bet-

<sup>17</sup> E II P48S (II 129).

<sup>18</sup> E III P2S (II 143).

ter concentrate on human psychology. This is what happens when Spinoza has introduced his central notion of *conatus*, drive, in *Ethica* III P6-P9.

P6: Each thing, as far as it can by its own power, strives to persevere in its being.

P7: The striving by which each thing strives to persevere in its being is nothing but the actual essence of the thing.

P9: Both insofar the Mind has clear and distinct ideas, and insofar as it has confused ideas, it strives for an indefinite duration, to persevere in its being and it is conscious of this striving it has.

The two attributes are introduced in P9S as follows: 'When this striving is related only to the Mind, it is called Will; but when it is related to the Mind and the Body together, it is called Appetite. This Appetite, therefore, is nothing but the very essence of man, from whose nature necessary follow those things that promote his preservation'. Spinoza adds that 'desire can be defined as appetite together with consciousness of the appetite'.<sup>19</sup> This is somewhat problematic, since here Spinoza affirms a quality of things, that precedes the thing's explanation in terms of the attributes (i.e. *conatus* or appetite), but at the same time connects it in a rather complicated way to the attributal explanations. With his introduction of 'will' we have no quarrel, nor with appetite as synonymous with *conatus*; but can Spinoza consistently introduce the notion of 'consciousness of the appetite'? That is, can ideas, which are ideas of the body, be also of something that is common to mind and body? We may argue that Spinoza has no other option but to introduce a concept (desire) that expresses the fact that man is a mind-body, instead of being a mind related to a body.<sup>20</sup> Man forms ideas of his own body, that is, his consciousness of personal identity is precisely the consciousness of being a striving mind-body.<sup>21</sup>

Without wanting to overstress the continuity with Burgersdijk, it may be remarked that this 'naturalism about mankind', as Bennet has termed it, according to which 'the laws of Nature concern the common order of Nature, of which man is a part',<sup>22</sup> captures some of Burgersdijk's demands on a theory of the emotions.

The remainder of Spinoza's moral psychology as developed in *Ethica* III and IV, is an elaboration of the emotions, in which he shows that being active is living according to the laws of one's own nature, instead of passively behaving from external causes. Central in this is the analysis of the affects or emotions, that is of *laetitia* (joy, pleasure), *tristitia* (sadness, pain) and *cupiditas*

<sup>19</sup> E III P9S (II 148), emphasis original.

<sup>20</sup> Cf. Jonathan Bennett, *A study of Spinoza's Ethics* (Cambridge: Cambridge University Press 1984) pp. 258ff.

<sup>21</sup> Matheron, *Individu et communauté*, p. 92.

<sup>22</sup> E IV P57S (II 252); Bennet, *A study*, p. 35.

(desire), and their numerous derivatives like love, hate, hope or fear. Joy is the emotion that furthers one's capability ('potentia'), that is an active emotion; sadness hampers one's capability to act. We should therefore prefer joy and its derivatives to sadness. Here we find the Stoic conception of living according to nature transformed into an active moral principle, without however neglecting contemplation. The intellectual love of God is Spinoza's ultimate joy, since to understand ourselves as a part of Nature is equivalent to being active. To strive for this ultimate goal is what morality is about. But we cannot go along this path unless the mind-body goes this way. An active mind necessarily corresponds to an active body. The emotions as habits of the mind-body have to evolve from merely passive to predominantly active. Only the emotions can do the trick, not our will, but our checking emotions by emotions. The apex of Spinoza's ethics is contained in the programme that man be active or free:

All our strivings, or Desires, follow from the necessity of our nature in such an way that they can be understood either through it alone, as through their proximate cause, or insofar as we are a part of nature, which cannot be conceived adequately through itself without other individuals. The Desires which follow from our nature in such a way that they can be understood through it alone are those that are related to the Mind in so far as it is conceived to consist of adequate ideas. The remaining Desires are not related to the Mind except insofar as it conceives things inadequately, and their force and growth must be defined not by human power, but by the power of things that are outside us. The former, therefore, are rightly called actions, while the latter are rightly called passions. For the former always indicate our power, whereas the latter indicate our lack of power and mutilated knowledge. (E IV App)

Thus reason and the power of nature are identified and will lead Spinoza in the fifth part of the *Ethica* to a series of intricate and exciting conclusions concerning, among other things, the immortality of the soul. Here Spinoza is dealing with what full rationality might mean for man *sub specie aeternitatis*. But historical man is mostly driven by passions, and thereby dependent on things outside. We will explore this interdependence in the next section on Spinoza's political theory.

#### 4 Moral philosophy and politics

In the same way that man is not his own creator, social institutions are not the result of human creation. Adam Ferguson was to express this towards the end of the eighteenth century by saying that men stumble 'upon establishments, which are indeed the result of human action, but not the execution of any human design'.<sup>23</sup> How radical was Spinoza in this respect? Some com-

mentators have recognized two different answers to this question. They judge that Spinoza provided a contractarian answer in his first book on politics, but an evolutionary one in the second.<sup>24</sup> This has disconcerted others, since the problem of 'design' versus 'action' seems to them to be solved, as far as individual man is concerned, in favour of 'action'. A divergent position in the political realm would smack of inconsistency, a type of judgement on Spinoza most are reluctant to uphold.<sup>25</sup> More specifically, this argument is triggered by some statements of Spinoza that indeed do seem to be inconsistent. In the *Tractatus Theologico-Politicus* the founding of the state is described as a decision of a multitude of men to unite and to live guided as it were by one mind. In a constitutional act the state seems to be created. In the *Tractatus Politicus*, however, these contractarian notions are completely absent, and evolutionary explanations are proffered. Here we are instructed to regard the formation of political institutions as the outcome of socio-psychological mechanisms. In presenting Spinoza's political philosophy in this section, I will deal with this central problem in a somewhat roundabout way. By presenting the complexity of both books, the problem will solve itself. Spinoza is indeed as radical in his political philosophy as he is in his ethics. But political theory has special problems of its own, among them being predominant the question of the audience it is addressed to.

What was the reason for writing the *Tractatus Theologico-Politicus*? In fact there was more than one. Working on the *Ethica*, Spinoza must have deepened the theoretical foundation of his criticism of Bible-scholarship that had provoked the scorn and indignation of the Jewish authorities, leading to his expulsion from the Jewish community in 1656.<sup>26</sup> Indeed, more than half of the text is about Bible-interpretation. Furthermore, the kind of problems he had met with in Jewish circles were far from being restricted to these alone. However tolerant the Dutch Republic may have been in comparison to surrounding nations, a continuing debate was going on about the real nature and limits of toleration, possibly even precisely because of its relatively large degree in the Republic. De la Court pointed to the ambition of the ministers of the church who, not satisfied with their duty of spiritual care, were keen to profit from any opportunity to meddle in political affairs that came their

<sup>23</sup> Adam Ferguson, *An essay on the history of civil society* (London, 1767) p. 187.

<sup>24</sup> See the discussion of this debate in Douglas J. Den Uyl, *Power, state and freedom. An interpretation of Spinoza's political philosophy* (Assen: Van Gorcum 1983) pp. 30-34.

<sup>25</sup> A.G. Wernham (ed.), *The political works of Spinoza* (Oxford: Clarendon Press 1958) p. 26.

<sup>26</sup> See for a critical discussion of some evidence for this continuity, Hans W. Blom and Jaap M. Kerkhoven, 'A letter concerning an early draft of Spinoza's Treatise on religion and politics?', *Studia Spinozana*, (1985) pp. 371-378.

way. So quite a few ministers tried to give support to the Orangist faction by giving William III pride of place in their weekly prayer for God's help for the magistrate, although William was still in his minority. Attempts to suppress this kind of weekly prayer provoked a lot of unrest and even protest.<sup>27</sup> Evidently, this political meddling was contrary to an important ideological tradition, going back to Erasmus and defended heatedly in the seventeenth century by Hugo Grotius and others. According to this Arminian set of beliefs, the church should restrict itself to its purely spiritual duties, the government being granted the sole authority in secular, public matters. Tolerance, according to this view, was founded in the individual's conscientious responsibility to God alone. This so called 'internal religion' could be a subject for 'brotherly admonition', whereas the 'external religion' including the church order had to be regarded as a subject of public order and therefore a matter of civil government alone. The Arminian party regarded the Dutch Revolt to have been *libertatis ergo*, for the sake of liberty.<sup>28</sup>

But these opinions went far from uncontested. Puritan theologians, e.g. Gisbertus Voetius from Utrecht referred to the Revolt as *religionis causa*, for reason of (true) religion. As they were convinced that each act of a Christian should be under the aegis of faith, they evidently felt compelled to impose religious limits on the civil magistrates. Moreover, they found an interested ear on the part of the princes of Orange for their claims against the regenten-aristocracy. They did have a substantial support among the people at large, but found continued opposition from latitudinarian groups like the Arminians. The authorities, for their part, were keen to present the case as a conflict of doctrines among theologians, and emphasise their own responsibility for public peace and order. The issue of toleration was therefore a complicated matter, used partly by the regenten to argue their indifference in doctrine, partly by the conflicting religious groups, and partly by the Orangist faction in its quest for a powerbase. A whole list of practical topics became related to the concept: apart from traditional ones like freedom of conscience and the persecution of heretics, there were such topics as public peace, sovereignty and lese-majesty, and naturally the freedom of the academic and popular press. The dominant policy of the authorities was to balance and mitigate, in all its diverse dealings with (purportedly) religious matters. This resulted in *de facto* toleration, although not without setbacks. The publication of books

<sup>27</sup> Pieter Geyl, *Geschiedenis der Nederlandse stam* (6 vols. Amsterdam: Wereldbibliotheek 1961-1962) III, p. 721.

<sup>28</sup> Pivotal texts are the writings of Uytenbogaert, Grotius, Velthuysen, and 'Constans', but also of minor authors like the Rotterdam maecenas Adriaan Paets, on the topic of *de jure circa sacra*.

that aroused public indignation could still be forbidden, although that was not always enforced in a strict way.<sup>29</sup> But in exceptional cases, the authorities felt the necessity to persecute authors of 'heretical' works, by putting them into jail and by a prolonged preparation of the trial they waited for better weather. The conditions in jail were, however, often so bad, that the indicted authors did not survive.<sup>30</sup>

The situation was strained by developments in the field of academic philosophy. Cartesianism and Hobbism were among the targets in Voetius's circle. The separation of philosophy from theology was much deplored. The situation was aggravated when dilettantes like Lodewijk Meyer (1629-1681) started to use the new philosophy in theological debate. The latter's *Philosophy, expounder of the Holy Writ* (1666) produced much unrest, even among latitudinarians who were worried lest the fragile balance of toleration might be disturbed.<sup>31</sup>

To this complicated situation Spinoza wanted to address himself in the *Tractatus Theologico-Politicus*. His stated purpose was to show 'that freedom to philosophise can not only be granted without injury to Piety and the Peace of the Commonwealth, but that the Peace of the Commonwealth and Piety are endangered by the suppression of this freedom', as the title-page ran. His argument proceeded in the following manner:<sup>32</sup>

(1) In the Preface and the first six chapters, the character and function of religion in the Jewish state is discussed. Although Spinoza sets out for a vehement criticism of superstition and the slavery of totalitarian theocracies like that of the Turkish empire, the positive effects of religion in the Jewish state of the Old Testament are emphasised. Religion provided for the legitimacy of the political order, and taught the basic principles of morality. Spinoza explains that the Pentateuch introduced the Jewish people to the natural light and the natural divine law, by appealing to the imagination of the people. The civil laws and religious ceremonies were strengthened by the special relationship Mozes, the lawgiver, was understood to have with God. The teachings of the Bible concern obedience, but not philosophy.

(2) In the next seven chapters, the method of Bible interpretation is discussed. Theologians tend to read their own prejudices into the Holy Writ, by

<sup>29</sup> W.P.C. Knuttel, *Verboden boeken in de Republiek der Vereenigde Nederlanden*. Den Haag 1914.

<sup>30</sup> E.g. Ericus Walten did not survive his custody (1663-1697), while Adriaan Koerbagh (1632-1669) endured prison-life for only slightly more than a year.

<sup>31</sup> Theo Verbeek, *De vrijheid van de filosofie. Reflecties over een Cartesiaans thema*. Utrecht: Department of Philosophy 1994; C. Louise Thijssen-Schoute, *Nederlands Cartesianisme*. Utrecht: HES 1989 (1954<sup>1</sup>), pp. 394 ff.

<sup>32</sup> Fokke Akkerman, 'Le caractère rhétorique du *Traité Théologico-Politique*', in: *Les Cahiers de Fontenay*, (1985) pp. 381-390.

taking it as contrary to reason (beyond human comprehension) and nature (supernatural). This is incorrect. The study of the Bible should be undertaken like the study of nature, that is, only from the Bible itself one can come to the correct interpretation. This interpretation is to be found by means of a) a study of its language, b) a careful classification of the text, and c) accounting for the historical circumstances. By applying this new method, Spinoza goes on to prove that the Bible teaches nothing but simple rules of behaviour, particularly obedience. About God's nature he finds only simple statements, relevant to morality alone. God's word is promulgated by testimony, by fraternal admonition, and in argumentation, is free from philosophical speculation. Spinoza is shocked to see the theologians of his time bring abstruse matters into religion, introduce philosophy, and practise theology as a science and as fit for debate.

(3) The last seven chapters are devoted to the relationship between theology, philosophy and the state. Theology has to do with *pietas*, morality, philosophy with truth; the former is subject only to moral certainty, the latter to demonstrative certainty. Reason and belief are of a different order: we can never prove that simple obedience is the way to salvation. The concept of civil laws is then developed along philosophical lines, from the notions of natural right and sovereignty. Spinoza elaborates on this by discussing the interdependence of legitimacy and sovereignty, and the limits of power, by historical and actual examples. In the last chapter, in the context of an eulogy of the Republic, Spinoza puts forward and defends his central tenets:

1. That is impossible to deprive men of the freedom to say what they think.
2. That this freedom can be granted to everyone without infringing the right and authority of the sovereign, and that the individual citizen can preserve this freedom without infringing that right, provided that he does not presume therefrom to make any innovation in the constitution or to do anything that contravenes the established laws.
3. That every man can possess this freedom without endangering public peace, and any troubles that may arise from this freedom can be easily held in check.
4. Finally, ... that this freedom can be granted without detriment to the public peace, to piety, and to the right of the sovereign, but and indeed it must be granted if these are to be preserved. (TTP XX)

The *Tractatus Theologico-Politicus*, therefore, really contains three distinctive arguments: one on the role of religion in the state, one on the interpretation of the Bible, and one on the role of reason in the state. In agreement with the doctrines of toleration of his compatriots, Spinoza clearly separates the distinct positions of faith and reason. His attempt at freeing philosophy from theological tutelage is founded in a secular conception of the state by reducing theology to its proper domain, without falling into the trap of absolutism.

ism. Not the absolute rule of the state, but the absolute rule of nature is the point of reference. Let us therefore follow more closely Spinoza's conception of the rule of nature in politics. We do so under three headings: the nature of political order; the constitution of political order; and the development of political order.

#### 4.1 The nature of political order

The formation of a society is advantageous, even absolutely essential, not merely for security against enemies but for the efficient organisation of an economy. If men did not afford one another mutual aid, they would lack both the skill and the time to support and preserve themselves to the greatest possible extent. All men are not equally suited to all activities, and no single person would be capable of supplying all his own needs. Each would find strength and time fail him if he alone had to plough, sow, reap, grind, cook, weave, stitch, and perform all the other numerous tasks to support life, not to mention the arts and sciences which are also indispensable for the perfection of human nature and its blessedness. We see that those who live in a barbarous way with no civilising influences lead a wretched and almost brutish existence, and even so their few poor and crude resources are not acquired without some degree of mutual help. (TTP V)

Spinoza is arguing here from 'universally valid principles', and one is tempted to refer to *Ethica* IV 18S: 'To man, then, nothing is more useful than man'. But if we look into Spinoza's arguments for this notion of mutual utility, we find two statements explained. Firstly, referring back to *Ethica* II Post4, he states that men can never do without external things in their striving for the preservation of their being. Secondly, he deduces that no external things are 'more excellent than those that agree entirely with our nature'. Men who agree in all things will therefore seek the common good of all. They will want nothing for themselves that they do not desire for other men. As often in Spinoza, we have here the choice between a minimal and a maximal interpretation. If we take 'agree' in a maximal sense, it seems to indicate the agreement of all living equally according to the dictates of reason, but then we would have difficulty in understanding how e.g. a farmer and a philosopher can completely agree with each other. We would not want this agreement to consist in a shared certainty about the necessity of mutual help, since that is what we are trying to understand. On the minimal interpretation, agreement refers to those things about which persons in fact agree, as e.g. in an exchange of external goods. That is to say, to man nothing is more useful than man because people find their exchanges profitable as soon as they come to an agreement. On this minimalist interpretation only, agreement(s) explain mutual help. We may understand Spinoza to allude to this last interpretation, when he concludes *Ethica* IV 18S by justifying his argument so as 'to win,

if possible, the attention of those who believe that this principle – that everyone is bound to seek his own advantage – is the foundation, not of virtue and morality, but of immorality’. Reading this last remark against the background of De la Court, we easily see Spinoza here defending the morality of mutual aid on the basis of the diversity of human capabilities and preferences and the subsequent possibility of mutual advantage in agreed-upon exchange.

There is, however, one type of agreement that stands out as a prerequisite for mutual aid, that is, good faith, the determination ‘to keep appetite in check in so far as it tends to another’s hurt, to do to no one what they would not want done to themselves, and to uphold another’s right as they would their own’ (TTP XVI). Or, in the expression of *Ethica* IV 18S: that men ‘want nothing for themselves that they do not desire for other men. Hence, they are just, honest (faithful), and honorable’. Men can only provide each other external goods if they recognise each other as equals in a fundamental respect. That was also the opinion of Velthuysen. He, however, formulated it as a normative principle, whereas Spinoza confines himself to calling it a prerequisite. If men do not keep their agreements, mutual aid is impossible. For Spinoza, unlike in e.g. Grotian natural law, it is no self-evident rule that men should keep their promises. It is however a fact about human life that even a ‘few poor and crude resources are not acquired without some degree of mutual help’.

A somewhat different argument for human cooperation that surfaces at various places (e.g. TTP XVI, TP II, 13, and E IV P18S) is that the power of a group of men is the sum of the powers of each of them. This may seem an echo of Burgersdijk’s emphasis on concord and unity. However, Spinoza does not really make much use of this principle in explaining the state. On the one hand, he seems uncertain about the exact law of aggregation involved. If e.g. a hundred chess players unite to play against another player, no one would be willing to regard their combined chance of winning as greater than the chance of the best player among them, but rather – I venture, given the nature of this ‘cooperation’ – as the product of the chances of each individual player. In general, the effect of combining forces will depend on the principles of cooperation that apply. On the other hand, Spinoza uses the notion of aggregated power to emphasise the central function of agreement in a state. As a sovereign is instituted by agreement, and agreement is based on utility, a sovereign loses his power to enforce his rulings as soon as a relevant proportion of the people unite in opposition against him. That is, it is the combining of forces that creates political power, not the legal title to such power. Spinoza expresses this – i.a. in *Tractatus Theologico-Politicus*, XVI – by his notori-

ous remark that a man’s right is co-extensive with his capability-power, as I discuss below. Social power, we may now say, is the result of combining forces. But, on Spinoza’s reading, combining forces is mutual help, and thus agreement and good faith. Power and right both express the level of social cooperation. A strong state is strong because it is legitimate, i.e. because it expresses the principles of actual cooperation. At the same time, by being the form of powerful cooperation it is, it is legitimate.

Now, by way of introducing a limiting case, Spinoza states that if everyone lived according to reason, a state would be superfluous because men would be just, faithful, and honorable on their own accord. This being not the actual situation, political order is an institutionalised form of power, a pattern of external causes that brings about human cooperation where reason as internal cause fails. This institutionalised power can also be referred to as law, that is human law. For a human law is ‘an enactment from which good or ill consequence would ensue not from the intrinsic nature of the deed performed but only from the will and absolute power of some ruler’. Moreover, a law is ordained by men ‘for themselves and for others with view to making life more secure and more convenient, or for other reasons’ (TTP IV). In particular, since the true purpose of the law is usually apparent only to the few and is generally incomprehensible for the great majority in whose lives reason plays little part, laws are enforced by sanctions. We have seen that the capability of man is greater according to the extent to which man is more active, that is less dependent on external power. Furthermore, as the capability of a society of men is a function of their individual capabilities, ways of enforcing a law that promote the activity of men are more useful than others that do not. In particular, if a ruler can make the people comply without the use of sanctions, but by influencing their behaviour by other means, he enhances the capability of the society. Most effective in this respect is making ‘the motive of self-interest’ depend on the state, or in other words, ‘no more effective means can be devised to influence men’s minds ... as joy springing from devotion, that is love mingled with awe’ (TTP XVII). Although it is not the motive for obedience, but the fact of obedience, that constitutes a subject of the state, the means that contribute to men’s willingness to obey are crucial to the state’s continuity and strength. Convincing others means referring to their conception of things, e.g., by taking seriously their conviction of free will. This brings Spinoza to the integration of the argument from political contract into his theory of the state.

#### 4.2 The origins of the state

We are now in a position to present Spinoza’s ‘contractual’ explanation of the



origins of the state. In *Tractatus Theologico-Politicus* XVI Spinoza points out that 'in order to secure a secure and good life, men had necessarily to unite in one body', and 'therefore arranged that the unrestricted right naturally possessed by each individual should be put into common ownership, and that this right should no longer be determined by the strength and appetite of the individual, but by the power and will of all together' (emphasis added). The argument about mutual assistance is rephrased here in terms of unity, and in this specific political form, social cooperation is contingent on the existence of a factual and *bona fide* preparedness 'to be guided in all matters by the dictates of reason'. But this preparedness or desire is far from being a principle of nature. Against Hobbes, indeed, Spinoza points out that it is just as absurd to demand that a man should live according to reason, as to say that a cat has the duty to live according to the laws of a lion's nature. In particular, contracts bind by their utility alone. So the unity that is presupposed by political order, should be founded in utility. To show how this is possible, is the aim of Spinoza's sixteenth chapter. How do men succeed in living according to the 'will and power of all together'? Had they be guided by appetite alone they would have failed, he writes. Therefore they bound themselves by the most stringent pledges to live according to the dictates of reason. These pledges are effective since 'nobody ventures openly to oppose [these], lest he should appear to be without the capacity to reason': Ulysses is bound to the mast of reason by his appetites (TP, VII, 1). In more detail, we find the same principle re-appearing when political obligation and legitimacy are discussed. Since contracts are kept only as long as they are profitable, solemn pledges help people to stick to their contracts for fear of public disrespect. Note that contracts as such are only introduced as a symbolism or ideology to keep the disruptive effects of appetite in check. We may therefore very well say, that Spinoza explains the origins of the state by the desire for unity, that is according to the *Ethica*, the appetite for it together with the consciousness of it. These appetites are founded in utility, and like good faith in cooperation, solemn pledges in politics have the function of enforcing the desire for unity by putting additional utility in the outcome. In a highly significant argument, Spinoza explains why rulers are not bound by international contracts or treaties, 'except through hope of some good or apprehension of some evil': 'For he [the ruler] cannot keep whatever promise he sees likely to be detrimental to his country without violating his pledge to his subjects, a pledge by which he is most firmly bound, and whose fulfilment usually involves the most solemn promises'. In other words, disaffection of his subjects is more detrimental to a ruler than the possible consequences of breaking a treaty. The well-being of the country is guaranteed by the ruler's care for his own

interest, and not by contracts in themselves. We easily recognise De la Court's principle of public interest, cared for by the rulers because it is connected to their own interest. This connection is furthered by conceiving it as a contractual bond, since that promises disrespect to anyone who would break it. Spinoza's naturalistic theory of the state thus explains the state as an effect of the laws of nature, as well as showing the utility of an ideological conception of the state in terms of contract.

In this respect we can understand why Spinoza believes that a state would be unnecessary if everybody lived according to the dictates of reason. Here Spinoza is more like Proudhon or Kropotkin than like Hobbes. But men being what they are, Spinoza is far from being an anarchist. Men that do not live according to reason are not *sui iuris*, and therefore are by definition subject to other powers. A stable system of powers is a state, and such a stable pattern is expressed by civil laws. Imagination plays the role that reason cannot perform. This imagination is the more effective the more men believe, or imagine, that they have instituted it by free will, i.e. have contracted to abide by the civil laws. As a consequence, Spinoza is anxious to demonstrate that this set of imaginations is a consistent one. Formulating his position on a topic that appears also in Hobbes and Locke, he says, still in the *Tractatus Theologico-Politicus* XVI:

We therefore recognise a great difference between a slave, a son, and a subject, who accordingly may be defined as follows. A slave is one who has to obey his master's commands which look only to the interest of him who commands; a son is one who by his father's commands does what is to his own good; a subject is one who, by command of the sovereign power, acts for the common good, and therefore for his own good also.

Imagination is a consistent and effective mechanism that provides men with what we may call a provisional political morality (Cf. E II P49S). Its consistency is explained in the language of imagination itself, since this is of concern to those who live according to the imagination. Its effectiveness can only be explained in terms of the laws of nature. In reading the *Tractatus Theologico-Politicus*, these two different languages should be distinguished carefully, especially where they are contained in one and the same argument. We can illustrate this best in relation to Spinoza's often mis-interpreted contention that right is might.

'By the right and established order of Nature I mean simply the rules governing the nature of every individual thing, according to which we conceive it as naturally determined to exist and to act in a definitive way', that is, right equals *potentia*: 'the right of the individual is co-extensive with its determinate power'. This appears to be a stipulative definition, since the concept of right surfaces here for the first time. 'Right', or *ius*, is evidently presented as

an explication of the freedom that is permitted individuals by the rules that apply to them, be they natural or civil rules. Inevitably then, civil right equals civil power, whereby an individual is free to do whatever is in his power. Spinoza is aware, however, that men have all kinds of explanations for rights differing from his. They explain rights by divine origins, or as originating from a wise lawgiver, or from contract. So he preferred to explain them from 'proximate causes', i.e. from the human will. But in this chapter XVI, where the effectiveness of civic contracts has to be discussed, he can no longer refrain from giving a full explanation. So let us ask therefore: can one expect that an individual's power increases or decreases according to his redefining his rights? Surely not. In this we might compare Spinoza to Hume, who was to demolish the theory of contract by arguing that people don't obey a sovereign because they have contracted to do so, but embellish their obedience by the fiction of a contract. Moreover, we have seen that a man's power or capability can increase or decrease, that is, man can become more active or more passive. Hope and fear are Spinoza's main examples. Freedom from fear and hope for advantages are indications of increasing capabilities. The imagination that obedience will bring in its wake the promotion of his own good, is the expression of such a hope. So we reach the somewhat paradoxical conclusion that by imagining to have granted the sovereign a right to dictate one's actions, man is promoting his capability. By enlarging one's capability, man is enlarging his right (by definition). So Spinoza can only maintain that might equals right by believing that in a political order the powers of both individuals and the collectivity are increased. This increase goes with cooperation. If men were completely rational they would not need the imagery of the transference of rights to sustain such cooperation. Affection driven man, however, cannot cooperate unless forced by a supposedly self-imposed additional argument to do so. These arguments take the form of rights: rules that are enforced by sanctions some way or other. Each political organisation has therefore the system of laws it deserves, be it a contract with God like in the Jewish state, or a contract between men as in the Dutch Republic. Indeed, since imagination is a passion, the political process of imagination is of the greatest importance. Moreover, since the purpose of philosophy is to overcome inadequate knowledge – of which imagination is the prime example – it will have become evident that the social nature of progress in philosophy is a consequence precisely of this double bind: men need each other for the preconditions of arts and sciences to exist, the state is an order that goes with imagination, thenceforth the preconditions of philosophy are those that its purpose is to surmount. In the following section we follow this double bind more in detail.

#### 4.3 The developing state

In the beginning of the next chapter, *Tractatus Theologico-Politicus* XVII, Spinoza points out that the authority of rulers in previous ages used to be strengthened by clothing it in the garments of divinity. The Persians looked to their kings as Gods. Indeed, men don't want to be ruled by their equals, but only by outstanding leaders. Also Moses was attributed this quality. According to Spinoza, he gave the Jewish people a very wise constitution. Spinoza emphasises the determination of Moses to put all laws and thereby obedience under the aegis of religion. The Hebrews' love for their country was not a mere case of patriotism, but of piety and religious duty. And next to that, the political institutions were arranged according to the *ratio utilitatis*, the principle of utility. As Lipsius had seen, most patriotism is self-interest in disguise, so it was highly efficient that in the Jewish state it was made useful to men not to desert their country. These two wise principles which Moses put at the foundation of the Jewish state were a clear promise of the stability and continuity of the Jewish state, if not a human proclivity to superstition had interfered.

The worship of the golden calf, this undeniable expression of superstition, made for a change that produced the downfall of the Jewish state in the end. As Spinoza expresses it, God punished his people by giving it laws that were more a kind of vengeance than a contribution to their wellbeing. He decided that from then on only the Levites, who did not join in the worship of the golden calf, should have care of the law. This was the germ of decay. The ambitions of the successors of Moses as well as the zeal of the scribes resulted in the introduction of kingship and in sectarianism and Pharisaism. From this came civil war and the downfall of the state in the end. And hence Spinoza concludes a) that the original constitution of a state should be kept intact, and especially that if a people does not have a king, kingship should not be introduced, b) that religion should be separated from politics, and c) that in a state where ambition is permitted both a) and b) will be difficult to maintain. Spinoza points to the history of England where monarchy was supposedly abrogated in 1642, only to be reintroduced under a different name under Cromwell, and reinstituted in its original form in 1660. The Dutch Republic proves the same. There never was a king, and the short experiment with Queen Elizabeth's lieutenant Leicester was bound to fail.

A political system is an intricate mechanism, that cannot be changed overnight. The predominant suggestion from the *Tractatus Theologico-Politicus* is that there is a grand secular trend according to which superstition is gradually overcome, and that more rational political systems are more free and more powerful. Spinoza seems more interested to suggest the superiority of the Dutch Republic by rhetorical comparison, than to provide his readers

with a full theory. Indeed, in the *Tractatus Theologico-Politicus* his aim must have been to make an intervention in Dutch political life. He points out that ambition leads to war for honour's sake (as De la Court had explained) and to curtailing the people's freedom, to the downfall of the state if one makes the same mistakes as the Jewish people, i.e. elect kings and admit the zeal of the scribes. Indeed, this was exactly what was threatening to happen around the Synod of Dordt (1618-9), and would have happened if the death of Prince Maurits had not abrogated the process.

Along what lines did the philosopher Spinoza expect his intervention to be effective? What constituted the force of his argument? Was he hoping to contribute to the collective imagery of the state? Or to its explanation? We have seen that intervention was Spinoza's most central concern. He adapted his mode of explanation to his audience, although in chapters XVI and XVII he couldn't leave aside references to the order and concatenation of things that is the real explanation. However, his decision to explain in terms of the will was indeed an adaptation to his audience. Spinoza's final chapter of the *Tractatus Theologico-Politicus* brings the intervention to its final conclusion. Here he shows what the implications are of the Dutch self-understanding of their republic along Spinozan lines. In section 4.2 above, these implications have been presented. They do not differ much from run of the mill arguments about the relationship of church and state, except for one point: toleration is defended as a virtue of a republic, especially as far as philosophy is concerned. This intervention was barely successful among those that were not convinced of the argument in the first place. Even Remonstrant theologians, who had always defended the same position, were rather uncomfortable by this 'support' from a philosopher who presented God as Nature, and in his determinism denied human freedom, and apparently sin and morality as well. Velthuysen, in his later writings criticised Spinoza heavily. The Amsterdam Remonstrant and later friend of Locke, Philip van Limborch (1633-1712), scorned Spinoza for his fatalism. Spinoza's influence was in other quarters. Among autodidacts, like himself, among idiosyncratic intellectuals, like the author of the Spinozistic novel *The life and times of Philopater* his appeal was remarkable.<sup>33</sup> But Spinoza must have been disappointed that the *Tractatus Theologico-Politicus* produced so few of the effects he had hoped for. In the *Tractatus Politicus* he came forward with a different style, and with different aims. In that book, he no longer aims at the imagination, but wants to present a political philosophy that is deduced from the *Ethica*, and formulated as a scientific theory.

<sup>33</sup> [Duijkerius, Johannes], *Het leven van Philopater, and Vervolg van 't leven van Philopater*. Groningen: S. van der Brug [Amsterdam: A. Wolsgryn] 1691, 1697.

#### 4.4 The theory of the *Tractatus Politicus*

I have resolved to demonstrate by a certain and undoubted course of argument, or to deduce from the very condition of human nature, not what is new and unheard of, but only such things as agree best with practice. And that I might investigate the subject-matter of this science with the same freedom of spirit as we generally use in mathematics, I have laboured carefully, not to mock, lament, or execrate, but to understand human actions; and to this end I have looked upon passions such as love, hatred, anger, envy, ambition, pity, and the other perturbations of the mind, not in the light of vices of human nature, but as properties, just as pertinent to it, as are heat, cold, storm, thunder, and the like to the nature of the atmosphere, which phenomena, though inconvenient, are yet necessary, and have fixed causes, by means of which we endeavour to understand their nature, and the mind has just as much pleasure in viewing them aright, as in knowing such things as flatter the senses. (TP I, 4)

This scientific, naturalistic approach is put forward against the utopianism of the philosophers. Because of the distorting effects of utopian political theory, Spinoza believes that we can learn more from practical politicians for whom experience has been the teacher. This does not imply, however, that Spinoza opts for an empiricist approach to politics. He intends to formulate in a systematical and theoretical way, and to explain what politicians know from practical experience.<sup>34</sup> He is the abstruse thinker of David Hume's essay 'On Commerce', who fits the insights of the shallow thinkers of practical competence within an explanatory whole. And in this programme, he is as critical as Adam Smith of the 'men of systems' who suppose they can arrange human life to their schemes. In the *Tractatus Politicus* the human will as proximate cause has lost the prime position it enjoyed in the *Tractatus Theologico-Politicus*. In doing so, Spinoza elaborates more fully on the concept of *potestas*, or coercive power, as distinct from *potentia*, or capability-power. Secondly, the explanation of the origins of the state is more fully developed. Thirdly, the various forms of government are distinguished and analysed as to their principles and to the organisation that best accords to these principles. We shall see Spinoza argue for constitutional monarchy as the only reasonable form of monarchy, for two types of aristocracy in a reflection of the differences between city-states like Venice and federative republics like the Dutch. Democracy is not discussed fully, since Spinoza died before completing the last chapters of the *Tractatus Politicus*.

We may describe *potentia* as a power *per se*, as the capability that is in a thing, and *potestas* as a power *ad aliud*, as the power over other things. This has several consequences. First of all, in the case of states, one might expect that the capability of a state relates to its power in relation to other states. A state

<sup>34</sup> Herman de Dijn, 'Ervaring en theorie in de staatkunde. Een analyse van Spinoza's "Tractatus Politicus"', in: *Tijdschrift voor Filosofie*, 32 (1970) pp. 30-71.

that acts according to its own nature is less dependent on external causes, i.e. on other states. Whether it effectively is more powerful than other states is a different matter, because to answer this question we have to look into the capabilities of these other states. But *ceteris paribus* we must understand the more capable state as more powerful.

In a general sense, a state arranged according to reason is more capable. We can understand this to say that a state that is ordered so as to promote the common good, and thereby the well-being, or the capability of its citizens makes for a greater aggregated capability. It is in this sense that we can understand Spinoza's saying that a democracy is the strongest state (TTP XVI; TP XI, 1) since it unites the capabilities of its citizens most fully or most absolutely. This absolute unity requires, however, a rational organisation, and therefore citizens are most free when they abide by the laws of a rational political system.

The relationship between citizens and the superior powers ('summae potestates', Hoogmogende Heren, i.e., Sovereign Lords) is bi-directional, and has an aggregative aspect. The rule or dominion ('imperium') of the sovereign powers is their capability, determined by the capability of the multitude that is guided as by one mind (TP II, 15; III, 2). We may well compare this with Spinoza's analysis of individual man: just like there, he does not want to separate the body (politic) from its director (or ruler). The capability of the sovereign is the organisation of the state (in which the person of the sovereign naturally is an element). So, when Spinoza continues in *Tractatus Politicus* III, 2 by observing that the right of a subject is the lesser the greater the capability of the collectivity, we understand this in the same way: in a well organised state neither sovereign nor subject can live according to their appetites alone, but are directed towards the common good, and thereby to their own.

Spinoza distinguished four ways in which this societal direction can take place. By taking away someone's arms and means of defence, or by preventing someone's escape, the state constraints one in a bodily way. By inspiring someone with fear, or by obliging him by favours the state rules body and mind alike. These four ways of directing someone's behaviour are forms of power over an individual, and are the ways in which the state is present as an external cause. This presence is inherently dynamic. It can only operate via the emotions of the subject, and may lead to diverse reactions as anger, hatred, or hope, and devotion (i.e., love together with awe). These emotions may have an aggregative effect, as when some policy leads to collective indignation because of a wrong done to a subject. The collectivity may then become directed as by a different mind and endanger the rule of the sovereign, and thereby the stability or even continuity of the state (e.g. TP V, 2).

Naturally, indignation is likely to result when the interests of subjects are infringed upon, or when one who earns praise is declared unjust.

In this respect, Spinoza tries to understand the true nature of the barbarous and slavish Turkish empire, that he deems despicable although very stable. 'Yet if slavery, barbarism, and desolation are to be called peace, men can have no worse misfortune' (TP VI, 4). His argument is a dissection of the true nature of absolute monarchies, where in fact more often the whims of concubines and minions decide. Repeating the analysis of De la Court, Spinoza demonstrates that in an absolute monarchy the king is always afraid of his subjects, and even of his own children, and 'will look more for his own safety, and not try to consult his subjects' interests, but try to plot against them, especially against those who are renowned for learning, or have influence through wealth' (TP VI, 6). It is clear that Spinoza measures states not according to their mere stability, but according to their rationality, i.e. *potentia*.

Spinoza turns again to the origins of the state. Unlike the emphasis on will, imagination, and the ensuing contract of the *Tractatus Theologico-Politicus*, now he explains by causal mechanisms:

Inasmuch as men are led, as we have said, more by passion than reason, it follows, that a multitude comes together, and wishes to be guided, as it were, by one mind, not at the suggestion of reason, but by some common passion – that is (Chap. III, 3), common hope, or fear, or the desire of avenging some common hurt. But since fear of solitude exists in all men, because no one in solitude is strong enough to defend himself, and procure the necessities of life, it follows that men naturally aspire to the civil state; nor can it happen that men should ever utterly dissolve it (TP VI, 1).

In the Latin of Spinoza we find that the multitude 'ex communi aliquo affectu naturaliter convenire', that is 'from some shared emotion agree by nature'. 'Agreement' being a somewhat more precise translation than Elwes's 'coming together', we find here the principle of cooperation explained we had been looking for in the *Tractatus Theologico-Politicus*. In the shared, or common emotion we see the civil state arise.<sup>35</sup> What kind of emotions is Spinoza thinking of? In *Tractatus Politicus* III, 6 he points to the removal of general fear and the prevention of general sufferings as a natural cause of the state. These 'communes miseriae' seem to refer to the emotion of *misericordia*, compassion. We find it again in *Tractatus Politicus* I, 5, together with jealousy or envy, vengeance, and ambition and glory. These passions predominate in ordinary man, especially since men are led more by passion than by reason. Anyone who thinks otherwise believes in a chimera or in an utopia, or in the golden age of the poets (TP I, 1). It is clear, however, that we need something more than just

<sup>35</sup> See Matheron, *Individu et communauté*, pp.287ff.

these passions. Thomas Hobbes would explain the war of all men against all men from these passions. How can Spinoza come to the explanation of the state? We have to take a close look at the term 'convenire', agree.

We are thus dealing with the pre-political state, i.e. as long as the condition is not realised 'that all, governing and governed alike, whether they will or no, shall do what makes for the general welfare: that is, that all, whether of their own impulse, or by force or necessity, shall be compelled to live according to the dictate of reason' (TP VI, 3). As long as this condition is not realised, any order that may arise is not stable. People may agree for a moment, but disagree in the next. How can such an unstable agreement develop into a stable one? This may happen if a temporary agreement induces people to agree on further points, leading to patterns of behaviour, habits and preferences that can be redefined as a political order. Spinoza seems to suggest this much, when he says that compassion can induce men to alleviate the misery of others, for the sake of ambition or love of glory. Such ambitious men may want to continue to attract the praise of others, because they see it as a consequence of their help. Others may want the same, and thereby ambition becomes a motive for political leadership. Now, jealousy could follow if there is no equal room for all ambitious men, and fear and hate might follow as well. In that case, the evolution of cooperation is thwarted. But if the surrounding world poses enough challenges, the effects may well be positive. Then, 'love of liberty, desire to increase their property, and hope of gaining the honours of dominion' (TP X, 8) will be the sure emotions leading to a stable political order. Interdependence of emotions makes for political order, but this process may as well degenerate according to the circumstances.

This dual character of emotive interdependence provides a good explanation of Spinoza's use of positive and negative examples of political order. Positive examples (the kingdom of Aragon, the Dutch Republic) are indications of the necessary conditions for their respective forms of government; negative examples (the Jewish state, Rome, France, Venice) show disturbing factors (TP VII, 30; IX, 13; X, 10). On this reading, Spinoza's statement that states are not invented, but do exist, explains to us that the historical process of growth and decline is central in his political theory. By being actual existences, they can be explained.

I may point out that Spinoza in the *Tractatus Politicus* again is intervening in Dutch political debate. Taking issue with the major ideological positions of Orangism, republicanism, and radicalism, he aims at objectifying the problems at hand. Orangists used to re-inforce their position by pointing out the heroic past of the princes of Orange, but from Spinoza's deduction of a feasible monarchy we learn that not the person of the prince, but the qual-

ity of the institutions is the decisive factor: 'And so, that a monarchical dominion may be stable, it must be ordered, so that everything be done by the king's decree only, that is, so that every law be an explicit will of the king, but not every will of the king a law' (TP VII, 1). These decrees have to be prepared by councils that embody a form of collective rationality. In the same vein, Spinoza reconstructs the republican argument. Here also passions have to be kept in check by institutional arrangements, linking the citizens' private interest to that of the commonwealth. The radical position of dissenting religious groups is reconstructed in Spinoza's analysis of democracy. Although unfinished, it is evident that democracy cannot imply license, but the broadening of the category of citizens to the whole male, adult, economically self-supporting population. That is, only those who have an articulated interest can be institutionally integrated into the pursuit of the common interest. However detached and objective this analysis may be, it is evident that Spinoza takes republicanism (or aristocracy) to correspond most closely to the Dutch situation. He may be saying: here are the feasible possibilities, pick your choice, but the institutional and economic arrangements of the Dutch Republic are closest to that of his model of federalist aristocracy. The Orangists, and William III in particular, who stated that he had rather be a Doge of Venice than a king in the Dutch Republic, would scarcely feel comfortable in Spinoza's monarchy. But the events of the eighteenth century showed that Spinoza had rightly judged the weaknesses of Dutch institutions. In *Tractatus Politicus* IX one finds the list of criticisms later to be voiced by Van Slingelandt. Deposing of the count of Holland had not led to a commensurate rearrangement of the institutions; there are too few regenten to guarantee good and strong government; the precarious situation of the Republic is not due to endless debate (what is wrong with debate?) but rather to bad institutions and lack of rulers. One of the institutions Spinoza described in detail is that of arbitration. Like Van Singelandt he gives pride of place to the Council of State ('supremum Concilium'), to majority decision-making in the States General. He echoes many a point made by De la Court: rotation of office, his peculiar notion of reason of state ('ars ad concordiam et fidem', TP VI, 3), and uses De la Court's arguments against monarchy to construct the viable alternative of constitutional monarchy.

Behind all this is Spinoza's radical and philosophically audacious naturalism, the emulation of earlier Neostoic beginnings and its 'modern' restatement by Velthuysen. The separation of philosophy and theology presupposed in that programme, however, proved from a practical point of view to be the weak spot in terms of Spinoza's immediate reception. The process of using Christian teleology against theology continued, but not in the Repub-

lic, where the interest in naturalistic moral philosophy lost out to the defence of religion. Naturalism continued its influence in burgeoning natural science.

In the eighteenth century of Christian enlightenment, an 'atheist' like Spinoza was not going to be heard. Spinoza's principled political philosophy was going to inspire philosophers elsewhere, who like him went through the birthpangs of modernity. In France, Rousseau and Montesquieu, in Great Britain, Bernard Mandeville and Adam Smith continued the project, just as in our day students of politics and society might profit from this exemplary political theorist. This radical naturalist of the seventeenth century is easily a present-day companion in our quest for understanding man and society.

In the next chapter I take up some of Spinoza's arguments in order to indicate his particular interest in and relevance for the theory of republicanism. After that, a political and a philosophical continuation of aspects of his programme shall be discussed in the works of Willem van der Muelen, Simon van Slingelandt, and François Hemsterhuis.



## SPINOZA, THE IDEAL STATE AND THE REALITY OF REPUBLICANISM

### — CHAPTER VIII —

*Potestas quaedam efficiendi*

THE RELEVANCE OF SPINOZA'S POLITICAL philosophy to republicanism in the history of early-modern political thought is the topic of this chapter. As a matter of fact, one might expect such a relevance from a philosopher generally closely connected with Dutch republicanism. The situation, however, is not as straightforward as one might think, in particular since in two respects Dutch republicanism is an uncomfortable theme. First, the standard literature suggests that Dutch republicanism comes in a variety that resists a single coherent description.<sup>1</sup> Secondly, it is not altogether clear in what sense Dutch republicanism partakes in republicanism as it is understood in the history of political thought. Both difficulties have been addressed in the literature. Dutch republicanism, is the general conclusion, is idiosyncratic and although it has particular elements that characterise it, differs from congenial ideological movements abroad. As a consequence, moreover, it is not at all clear whether Dutch republicanism had any role to play in the historical development of European republicanism. As Kossmann rightly points out –

but is careful not to lament or to reproach – it does not appear in the histories of European republicanism, which seems another reason to maintain not only its idiosyncrasy but its isolation as well.<sup>2</sup>

Although it has been established that the Republic appealed to republican thinkers elsewhere, the history of these connections is mainly one of misunderstanding and conflict.<sup>3</sup> However, this lack of incorporation into international republicanism may be a matter of looking in the wrong direction. I shall put forward some arguments that may occasion an understanding of Dutch republicanism and as a consequence show some ways in which its relations with other republicanism might be reconsidered. The core argument is that the rise of naturalism permitted a view on political institutions that, although maintaining the productive integration of private and public interests at the center of politics, is no longer based on an activist and voluntarist conception of virtue, but has been replaced by a natural morality stressing the external conditions for behaviour productive of results previously believed to flow from *virtù*. Such a naturalistic conception accords well with the fortuitous origins of the Republic, accommodating at the same time the two Hobbesian notions most widely received in Dutch political thought – mutual fear and self-preservation – as the origins of political society. Since evidently, then as now, a naturalistic conception of politics runs against the ‘moral point of view’, standard explanations of political virtue, in all their incapacity to provide an adequate political theory of the Republic, had to be

<sup>1</sup> See particularly, E.H. Kossmann, ‘In praise of the Dutch Republic: some seventeenth-century attitudes’, Inaugural lecture delivered at University College London 13 May 1963. Repr. in: Idem, *Politieke theorie en geschiedenis*. (Amsterdam: Bert Bakker 1987) pp. 161–175; E.H. Kossmann, ‘Dutch republicanism’, in: (ed.), *L’Età dei Lumi* (Napels: Vivarium 1985) pp. 453–486; repr. in: Idem, *Politieke theorie en geschiedenis*. (Amsterdam: Bert Bakker 1987) pp. 211–233; N.E.H.M. Mout, ‘Ideales Muster oder erfundene Eigenart. Republikanische Theorien während des niederländischen Aufstands’, in: Helmut Koenigsberger (ed.), *Republiken und Republikanismus im Europa der Frühen Neuzeit*. (Munich: Oldenbourg 1988) pp. 169–194; Eco Haitsma Mulier, *The myth of Venice and Dutch republican thought in the seventeenth century*. Assen: Van Gorcum 1980; Eco Haitsma Mulier, ‘The language of seventeenth-century republicanism in the United Provinces: Dutch or European?’, in: Anthony Pagden (ed.), *The languages of political theory in early-modern Europe* (Cambridge: Cambridge University Press 1987) pp. 179–195; Eco Haitsma Mulier, ‘A controversial republican: Dutch views of Machiavelli in the seventeenth and eighteenth centuries’, in: Gisela Bock, Quentin Skinner & Maurizio Viroli (ed.), *Machiavelli and republicanism* [Ideas in Context, 18] (Cambridge: Cambridge University Press 1990) pp. 247–263.

<sup>2</sup> Kossmann, ‘Dutch republicanism’, pp. 214–215.

<sup>3</sup> Notorious are the misunderstandings between the leaders of the Commonwealth and the De Witt government, leading to the first Anglo-Dutch War; and also Algernon Sidney’s disappointment in the lack of support from the Dutch in the early years of the Restoration. Less clear is the relationship of the radical Whigs with kindred spirits in Holland around 1700, which may have occasioned the remarkably accurate English translation of De la Court’s *Interest van Holland* in 1702.

explained by the same naturalistic principles. Thus we saw originate a theory of ideology, particularly in De la Court and Spinoza. Their republicanism, therefore, both superseded the classical republican heritage as well as explained the various attempts to keep it alive. In short, naturalistic moral and political theory propounded an explanation for the Dutch Republic and took issue with failing ideological orientations as well. The latter aspect of this naturalistic republicanism is particularly to be found in its discussion of political community, state, and freedom, topics so frequently and unsatisfactorily dealt with by well-meaning but somewhat perplexed republicans.

Naturalistic republicanism, therefore, is Dutch by solving the singular local incongruity of theory and practice. It is republicanism in pointing out the transformation of classical republicanism in consequence of the naturalistic programme.

## 1 Republicanism

Republicanism is a many-sided concept, difficult to discuss outside the political context in which it is deployed. The history of republicanism, invariably connected with another many-sided phenomenon – Machiavellianism – has often been one of political strife.<sup>4</sup> Republicans are prone to fight for their ideals, be it sometimes by words only. At stake is the realisation of the best political system possible, and republicans are ready to risk much in order to promote it.<sup>5</sup> It may well be for this reason that scholars who discussed the contributions of Dutch republicans of the seventeenth century, stressing this aspect of dissension, have organised their interpretations around the party strife between the States-party of Johan de Witt on the one hand and that of the Orangists on the other. Some even would indiscriminately speak of the States-party as ‘the’ republicans.<sup>6</sup> This tendency, however, has to be regarded with caution. The coherence between practical politics and political writing

<sup>4</sup> See the basic literature on republicanism: J.G.A. Pocock, *The Machiavellian moment. Florentine political thought and the Atlantic republican tradition*. Princeton: Princeton University Press 1975; Quentin Skinner, *The foundations of modern political thought*. 2 vols, Cambridge: Cambridge University Press 1978; and recently Quentin Skinner, ‘The republican ideal of political liberty’, in: Gisela Bock, Quentin Skinner and Maurizio Viroli (ed.), *Machiavelli and republicanism* (Cambridge: Cambridge University Press 1990) pp. 293–309, as well as the recent, lucid treatment by Blair Worden, ‘English republicanism’, in: J.H. Burns and Mark Goldie (eds), *The Cambridge History of Political Thought 1450–1700* (Cambridge: Cambridge University Press 1991) pp. 443–475.

<sup>5</sup> The best example here is Algernon Sidney, see esp. Jonathan Scott, *Algernon Sidney and the English Republic 1623–1677 and Algernon Sidney and the Restoration Crisis, 1677–1683* (Cambridge: Cambridge University Press 1988, 1991).



cannot be taken for granted, and hence the intentions of republicans – as I henceforth shall call political authors that present republican ideas – cannot be identified with those of political actors who favour a system loosely described as anti-Orangist. Indeed, there is a noticeable difference between the practical goals of the States-party – to maintain a political regime without a stadhouder – and the search for understanding and improvement of the *res publica*. It is important therefore to distinguish practice and principles, and to come to grips with the conceptual interests, the theoretical difficulties and prospects of republicans, in order to understand their relations to practical politics.<sup>7</sup> Both elements then, taken together, should enable a satisfactory picture of Dutch republicanism. Moreover, the inevitability of dissolving the matter in its components may present itself the more clearly, as some important republicans did not belong to the ruling class themselves. Neither De la Court, nor Spinoza ever took office in practical politics, or were likely to have had, given their social position. Although it may be stressed in the literature, that both maintained a relationship with Johan de Witt, himself in order to suggest ideological identity, the facts do not suffice to support a thesis of identical interests and political endeavours.<sup>8</sup> This does not exclude a genuine interest in republican tracts among anti-Orangist regenten. But that is quite different from saying that Dutch republicanists expressed their ideological position exclusively. At least, how can we otherwise start to explain the lively contribution to the republican debate by writers of Orangist and States-party alignments alike?

Dutch republicanism is an interesting case in another respect as well. Unlike Machiavelli's, Harrington's or Sidney's, this version of republicanism originated in a relatively peaceful and successful republic, rather comparable to the Venetian milieu of a Casparo Contarini. It is no surprise therefore that the Venetian model was an important inspiration for Dutch republicans. In particular the detailed description of Venetian institutions in De la Court's *Considerations* left its many traces in Spinoza's *Tractatus Politicus*.<sup>9</sup> The material

<sup>6</sup> E.g. Lucien Mugnier-Pollet, *La philosophie politique de Spinoza* (Paris: Vrin 1976) p. 67; also Heinz Schilling, 'Der libertär-radikale Republikanismus der holländischen Regenten. Ein Beitrag zur Geschichte des politischen Radikalismus in der frühen Neuzeit', in: *Geschichte und Gesellschaft*, 10 (1984) pp. 498–533.

<sup>7</sup> See Haitsma Mulier, *The myth of Venice* for a careful analysis of the Dutch debate on republican practices as it was stimulated by descriptions of the Venetian institutions; as well as the insightful picture of the Dutch reception of Machiavelli in Haitsma Mulier, 'A controversial republican', *passim*.

<sup>8</sup> See Jaap M. Kerkhoven and Hans W. Blom, 'De la Court en Spinoza: van correspondenties en correspondenten', in: Hans W. Blom & Ivo W. Wildenberg (ed.), *Pieter de la Court in zijn tijd (1618–1685)* (Amsterdam: APA 1986) pp. 137–160 for a discussion of the historical data in respect of the connections between these two republicans and De Witt.

for a republican theory was close at hand. This is at least one way to read Spinoza's often quoted remark that he did not invent political systems, but described them as they are.<sup>10</sup> But the material was not unproblematic. Unlike Contarini who regarded the Venetian constitution as a perfect political order, Dutch republicans were well aware of the shortcomings of their political order. Responding to a Ciceronian need<sup>11</sup> to provide a philosophy to a powerful nation, they confronted the central question of which principles apply to this particular state. In combination with the fact that the Dutch Republic was a major European power, we have here a type of republicanism that is astonishingly related to the ambiguity and uncertainty inherent in the status of a republic amidst self-assured monarchical states. Dutch republicans confronted the task of explaining an abnormal political entity that nevertheless was as real as any standard state.

Benedictus de Spinoza wrote one of the outstanding classical works of republican political theory. He did so while actually living in an outstanding Republic. Neither his work nor his country seem to have had the impact on later republican developments one might expect. Apparently, something went terribly wrong. Or did it?

There is no dearth of philosophical treatises on Spinoza's political writings. One has only to mention the work of Pollock, Stuart Hampshire, Wernham and Parkinson, Mugnier-Pollet, Moreau, and Matheron, Strauss, Tosel and Negri. It seems however not unfair to describe these analyses as concerned with philosophical implications and perspectives, rather than with Spinoza's position in the history of political thought properly. No doubt in many presentations attention is drawn to the impact of Hobbes or Machiavelli, but possibly not always with a clear view of the different contexts in which the two political thinkers operated, nor of the ways in which Spinoza wanted to distance himself from precursors he seemed to have much in common with.

Recent studies, mainly of Italian and French provenance, have indeed stressed the anomalous character of Spinoza's political thought. Following Negri, an important series of publications has been devoted to the 'wild anomaly', centrally concerned with the naturalism of the *potentia multitudinis*, that is, the primacy of the power of the masses over the projects, plans and schemes of established political powers.<sup>12</sup> And indeed, as one can witness in

<sup>9</sup> See Haitsma Mulier, *Myth of Venice*, pp. 192–205.

<sup>10</sup> TP, I, 3: 'persuadeo, experientiam omnia Civitatum genera, quae concipi possunt ... ostendisse'.

<sup>11</sup> *De Legibus*, I, i, 6; I, v, 13–16.

De la Court's first, democratic phase, Dutch republicans have been keen to integrate the role of the people at large into their system of politics. This shows a shift from Neo-aristotelian politics as it tends to replace a previous notion of top-down rule by a bottom-up principle of determination, although one should not overlook the extent to which Aristotelians like Burgersdijk had already made the people pivotal to their conception of political rule. It is, however, one thing to say that the functioning and power of the state is intimately connected with the power of the people, but quite another to explain how precisely this connection is to materialise in actual political institutions, or for that matter, what conceptual apparatus is needed to this explanation.

But then on the other hand, from the perspective of modern history of political thought, modern Dutch approaches to Spinoza have their peculiarities as well. Beyond those historiographical problems, in presenting a contextual reading of Spinoza here, I shall also be concerned to list some of the considerations preliminary to a better understanding of this presumed 'wild anomaly'.

In the *Tractatus Theologico-politicus*, published in 1670, Spinoza placed himself firmly within the republican tradition, broadly conceived. The central distinction he put forward to set the scene of this innovative work on religion and politics was that between despotism and freedom, between that political regime whose 'supreme mystery' is 'to keep men in a state of deception' on the one hand, and a commonwealth 'where nothing is esteemed dearer and more precious than freedom' on the other.<sup>12</sup> Quite naturally, Spinoza made 'freedom' central to his political theory. Freedom was a crucial notion throughout the United Provinces. We shall shortly point out Spinoza's special use of this notion of freedom for his own purposes. This will lead us to disentangling Spinoza's republicanism from 'Dutch republicanism', and I shall make an attempt as well to suggest ways of how Spinoza's republicanism relates to the international debate on republicanism.

In the following argument I shall be discussing Spinoza's intentions as a republican, in the context of an actual republic, in order to find out his contribution to republicanism at large. First I go into some of the historiographical tendencies surrounding this question, then follows a discussion of freedom in relation to Spinoza's political principles.

<sup>12</sup> Antonio Negri, *The savage anomaly. The power of Spinoza's metaphysics and politics*. Tr. M. Hardt. Minneapolis (Minn.): University of Minneapolis Press 1991; Antonio Negri, 'Reliqua Desiderantur. Congettura per una definizione del concetto di democrazia nell'ultimo Spinoza', *Studia Spinozana*, (1985) pp. 143-181; see also André Tosel, *Spinoza ou le crépuscule de la servitude. Essay sur le Traité Théologico-Politique* (Paris: Aubier 1984) pp. 82ff.

<sup>13</sup> TTP, Praefatio.

## 2 Historiographical perspectives on Dutch republicanism

Because there supposedly exists some connection between republicanism and the Dutch Republic, we may well ask how both relate to each other. I shall discuss three different answers, but will dismiss all of them.

A first answer is to take things at their face value: the United Provinces was a republic, because it was not a monarchy. This approach seems to have the advantages of not biasing the further use of the definition. But evidently there is no such positivist neutrality to be obtained. In fact, to see the Dutch state as a negative monarchy poses more questions than it answers. Although this is a way to emphasise the novelty of the particular political entity, it more commonly is taken to mean a state that originated by deposing a tyrannical monarch without replacing him. For some historians this is the starting point for the assertion that the Dutch state lacked a positive doctrine of its own actual principles. But that is clearly begging the question. How to describe, apart from the specific origins of this state, its actual operation, its ideological self-understanding and the relationship between these two elements?

A more partisan position, secondly, is taken by those who identify the republicanism of the Dutch state with the analysis provided by 'republican political writers', convinced that the Dutch Republic is inextricably linked to a rule by and sovereignty of the States, to the exclusion of any independent role for the princes of the House of Orange. According to this much more plausible view, the Dutch state was republican precisely in as far as it explained the Republic as a basically aristocratic regime. This is the ideological position of the 'party of John de Witt', as said to be expressed by writers like Pieter de la Court, and described more often than not as the ideological position of the bourgeois proto-capitalist and proto-liberal forces in Dutch society. There are several reasons to be critical of this stance. The first is that if this means to imply that Spinoza also stands within this ideological tradition, then, in my view, it is definitely incorrect. Moreover, it is not much help to define republicanism in terms of the position of one of the ideological factions in (one phase of) the Dutch Republic, as if the opposite faction had not been republican in some relevant sense. If this is so, can we expect an answer to our question – what is Dutch republicanism? – only by investigating the complex ideological history of the United Provinces?

This third way of deciding the matter has had and still has many adherents. It has the undeniable plausibility of seeing the Dutch Republic through the eyes of its political actors. It encompasses the fullness of its political experience – so it seems – of political conflict and compromise, of change and

continuity over time. But, as I am going to suggest, although it definitely is a prerequisite for our understanding of the Dutch Republic that we explain this historical experience, it cannot be equivalent to it. Leonard Leeb, for one, in his *Ideological origins of the Batavian Revolution*, provides a good example of this third approach and a short discussion may help to see its shortcomings in view of the purpose at hand. As befits a historian particularly influenced by the writings of Pieter Geyl, Leeb's aim is to reconstruct the development in the historiography of the constitutional foundations of the Dutch state. The book's theme is that of the gradual demolishing during the seventeenth and eighteenth century of the Batavian Myth and the story of its replacement by an empirically more adequate early history of the Low Countries. But as it turns out, this tends to an enquiry into the history of historiography. Although an outstanding achievement in its own right, Leeb's book in this respect is an assault on subjective ideology by the standards of objective research, as if the ideological content of old ideology could be defined by holding it up against modern standards of scholarship. This way of delineating the history of the Republic spills over into teleological conceptions: it sees the Dutch Republic as the arena for the rise of modern liberal democracy, seeing the republican faction as the heroes. What seems to be at stake is the validity of the perspective that is applied to the subject matter, rather than issues of theoretical substance. This is the Dutch version of Whig historiography.

### 3 Republicanism: some examples

During the years of the Revolt (circa 1580–1620), Mout points out, a plethora of republican writings was offered, based on an Aristotelian frame of reference.<sup>14</sup> In her detailed overview, Mout maintains that the practical irrelevance of these republican tracts around 1600 became a reason for the emergence of the Batavian Myth as an alternative republicanism, justifying the state by reference to its venerable historical origins. Interesting innovations like those by Paulus Busius did not stick, a forceful republicanism was shunned lest the delicate political situation would be disturbed. Only the more secure establishment of the Republic after 1648 gave way to a 'radical republicanism'. Dutch writers during the Revolt had been unable to apply modern theories of the state to their political situation.

Van Gelderen, dealing with the early years of the Revolt, is less hesitant. He is convinced that a Dutch republicanism had originated 'which contained

<sup>14</sup> Mout, 'Ideales Muster'; she calls this plethora 'ein buntes, ja verwirrendes Bild', p. 170.

a vision of political order as based on liberty, constitutional charters, representative institutions and popular sovereignty'.<sup>15</sup> It was republican because it expressed basic convictions of the classical republicanism of the Italian city-states. It was Dutch because it was the 'offspring of the Dutch Renaissance', elaborating 'on an indigenous tradition of constitutionalism'. The Batavian Myth is just a humanist articulation of this republicanism.<sup>16</sup>

Haitsma Mulier, discussing Dutch republicanism at large, wants to trace 'which aspects of it are indebted to republican thought in other European states, most particularly Venice'. Classical republicanism, particularly in its Venetian form, gradually became an important ingredient of Dutch political thought, to blossom in De la Court's adaptation of Venetian institutions to the situation in the Republic. But '1672 put an end to the aspirations it embodied'.<sup>17</sup> Haitsma Mulier, however, does not overlook the many differences between classical republicanism and the Dutch, and from his detailed analysis arises the picture that Dutch republicans, although inspired by their reading of the European tradition and apt to integrate many institutional details in their proposals, nevertheless had their own agenda.

Kossmann perceptively has distinguished a change in vocabulary during the first half of the seventeenth century. In particular during the first years of the Revolt, the core concept of political identity was *patria*, fatherland, understood in a militant way. Gradually, however, this patriotism gave way to an isolationist position, while at the same time 'fatherland' became replaced by 'state'.<sup>18</sup> Mout's analysis corroborates this view. Interpreting 'fatherland' as a conception of political community, and 'state', status, as its appropriation, it exhibits a change from looking at the Netherlands as the totality of what they are to what they have; a change from community to property. This change gave rise to a debate on who 'have' the state, i.e. sovereignty, but it may not have resulted in effacing notions of community altogether. The growing emphasis, however, on stability and keeping the state intact, together with its pacifist and isolationist implications did much to make the role of fatherland a minor one.

Van de Klashorst discusses the debate on the Republic precisely at the moment when this change had taken place. On his reading of particularly the Orangist writings of the second half of the century, he concludes that there was virtual unanimity about the essentially aristocratic character of the

<sup>15</sup> Martin van Gelderen, *The political thought of the Dutch Revolt, 1555–1590* (Cambridge: Cambridge University Press 1992) p. 280.

<sup>16</sup> Van Gelderen, *Dutch Revolt*, pp. 284, 287, 206–207.

<sup>17</sup> Haitsma Mulier, 'Language of republicanism', pp. 180, 195.

<sup>18</sup> Kossmann, 'Praise', p. 163.

state. It may be that Orangists in general favoured something like a mixed constitution, but Van de Klashorst stresses that he encountered only one case of monarchist tendencies.<sup>19</sup> The mixed constitution defended by the Orangists was an aristocratic republic ‘tempered by a shadow of monarchy’, as De Rivo Ursino put it in his *Grondigh bericht*.<sup>20</sup> Van de Klashorst places the Orangist conception of sovereignty ‘completely within the Aristotelian, republican tradition’.<sup>21</sup> And, indeed, the Orangist republicans in many respects echo Aristotelian notions as found in Burgersdijk: constitutionally restricted role of the prince, the prince as balancer of factions, the prince as person of honour. In particular, the Orangists compare the prince’s virtues favourably with that of the ‘newly baked sovereigns and sweet-cake princes’, as one pamphlet calls upstart regenten.<sup>22</sup> Thus the States-party’s fear that a prince might develop absolutist aspirations was closely matched by a comparable fear with regard to the regenten themselves. From the forceful language devoted from both sides in this debate to establish the other party’s tyrannical inclinations, one might easily conclude that the main question in the debate was: who ‘has’ the state? Or, whose status is it anyhow? Remarkably, the Orangists and States-party agreed that it is not the status of the prince of Orange. Their differences must appear shallow, unless behind it all was a more important dividing issue at hand. I propose that this issue was the issue of fatherland, of who ‘is’ the state. Van de Klashorst concludes from his analysis of Orangist writers, that they employ an organic, harmonious view of society, full of references to the human body as a metaphor.<sup>23</sup> That this organicism itself was not a dividing issue viz-a-viz the opponents of Orange can be easily seen from its use by writers belonging to the latter group. It seems that the definition of *patria*, of who ‘are’ the state, was the real difficulty behind the debates. De la Court’s contribution to the debates took issue with this matter. Spinoza attempted his version of republicanism as a solution to the matter.

Summarising, I stress the tendency in Haitsma Mulier’s presentation to

<sup>19</sup> Klashorst, G. O. van de, ‘“Metten schijn van monarchie getempert”. De verdediging van het stadhouderschap in de partijliteratuur 1650-1686’, in: Hans W. Blom & Ivo W. Wildenberg (ed), *Pieter de la Court in zijn tijd (1618-1685). Aspecten van een veelzijdig publicist* (Amsterdam: APA 1986) pp. 93-136; reference to p. 106.

<sup>20</sup> G. de Rivo Ursino, *Grondigh bericht, nopende den interest van desen staet* (Rotterdam 1651) p. 5.

<sup>21</sup> Van de Klashorst, ‘Schijn van monarchie’, p. 130.

<sup>22</sup> Van de Klashorst, ‘Schijn van monarchie’, p. 117, quoting from *Bickerse beroerten* (Brussels 1650) p. 19: ‘nieuw-backen souvereyns, ende soete-koeckx princen’.

<sup>23</sup> Still regarding these Orangists as republicans is not so incredible, in view of the fact that comparable tendencies can be found in a proto-typical radical republican like Algernon Sidney; see the introduction in: Sidney, Algernon, *Court maxims, discussed and refuted*. Ed. & intro. by H.W. Blom, E.O.G. Haitsma Mulier and R. Janse. Cambridge: Cambridge University Press, forthcoming.

regard republicanism as an international movement to which some Dutch political thinkers reacted to some degree. A few Dutch writers belong sufficiently to international republicanism to incorporate them, be it with some caution. Kossmann is more liberal in his application of the term. He envisages an elusive Dutch republicanism, to which no doubt De la Court and Spinoza belong, not because they represent the international movement on the Dutch scene, but rather in their own right just like the minor republicans. In the context of this study, I am inclined to favour Kossmann’s point of view. There indeed is Dutch republicanism in the seventeenth century. It confronts itself with the central issues liberty, state and community and it reflects on the political morality required by a republic. From Rabold Schele<sup>24</sup> and Boxhornius<sup>25</sup> to Lieven de Beaufort,<sup>26</sup> liberty is the central political value, it is safeguarded by the beneficent institutions of the Dutch state, and provides the basis for a sense of political community. The requirements of the preoccupation with ‘having’ the state rather than ‘being’ it, gave liberty however a strong instrumentalist ring. The standard conception of liberty within the state was to define its bounds. The great dangers were generally seen as those of licence on the part of the population on the one hand, and those of arbitrary government on the other. Moderation was the parole, which some sought to further by reintroducing a monarchical aspect, and others by a public morality, but only a few by institutional checks.

Spinoza discussed liberty in relation to the state in the *Tractatus Theologico-Politicus*, and state and community in the *Tractatus Politicus*. His republican programme is precisely intended to explain the core beliefs of the ‘minor’ republicans. Moreover, he ends up showing that pro or contra stadhouder attitudes are irrelevant to the republican programme.<sup>27</sup> The first part of the argument concerns the ‘licence-arbitrary government’ problem. Against common sense belief that a republic ought to steer clear from these two extremes in order to survive, and should so to speak embody Aristotelian moderation, Spinoza puts forward the claim that the absence of both licence

<sup>24</sup> Rabold Schele, *Libertas publica*. Amsterdam 1666.

<sup>25</sup> Marcus Zuerius Boxhornius, *Institutiones politicae*. Ed. G. Hornius. Amsterdam: C. Commelinus 1668 (1663<sup>1</sup>); Boxhornius (1612-1653) was professor in Leiden, since 1640 charged with history and politica. See H. Wansink, *Politieke wetenschappen aan de Leidse universiteit 1575- 1650* (Utrecht: HES 1981).

<sup>26</sup> See his *Verhandeling van de Vrijheit in den Burgerstaet*, Amsterdam 1737; Cf. I. Leonard Leebe, *The ideological origins of the Batavian Revolution. History and politics in the Dutch Republic 1747-1800* (Den Haag: Nijhoff 1973) pp. 54-56; Christopher R. Emery, *The study of politica in the Netherlands in the early eighteenth century* (unpublished Ph.D. University of London 1967) pp. 65-78; Haitsma Mulier, ‘A controversial republican’, pp. 258ff.

<sup>27</sup> As I shall point out, Spinoza prepared here the way for Montesquieu’s review of republicanism in the *Esprit des lois*, that would virtually conclude that monarchy is the best republic.

and arbitrary government are a consequence rather than a precondition of a viable republic.<sup>28</sup> One cannot maintain liberty while fearing its extremes, but ought rather to accept that liberty by nature seeks its limits. A viable republic is the one adapted to reap profit from this natural tendency, rather than ponder over its suppression. In the *Tractatus Theologico-Politicus* this line had been pursued with reference to the concept of state. State, it was argued, can from a republican point of view best be seen as a contract, embodying thus the principle of freedom itself. But at the same time, Spinoza warned against voluntarist conceptions of the state. In the end, it is always interest, not promise that carries the day.

In the *Tractatus Politicus*, the republican programme again is a complicated one. First, it tries to show how political community and state support each other in free states. Secondly, it takes issue with the problem of the best form of government. Thirdly, it attempts to gain insight into the requirements of political morality: what ought a citizen do in order to contribute to the success of the republic. We return full circle to 'morality' after a long discussion of the 'causality' underlying it.

To conclude this section on the delineation of 'Dutch republicanism', I may call it an umbrella concept, uniting attempts to solve the problems connected with freedom in the Dutch Republic. In particular Spinoza's contribution consists in deploying the naturalistic approach, in order to point out the underlying forces and processes and hence the ideological biases that separated rather than united the Dutch Republic. In other words, the epitome of Dutch republicanism is to be found in Spinoza's political thought, and the contribution of Dutch republicanism to European (and hence American) republicanism at large should be looked for in the reception of his political thought.<sup>29</sup>

#### 4 Freedom

'Freedom' is at the heart of republican thought. A closer look at Spinoza's conception of political liberty will offer a perspective for the analysis of the rest of the political thought in the Dutch *ancien régime*.

According to Machiavelli, only free states are liable to republican institutions. Skinner has vigorously argued that the notion of liberty at issue here is

<sup>28</sup> TP II, 20: 'licentia ... revera mentis impotentia'; TP II, 17: 'Imperium ...is absolute tenet, qui curam reipublicae ex communi consensu habet'.

<sup>29</sup> This reception is in the process of being studied in some detail. Important contributions are e.g. by Manfred Walthers. In the next chapter, I shall propound some outlines of the Dutch reception during the later Republic.

not to be confused with the modern liberal one of negative freedom. Skinner recently restated his point of view, that Machiavelli's freedom entails two elements quite alien to the dominant modern notion of freedom – or for that matter, to Hobbes's freedom as the absence of external impediments. For Machiavelli, freedom is only possible in a free state, and secondly, since the freedom of the state can only be guaranteed if it is defended by its citizens, it presupposes civic virtue on the part of its citizens, or rather it implies that citizens can only be free if they accept very precise demands by the free state itself:

If it is nevertheless true that freedom depends on service, and hence on our willingness to cultivate the civic virtues, it follows that we may have to be coerced into virtue and thereby constrained into upholding a liberty which, left to ourselves, we would have undermined. ... [I]f we wish to maximise our own individual liberty, we must cease to put our trust in princes, and instead take charge of the public arena ourselves.<sup>30</sup>

Individual liberty and political liberty entailing each other, in Machiavelli's analysis, public virtue has to prevent private interests to override the public interest, and military valour should prevail. A healthy republic should have a mixed constitution and capture the psychology of self-defence into a morale of the defence of the country. Moreover, military valour is but achieved in an expansive state.

Application of these principles to the Dutch situation, however, had not been a simple and straightforward matter. The notion of mixed constitution as present in the writings of Dutch Neo-aristotelians is definitely not a republican one in the Machiavellian sense.

It is, however, for precisely these reasons that republicanism has cast its spell over Dutch political philosophers, its target having been to enhance the citizens' public virtue, their identification with and contribution to the country's welfare. If only it were possible to integrate republicanism into received ideas in Dutch political thought, this would generate a strong state by unleashing the potential powers within the population at large. Indeed, in the constitutional opinions of the early Republic, emphasis was placed on two central aims of the state that also recur in republican theory, that of *salus populi* and that of freedom. But against republican creed, they were put forward as legitimate claims upon the government, instead of as the moving force behind civic virtue itself. According to standard Pocockian analysis, the Dutch rather spoke the language of rights than that of virtues. Therefore, the introduction of a republican perspective should proceed by demolishing the

<sup>30</sup> Skinner, 'Political liberty', pp. 295, 308. In this important article, Skinner argues for a 'third force' between the liberal and libertarian views on the one hand, and the Aristotelian and Thomist ones on the other.

primacy of the former vocabulary to the benefit of the latter one. Such is the strategy of Spinoza. Apparently following the Hobbesian extensions of Gro-tian analysis – in order to put aside Neo-aristotelian politics and its idealistic consequences – two contentions are presented that break down the language of rights. Firstly, Spinoza denied that the political state is inherently different from the state of nature as far as rights are concerned. Secondly, he introduced his devastating criticism of the language of rights by the famous dictum that right equals right and hence the right of the state over its citizens is equal to the power it can wield over them. The avenue of civic virtue within a basically constitutional conception of politics proceeds in Spinoza thus by first introducing a theory of contract, and by then showing that the conditions for a contract reside exactly in the principles of republicanism itself. In the end, contract, and thereby the language of rights, became superfluous, and republicanism was established. Spinozan republicanism, proceeding along these lines, did not remain within the confines of classical republicanism.

### 5 Contracts, liberty, and virtue

But is not Spinoza's introducing a theory of contract in the *TTP* that marks his distance to classical republicanism?<sup>31</sup> Indeed, in the central chapter XVI of the *TTP* it is argued that since

the life of men without mutual assistance must necessarily be most wretched and must lack the cultivation of reason ... men had necessarily to unite in one body. They therefore arranged that the unrestricted right naturally possessed by each individual should be put into common ownership, and that this right should no longer be determined by the strength and appetite of the individual, but by the power and will of all together. Yet in this they would have failed, had appetite been their only guide (for by the laws of appetite all men are drawn in different directions), and so they had to bind themselves by the most stringent pledges to be guided in all matters only by the dictates of reason.

Spinoza apparently concludes to a minimal system of justice. However, there are several aspects in this alleged theory of contract that would make it very special if it were one. The notion of necessity involved is the first. Spinoza's assurance on the next page that promises rest only on utility is the second. Thirdly, he adds that if everybody lived according to reason, the state would

<sup>31</sup> See the excellent discussions in Douglas J. Den Uyl, *Power, state and freedom. An interpretation of Spinoza's political philosophy* (Assen: Van Gorcum 1983), esp. pp. 44-65; Alexandre Matheron, *Individu et communauté chez Spinoza* (Paris: Minuit 1969) esp. pp. 307ff; Sylvain Zac, *Spinoza et l'interprétation de l'écriture*. Paris: PUF 1965; Tosel, *Spinoza ou le crépuscule de la servitude*, pp. 274ff.

be superfluous: it rather is the passionate character of men that necessitates the state. Where does political obligation originate from, if utility (i.e. passion) takes precedence over promise? The central underlying concept here is the will.

Spinoza is commonly said to be a determinist, although observers disagree about whether he was a hard or a soft determinist, or whether his position is a consistent one at all. Discussing free will in an argument in the Appendix of Book I of the *Ethica*, Spinoza's prime objective is to demonstrate that the ordinary belief in the freedom of the will is a false, but a necessary one. It is a conviction that men in general cannot help but to have, because they do not understand how their own will is caused. Men think they are free, because they are conscious of their volitions, and because they see themselves as acting for an end. The more these causes are unknown, the more men believe themselves to be free.

men think themselves free, because they are conscious of their volitions and their appetite, and do not think, even in their dreams, of the causes by which they are disposed to wanting and willing, because they are ignorant of those causes.<sup>32</sup>

But for all their causality, false beliefs have also their due effects. Men start to think of ultimate ends and project their own ends unto Nature or the Gods. That leads to conflicting theories and hence to skepticism. These theories being facts of the imagination, have nevertheless their further consequences, like skepticism.

[man] has accepted affections of the imagination as things. So it is no wonder ... that we find so many controversies to have arisen among man, and that they have finally given rise to Skepticism.<sup>33</sup>

Here we have an argument in which Spinoza relates false beliefs to effects. This is an explanation in terms of unintended consequences. It is the effect of our false belief in free will that figures prominently in the *TTP*. He introduces it by apparently taking distance from his own metaphysics:

Generalisations about fate and the interconnection of causes can be of no service to us in forming and ordering our thoughts concerning particular things. Furthermore, we plainly have no knowledge as to the actual co-ordination and interconnection of things ... so for practical purposes it is better, indeed, it is essential to consider things as contingent.<sup>34</sup>

<sup>32</sup> *Ethica*, IApp (II/77). <sup>33</sup> *Ethica*, IApp (II/82).

<sup>34</sup> *TTP*, IV. In the *Ethica* IV, Def3 and 4, 'contingent' is distinguished from 'possible', whereby contingency denotes events with no causes known, and possibility events that follow from causes whose existence is unknown (hypothetical states). In the *TTP*, moreover, contingency is related to 'proximate cause', a cause that seems to produce events as if it comprises the whole causal structure, not too different from a necessary but not sufficient condition in modern causal theory. See also Jonathan Bennett, *A study of Spinoza's Ethics* (Cambridge: Cambridge University Press 1984) pp. 111-124.

‘For practical purposes’, that is, we should consider things as if they can be freely willed. But how can Spinoza say this, if he himself firmly believes that the will is caused? It seems plausible to suppose that Spinoza did not quite mean it, and had a reason to deviate from the metaphysical formulation. He says that for ‘practical purposes’ it is essential to consider things as the effect of the will. It was not the case in matters metaphysical. There must therefore be some practical value in ‘believing to will freely’, that was absent in metaphysics. My argument is that this practical value resides precisely in this belief’s contribution to social cohesion. The main effect of believing to be free is believing to be responsible, and hence to be ashamed of not keeping one’s promises.<sup>35</sup> Nobody ventures openly to oppose the dictates of reason, unless he wishes to appear to be without a capacity to reason. The effect – social cooperation and cohesion – is highly practical indeed. This mechanism of doing the right things for the ‘wrong’ reasons pervades Spinoza’s works and the TTP in particular. We can see its working in his argument about contract. Contract theories would always found political obligation in the free transference of natural rights. By reducing free will to ideology, Spinoza in effect is arguing that it is only the ‘useful fiction’ part of the theory of contract that can be maintained. It adorns and strengthens a political bond that nevertheless has to be explained along other lines. This fiction shields so to speak men from contemplating the naked truth of the real process of state formation.

The central point can be brought forward in terms of Spinoza’s asymmetrical use of the term ‘solemn pledge’. This is no doubt an ostensive declaration of will. We know that according to Spinoza promises bind only by the force of utility or appetite. In discussing why in international politics the ruler of a country may break a treaty (a solemn pledge), he draws attention to another solemn pledge, that of the ruler to serve the interest of his country, ‘a pledge by which he is most firmly bound, and whose fulfilment usually involves the most solemn pledges’.<sup>36</sup>

Interestingly, the argument is here again about bounded wills: ‘for who but a fool who knows nothing of the right of sovereign powers will rest content with the words and promises’ of a sovereign? Sovereigns are not free to keep their promises, they are obliged to let the welfare of their citizens prevail. In what sense, then, does man, in pledging to live according to the will of all together, become bound by his pledge? By his own welfare no doubt, but that had become dependent upon others: we do not want to appear in the eyes of others to be without the capacity to reason, because that harms

<sup>35</sup>TTP, XVI. <sup>36</sup> TTP, XVI.

our welfare (for one thing, others will stop to perform their part in the contract). But if men would understand that there is no such thing as free will to act for an end, the whole process of state formation would become impossible. Our understanding of the real nature of human powers must be the outcome, not the starting point of social progress.

Contract theories intend to derive normative conclusions from a limited set of empirical and/or normative presuppositions which define a hypothetical situation.<sup>37</sup> These presuppositions are both the basis of the model and the necessary beliefs for the actors to arrive at the normative outcome. In Spinoza’s view the presuppositions may be the cause of the outcome but – given the social nature of scientific progress – cannot be the description of the real process. Contract theories are hypotheses that come true, Spinoza’s version is one in which they come false, i.e. are superseded in due course by a more complete understanding.

The origination of a state by ‘solemn pledge’ can only take place in a society that otherwise has sufficient coherence, and the pledge is only an additional ordering power. It is not the first, nor the most important factor in state formation. Moreover, it is not a free and rational decision, but only a necessary ideological misunderstanding on the part of the members of the society. In terms of the Dutch Republic, the upshot of this is simply to suggest that the Batavian Myth is useful but superstitious, like the contract between the Jewish people and God.<sup>38</sup> However, it is the only structural mechanism available that veils our dependence on the vagaries of the passions.

Spinoza’s notion of freedom is thus so structured as to permit him to deal with more than one conceptual issue. He wants to understand the so-called free society he lives in. He wants it to give voice to his highly sceptical conception of man’s ability of freely deciding his own life. In addition, he wants to understand why some states are free and others are not. This is the first, somewhat ambiguous foundation of Spinoza’s republicanism: it is about freedom, but mostly about determination.

<sup>37</sup> See Jody S. Kraus, *The limits of Hobbesian contractarianism* (Cambridge: Cambridge University Press 1993) pp. 4–27.

<sup>38</sup> See on the Dutch Calvinist understanding of contracting with God, i.e. Coccejian foederalism: J. Coccejus, *De leer van het verbond en het Testament van God*. Kampen: De Groot-Goudriaan 1990. Vert. & ingel. W.J. van Asselt en H.G. Denger; W.J. van Asselt, *Amicitia Dei. Een onderzoek naar de structuur van de theologie van Johannes Coccejus (1603–1669)*. Ede: 1988.

## 6 Best states

The opening sentences of chapter 3 of the *Tractatus Politicus* formulate the core concepts in relation to each other:<sup>39</sup>

Imperii cujuscunque status dicitur civilis; imperii autem integrum corpus civitas appellatur, et communia imperii negotia, quae ab ejus, qui imperium tenet, directione pendent, respublica. Deinde homines, quatenus ex jure civili omnibus civitatis commodis gaudent, cives appellamus, et subditos, quatenus civitatis institutis, seu legibus parere tenentur.

‘The *status* of any rule, or dominion, is called ‘public’, or ‘civil’; however, the entire body of a rule, or dominion, is called the commonwealth or ‘*civitas*’, and the common business of a rule, or dominion, which takes its direction from him who hold dominion, is called the republic, or ‘*respublica*’. Here, we find the distinction between states as they are ordinarily indicated – the Dutch Republic, France – and their core manifestations, *status*, *corpus* and *respublica*. It may be evident that by defining the *status* of a state to be public, Spinoza is differentiating it from Machiavellian private *status*, founded on the dominion of private property. Here, Spinoza is clearly using the word in its new, early-modern meaning. Republicanism thus becomes a theory of the management of a state in accordance with the particular form of government it has (*status*) and the community it is (*corpus*). On these definitions, Spinoza can easily continue remarking that there are three *status civiles*: monarchy, aristocracy and democracy. But *status* is just one way of looking at states, and hence the inhabitants of a state can be seen as members of the community, as citizens that is; or as subject to the state’s government. ‘Then we call men citizens in so far as they enjoy all the benefits of the commonwealth by civil right, and subjects in so far as they are bound to comply with the ordinances, or laws, of the commonwealth’.

Lastly, in this densely packed first section of chapter 3, Spinoza defines the *jus summarum potestatum* as the *jus summum civitatis*, that is the sovereign right of the community. These definitions are carefully selected to be in accord with some of his most important views on the nature of politics, in particular political freedom.

But first I want to point out the way in which the debate between Orangists and the adherents of the States-party is superseded. The close connection between sovereignty and form of state is dissolved, since sovereignty is said to relate to the community, not to the form of government. The state is the *status* of the community, not of the rulers. The rulers are rather a product of the

<sup>39</sup> I quote the latin original first because of deficiency of Elwes’s translation.

form of government. And forthwith the discussion about the best form of government, although important in its own right, is no longer dependent on a previous decision on the location of sovereignty, since Spinoza holds that about this issue there is nothing to be decided. Sovereignty cannot be differently conceived than as belonging to the *civitas*.

So when it comes to his theory of the best state, Spinoza distances himself from the ideological debates of his contemporaries. In the *Tractatus Politicus* he stresses that the problem of the best state is to be solved by analysing established states. By investigating the records of actual states he proposes to trace the rules that apply to each type. He was not the first in the Dutch Republic to discuss different forms of government, but he definitely was the first to have reduced this to a technical problem.

## 7 Absolutism and republics

The theme of absolutism runs throughout the TP. Spinoza denies the possibility of absolute monarchy as a contradiction in terms. One man is utterly unable to rule a state by his own power. We may well admire the stability and durability of the Turkish empire, compared to the short duration of many popular of democratic regimes, ridden by sedition:

Yet if slavery, barbarism, and desolation are to be called peace, men can have no worse misfortune. No doubt there are usually more and sharper quarrels between parents and children, than between masters and slaves; yet it advances not the art of house-keeping, to change a father’s right into a right of property, and count children but as slaves.<sup>40</sup>

So much for patriachalism, but more importantly, so much for the standard Orangist identification of the rule of one with concord and unity. If government were conceded to one man, he would soon make himself dependent on ‘generals, or counsellors, or friends, to whom he entrusts his own and the common welfare’, so that in actual working it will be ‘an aristocracy, not, indeed, an open but a hidden one, and therefore the worst of all’. Moreover, a so-called absolute monarch would have to fear his subjects, with all sorts of detrimental effects. From this Spinoza concludes that ‘the more absolutely the commonwealth’s right is transferred to the king, the less independent he is, and the more unhappy the condition of his subjects’. He then sets out to prove that a monarchy has to be instituted ‘in such a way, that the monarch may then be most independent, when he most consults the multitude’s welfare’. We will not go into the many institutional arrangements Spinoza pro-

<sup>40</sup> TP, VI, 4.



posed. They essentially boil down to large representative councils to advise the king, all real estate belonging to the king's dominion, together with compulsory military service in local militias. Representation is to secure that the formulation of the common interest is as close as possible to the interest of each, the laws of property induce men to engage in business, a citizens' militia prevents to undertake war lightly or to revert to internal suppression. The rule that kings should never marry foreign wives is meant to prevent wars of succession, equality among the citizens is maintained by rotation of offices. And adapting the classical simile of the reason of state tradition, the advisory representative councils are described as the eyes and ears of the king.<sup>41</sup>

As is evident from this summary, Spinoza did not understand much of seventeenth-century monarchies. The only example he discusses is the medieval kingdom of Aragon, and it seems correct to describe his monarchy as traditional constitutionalism in mercantile disguise. It may have had the advantage to show his compatriots that a constitutional monarchy might have some undesirable Spartan implications. But the most important implication was that a free monarchy is a more absolute form of government than aristocracy, democracy being the most absolute of the three. In terms of contemporary debate, Spinoza's analysis of monarchy is both a warning to those who promoted the cause of the 'monarchical element' in the Republic, by showing the kind of institutional requirements it had, as well as a solace to those opposing it, by showing the necessary constitutional nature of it. One can be both a prosperous merchant and a virtuous citizen in a monarchy. In a well instituted monarchy a king is not to be feared, but is in fact the first minister of the people. In fact, the shortcomings of aristocracy add to this comparison.

The absolutism of democracy had already been mentioned in TTP, XVI: 'In such a community the people would remain equally free whether laws are multiplied or diminished, since it would act not from another's bidding but from its own consent'. We may suppose that Spinoza did not want this to degenerate into a despotism of the multitude, since he made sure that the franchise rules of democracy excluded the poor, the insane and all criminals, and for special reasons, women too.<sup>42</sup> In his very short, unfinished chapter on democracy, Spinoza compares democracy favourably to aristocracy on the grounds that the latter is apt to lead to oligarchy, 'where the will of the patricians, from the absence of rivals, is most free from the law'. Since so much is

<sup>41</sup> TP, VII, 3.

<sup>42</sup> But the fault is with men, not with women. See Jaap Kerkhoven, *Spinoza's clauses aangaande uitsluiting van politieke rechten in hun maatschappelijke context*. [Mededelingen vanwege het Spinozahuis 63] Delft: Eburon 1991.

missing of the chapter on democracy, it is difficult to define its precise intentional meaning.<sup>43</sup> Democracy as a form of government did exist in some voluntary organisations in the Republic. The most important of these were the different Baptist sects, of which Spinoza had first-hand knowledge. It would have been very interesting to have had his detailed institutional advice, since these sects tended to be conflict-ridden and apt to lead to schisms time and again. As it stands we only have his indication that a rule is called a democracy, if the care for the republic is referred to a council composed out of the *communis multitudo*, the multitude in its totality.<sup>44</sup> But nevertheless these dissident groups, like the likewise democratically operating Collegiants, were very dear to Spinoza since among them he had his most devoted pupils and followers.

Aristocracy is a very delicate form of government. It is defined as the rule of 'certain persons, chosen out of the multitude, whom we shall henceforth call patricians', by which Spinoza means a governing group of people (a council) that maintains its number by co-optation. In fact this council upholds dominion. Its rule is more absolute than that of a king, because the council is not in need of advice. Indeed, it advises itself and hence 'its every explicit will ought to be law'. As a consequence the multitude is not consulted under an aristocracy. This was a factually correct observation, since the early history of the Dutch Republic shows that the surviving forms of popular consultation were swiftly done away with. But thence arises a notifiable danger: the power of the state is the power of the multitude, and therefore the patricians have to fear the multitude. There is no other way of preventing sedition but by wise government, and hence by institutions that promote this. On this basic pattern the whole aristocratic constitution was to be built. It was meant to prevent overriding factions and oligarchy, neglect of office, bribery, and luxury. In establishing the institutional arrangements designed to prevent these evils, Spinoza had ample opportunity to criticise the Dutch regenten. He blamed them for the murder of De Witt, whom they first made their *factotum* so they could pursue their private interests, and then they sacrificed him to the rage of the people.

<sup>43</sup> I disagree with Negri's proposals to understand democracy fundamentally in terms of a 'profondissima materialistica pietas' in which 'il potere non si emancipa solamente dalla sua immagine e forma teologica, bensì si libera da essa', Negri, 'Reliqua desiderantur', pp. 168-169.

<sup>44</sup> The translation may possibly be better: 'het gemeen', or 'het gemene volk', in English the common people, and imply some reference to institutions like 'gemeensliedencollege', and other forms of popular consultation of medieval provenance, that had been abolished during the early Republic out of fear for popular interference mingled with religious enthusiasm.

## 8 Conclusion

Spinoza's republicanism therefore was a devastating critique of the political culture of the Dutch Republic, couched in the cautious language of a political interventionist who tried to build consensus. The Dutch in his view practised a political system that measures up neither to the requirements of a sound aristocracy, nor to that of a sound monarchy. It was therefore bound to be unstable, oscillating between an imperfect rule of the few and an even more imperfect rule of one. 'The Dutch thought, that to maintain their liberty it was enough to abandon their count, and to behead the body of their dominion, but never thought of remoulding it'.<sup>45</sup> He was to be followed in this critical analysis by some of the most remarkable political writers of the Dutch Republic, like Ulric Huber, Simon van Slingelandt, and Elie Luzac. The history of the Dutch Republic, alas, was to prove that not only stable, viable political organisations can continue in existence, that the Republic, in all its imperfection, in fact could muddle through history quite successfully.

To conclude this discussion of Spinoza, republicanism in general and the Dutch Republic, I summarise the basic ingredients of his republicanism.

1. Spinoza's notion of republican freedom first and foremost is contrasted to despotism, not to monarchy.
2. The centrality of institutions in making men virtuous is paramount
3. Spinoza stresses the need of joint operation of passions and reason in devising these institutions.
4. Thus, for Spinoza, political virtue (and reason) is not the primary device or means to overcome disruptive private passions, but rather the consequence and secondary effect of a constitution, which can remain stable over time.
5. True and secondary political virtue can flourish only in free states, the first in a republic, the second in what may be called a republican monarchy.

Just like the laws of nature do not oblige a sick person to be healthy,<sup>46</sup> there is no guarantee that states necessarily are healthy either. The *cura republicae*, in Spinoza's technical sense of the care for the business of the state is an important variable in keeping a state healthy, and crucial in maintaining the state as a free state. Indeed, freedom is virtue or perfection, that is to live according

<sup>45</sup> TP, IX, 14.

<sup>46</sup> TP II, 17.

to the laws of human nature.<sup>47</sup> And so republicanism again is the conception of a free, virtuous and powerful state, be it that in its Dutch development the basic categories had gone through the mills of the naturalistic movement. While De la Court surely was mainly moved by the fear of a seditious reputation, when he said that citizens should gratefully accept the state they live in, this same remark by Spinoza impresses as much more realistic and optimistic at the same time. The malleability of society is small, but precisely understanding the causes of this fact opens the way to a possible improvement of society. Political virtue resides in this latter state of mind. Some would call it a typical Dutch state of mind, dull and stripped of heroic posture. This may be a negative side of the naturalistic perspective. But if a quiet sense of political efficacy is to be sustained, this may benefit the prime goal of social life: liberty.

Whether Spinoza had a role to play in the further articulation in Dutch society of this perspective, is the topic of the next chapter.



<sup>47</sup> TP II, 17.



## NATURE, MORALITY, AND POLITICS: PROBLEMS AND PROSPECTS

### CHAPTER IX

*Non nascuntur, sed fiunt*

THE RECEPTION OF SPINOZA'S 'astonishingly advanced'<sup>1</sup> political philosophy subsequent on its appearance suffered the fate of other uncompromising analyses of politics. It was truncated and adapted to the narrow-minded interests of sectarians, decried in consequence by equally narrow-minded opponents, labelled and made the object of ideological debates it had aimed at overcoming. The books in which this philosophy had been published were forbidden and there is scarcely a printed trace of any continuation of the fundamental approach to politics they represented. Indeed, much – if not the only – information we have of its subsequent fate has to be derived from criticism and rejection rather than from propagation.

Nevertheless, and notwithstanding the fact that many of the theoretical puzzles involved in Spinoza's political philosophy are still unresolved in present-day political theory, it would be incredible if not at least some independent, inquisitive and clever minds during the subsequent history of the

<sup>1</sup> E.H. Kossmann, 'In praise of the Dutch Republic: some seventeenth-century attitudes'. Inaugural lecture delivered at University College London 13 May 1963. Repr. in: Idem, *Politieke theorie en geschiedenis*. (Amsterdam: Bert Bakker 1987) pp. 161–175, quotation on p. 173.

Dutch republic.

While in the previous chapter I have given some thoughts to the meaning of Spinoza within the European debate on community, state and liberty, I shall present here some considerations on its subsequent fate in the Republic itself. My argument is that Spinoza's political philosophy, being the radical outcome of the Dutch naturalistic movement, within a few decades became the victim of a double process of reception leading on the one hand to its overt repression and forcing it to survive only in the disguise of Christian heterodoxy, and to a naturalistic inspiration for natural scientists and practical politicians on the other.

I thus shall present the cases of Van der Muelen, Van Slingelandt, and Hemsterhuis in order to lay out the contours of a yet to be undertaken history of the reception of Spinoza's political philosophy during the later Republic, agreeing indeed that '[i]t is one of the serious *lacunae* in the historiography of Dutch political thought that no systematic research has been done about the reception of De la Court's and Spinoza's political work by their Dutch contemporaries and the following generations of Dutch theorists'.<sup>2</sup> I cannot even pretend to fill the *lacuna* here, at least I can give some explanation of the existence of the defectiveness and some indication of the way to proceed to its obviation.

## 1 Nature, morality, and politics

Atlas, son of the Titans, bearing the heavens on his shoulders, crowns the town hall of Amsterdam, itself the epitome of the Dutch Republic, symbolises the relationship between man and the universe. Indeed, Atlas's buttressing the universe presupposes a geocentric worldview as its conceptual precondition. In a Copernican world, however, Atlas cannot remain the same. He must need acquire a tinge of his brother Prometheus's hubris, forthwith carrying the universe on the standpoint of one of its elements, the earth.

Du stolzes Herz! du hast es ja gewollt!  
Du wolltest glücklich sein, unendlich glücklich [...]  
Und jetzo bist du elend.<sup>3</sup>

The ambiguity inherent in the myth may not have pressed itself upon its sculptor Artus Quellien or his commissioners when the Atlas-figure on the

<sup>2</sup> E.H. Kossmann, 'Dutch republicanism', in: *L'Età dei Lumi* (Napels: Jovene 1985) pp. 453-486; repr. in: Idem, *Politieke theorie en geschiedenis*. (Amsterdam: Bert Bakker 1987) pp. 211-233, quotation on p. 223.

<sup>3</sup> Heinrich Heine, *Heimkehr*, XXIV.

back-side tympanum of the Amsterdam town hall was conceived and created. They will have regarded it as a symbol of man's toilsome burden in this life on earth, which for all its splendour is not to derail and get consummated in arrogance or excess. Atlas is set between the two emblematic figures *temperantia* and *vigilantia*, clearly advising him not to be seduced by the riches sculptured on the tympanum itself. But still, on a literal interpretation within a Copernican mould, the preposterous stance of Atlas supporting the universe on the basis of one of its planets – the earth – is a peculiar fact. For those who, within a decade of the Atlas's erection, engaged themselves in a forceful attack on Copernican allegations that the Bible's heliocentric view should be understood metaphorically, the Atlas-figure may have reminded that geocentrism adds absurdity to relativism.

The non-mediated relationship of man and nature, which Spinoza so poignantly expressed in his notion of 'man as part of nature', is constantly threatened by the common-sense contraposition of Deo-centrism and anthropocentrism. Thus evidently, the naturalistic argument is – anyway in a seventeenth-century setting – also an argument about theology. But Spinoza understood that theology here is in the end predicated on anthropocentrism: God is man's creation:

while they sought to show that nature does nothing in vain (i.e., nothing which is not of use to men), they seem to have shown only that nature and the Gods are as mad as men. See, I ask you, how the matter has turned out in the end!<sup>4</sup>

The ultimate difficulty is thus anthropocentrism, the conception that man is master of his universe, and that therefore God must be the master of His. The fruitless opposition in common sense mind between God's rule and man's as it exploded in the debates on free will and natural morality, on Machiavelli and reason of state can only be adequately addressed by understanding, so to speak, the complex position of a Copernican Atlas.

The achievement of Spinoza in providing a foundation of naturalism has been his greatest liability from a practical point of view. The many critics of Spinoza were right in focusing on the fundamental dangers to Christian dogma, not so much in the light of party politics, but rather because the seventeenth-century worldview apparently did not support more relativism than already was implied in the Arminian minimalist position of the fundamental articles of the Christian creed.

It has been maintained that the fierce attacks on Spinoza following the publication of the *Tractatus Theologico-Politicus* had been first of all a desperate

<sup>4</sup> *Ethica*, IApp (II/79).

strategy on the part of Cartesians to save their new philosophy from the dismal radicalism of their target, in order not to lose out to the Voetian reaction.<sup>5</sup> But had not these Cartesian critics, particularly the Arminians among them, who refused to forgo the security of supposedly objective Christian dogma? This had been the position even of the later Velthuysen, despite his youthful leanings to naturalism, despite his joining the Copernican side in the debates on the 'sun's standstill' in the late sixties. The publication of the *Tractatus Theologico-Politicus* had opened his eyes to Spinoza's endangering the separation of natural morality from theology, he started rewriting his *Dissertatio*, wrote a new and straightforwardly Christian version of his moral philosophy in 1676, to end his literary career with a long-winding criticism of the *Tractatus Theologico-Politicus* and *Opera posthuma* together. He must have understood Spinoza, and Spinoza appreciated the fact, and was anxious to continue this pivotal debate.<sup>6</sup>

The relativist position in itself naturally continued to have the theoretical advantages naturalistic precursors of Spinoza contributed to it, opening the way to a historically assured understanding of man and society, providing the basics of a social theory of morals and of moral progress, giving a background to a somewhat distanced view on political institutions, smoothing the rough edges of political party strife. At the same time it is undeniable that there never was such a thing as a Spinozan school in political thought. Spinozism was definitely trapped in the tangles of the theological domain. In addition, the remarkable fact that Spinoza's supporters were to be found among the sectarians and self-made theologico-philosophers did not contribute to make its emphasis on the practical and social side of philosophy's progress very fashionable either. The impact of Spinoza's contribution to the naturalistic programme in political thought on later political philosophy, if any, must have been secretive,<sup>7</sup> or in a round-about way.

The political side, moreover, of the *Tractatus Theologico-Politicus* did not attract much attention. Johannes Melchior (1646-1689), the author of the first published tract against the *Tractatus Theologico-Politicus*, devoted two of its fifty pages to the last five chapters 'that deal with politics in a more proper sense'.<sup>8</sup> These pages are given as a 'post-scriptum', in which Melchior notes the many 'false and absurd hypotheses', 'contradictions', 'nonsense' leading to 'enormous and unjust postulates on almost every page'. He has selected a

<sup>5</sup> Wiep van Bunge, *Johannes Bredenburg (1643-1691). Een Rotterdamse Collegiant in the ban van Spinoza* (Rotterdam 1990) p. 148; Theo Verbeek, *De vrijheid van de filosofie: reflecties over een Cartesiaans thema* (Utrecht: Department of Philosophy 1994) pp. 2-3.

<sup>6</sup> See Spinoza's letter to Velthuysen of the end of 1675, *Epist.* 69.

<sup>7</sup> I do not imply a Straussian position here, but simply want to say 'acceptable to the politically acknowledged, who for practical reasons could not publicly express their allegiance'.

tenfold of these, the reader will encounter many more. These ten absurdities in the last five chapters of the *Tractatus Theologico-Politicus* according to Melchior indeed turn all around relativism. The first one states that 'man has a right to that which he desires and in one way or other can achieve, that is, man desires these things justly, rightly, and morally, however much this were against the rules and laws, and the precept of reason'. Paradoxically, man obeys God by doing by right whatever he desires. God's power is nothing else but the power of nature, and nonetheless God takes upon Him to rule where he did not have any right beforehand. The supreme right of nature is that anyone serves himself, and nonetheless this is a right to live according to the lust of appetite, and thus to perish, even against the precept of right reason. The same paradoxes apply to the right of government and to religion. Melchior cannot understand how Spinoza may have seen any consistency in these opinions, that seem to hinge all on making man the measure of things and actions where objective standards should prevail. His last example is Spinoza's opinion that on the one hand the sovereign ought to govern religious practice, and on the other hand actual belief (or unbelief) of the people is the measure. He cries out in despair: 'Et una resp. ferre Caesarem & Pompejum', and thus in one and the same state are tolerated Caesar as well as Pompeius. A political theory based on these premisses, is Melchior's suggestion, does not need any serious discussion, especially where it leads to such a gross scepticism. In any case, Melchior did not give it a second thought, and rightly so if licence were the alternative to the obligations of right reason.

Within a century after Lipsius had introduced Neostoic elements for naturalism, it had risen to its apex and lost its momentum almost immediately after. The path of natural morality along which Burgersdijk and Velthuysen set the first paces, enforced by De la Court's realistic political theory, proceeded to a full elaboration of implications and presuppositions in Spinoza's immanent philosophy of man, society and state. The ensuing programme was a tremendously bold one, that precisely for that reason came under attack from many quarters.

In the remainder of this chapter, I shall point out three cases of political thought that reflect some of Spinozan naturalism: the first one is Van der Muelen's optimistic attempt to redefine the *potentia multitudinis* within a theory of rights; the second one is Van Slingelandt's somewhat more desperate effort to apply naturalistic principles to improve the operations of the

<sup>8</sup> J.M. V.D.M. [Johannes Melchior], *Epistola ad amicum, continens censuram libri, cui titulus: Tractatus Theologico-Politicus, in quo demonstratur &c.* (Utrecht: Noenaert 1671) pp.46-48; see Van Bunge, *Bredenburg*, pp. 143ff. I owe Wiep van Bunge the reference to this text.

Republic; and the third one is Hemsterhuis's very pessimistic judgement of the Republic's incapacity of the 1780's.

## 2 A problem of Spinozism

In one of his letters to his 'toute chère Diotime',<sup>9</sup> François Hemsterhuis (1721-1790) commenting on the recent interest in Germany in Spinoza, had given the following verdict:

Il faut fouiller en Hollande pour avoir une idée un peu arrondie du Systeme de ce trop celebre Spinoza. Les hollandais ont vecus avec lui: ont été ses disciples: ses protecteurs: ses admirateurs: & ont fournis sans aucune comparaison les plus sçavans, les plus raffinés & les plus déterminés Spinosistes qui existent. (10 March 1789)

A few years before he had written to his princess that 'in those days' everybody was a Spinozist, and he referred explicitly to Cuffeler, Tschirnhaus and Nieuwentijt (the latter 'pendant la plus grande partie de sa vie'). Notwithstanding his ordinary critical stance towards Spinoza, Hemsterhuis continues in praise that 'dans aucune époque de l'histoire de l'esprit humain, les écarts des philosophes auront des apparences aussi intéressantes' (18 February 1785).

Moreover and apparently in relation to the burgeoning German Pantheismusstreit, he added in his letter of March 1789: 'J'ai connu encore des Spinosistes de la vieille roche, qui se seraient scandalisés du nom d'athées. Nous avons des livres dans notre langue écrits avec un art infini, où le Spinozisme est déduit de l'Evangile'. For Hemsterhuis, this evangelical movement did nothing to make Spinozism more palpable: if it is said that there exists nothing but a 'Tout' – a Totality –, he scorns, it does not matter whether one calls this Totality a lump or a Deity. Moreover, he adds, the real target of atheists is not the rejection of divinity but that of religion, which they regard as noxious to society.

In reading this glib praise by Hemsterhuis of a previous generation of scholars, one is bound to be excited and depressed at the same time. On Hemsterhuis's account, there have been great scholars who acknowledged the momentous importance of our seventeenth-century hero, be it presumably within the limitations of their age. But depression follows excitement, in trying to answer the question who may have been these Spinozists of the old stamp Hemsterhuis was referring to. What we know about Dutch Spinozism in the eighteenth century does not seem to involve the contribution of 'les

<sup>9</sup> Correspondence between Hemsterhuis and his Diotime, Amalia Princess Gallitzin (Universitätsbibliothek Münster).

plus sçavans, les plus raffinés & les plus déterminés Spinosistes qui existent'.

In political philosophy, Hemsterhuis's challenge is even greater. Hemsterhuis's most explicit adherence to Spinozistic conceptions is to be found precisely in his political writings. Next to some ephemeral<sup>10</sup> criticism of the political theory of Spinoza, not a single Spinozist political philosopher in this period comes to mind. To temper this perplexity I suggest to take Hemsterhuis referring to the following two categories of Spinozists: in the first place, those who deduced the system from the Bible, that is, the sectarians; and secondly, the natural philosophers of Spinozist bend, with whom Hemsterhuis had been conversant during his years as a military engineer.<sup>11</sup> But we still are left in the dark on the political side.

## 3 Spinozism and anti-Spinozism

In a study of political party strife in Zeeland around 1700, Murk van der Bijl referred to Spinozist tendencies in circles related to Pontiaan van Hattem. Thanks to a staunch critic of the Hattemists, Carolus Tuinman, we have some idea of what this particular type of Spinozism amounted to as far as political thought was concerned.<sup>12</sup>

A separate section of Tuinman's *Gruwelgeheim* is devoted to the 'staatkunde der vrygeesten', political philosophy of the freethinkers. In fact, Tuinman gives here a dissection of an Hattemist address to the Middelburg magistrate, which he shows to belong to the tradition of 'Machiavelli, Hobbes, Spinoza, La Court en diergelyke'.<sup>13</sup> Tuinman's commentary is to the point. He cor-

<sup>10</sup> There is no Dutch counterpart to the extensive attacks on Spinoza's political thought as documented for Germany in Winfried Schröder, *Spinoza in der Deutschen Frühaufklärung*. Würzburg 1987; Manfred Walther, 'Machina civilis oder Formen, Inhalte und Trägerschichten der Reaktionen auf den politktheoretischen Gehalt von Spinozas TTP in Deutschland vor 1700. Ein Versuch' (unpublished conference paper).

<sup>11</sup> See Vincent Brummel, *Frans Hemsterhuis. Een filosofenleven* (Haarlem: Tjeenk Willink 1925) pp. 28-36; In this respect, in particular his life-long friendship with Petrus Camper should be mentioned;

<sup>12</sup> Carolus Tuinman, *Het helse gruwelgeheim der heilloze vrygeesten*. Middelburg: W. Eling 1717. This reference is due to Michiel Wielema. The theoretical kernel of the writings of Tuinman seems to be that he sees as two dangers threatening the Dutch: on one side there is 'vrijgeestendom', freethinker-movement or libertarianism which 'de vleeschelyke lusten den losse toom geeft' [gives free reign to carnal pleasures], on the other 'streelt de Pelagiaanery de hovaardighe van de natuuryken Mensch' [flatters Pelagianism the haughtiness of natural man] pp. 45/6 of Tuinman's *Korte afschetsing der ysselykheden welke van de Spinozistische vrygeesten uitdrukkelyk worden geleert*. Rotterdam: R. Doesburg 1719. See also Murk van der Bijl, *Idee en interest. Voorgeschiedenis, verloop en achtergronden van de politieke twisten in Zeeland en vooral in Middelburg tussen 1702 en 1715*. Groningen: Wolters-Noordhoff 1981.

rectly notes that the address reflects the *Tractatus Theologico-Politicus* and *Tractatus Politicus* VIII, 46 in arguing that only the regents should belong to the state religion but leave the citizens free in their religious choice. Indeed, the address strives to curtail the ambitions of the ‘kerkelijkken’ by means of toleration, or else by political censure in order to get rid of political enemies. Political censure is defended in the address by the opinion that ministers of the church are ‘loon-slaven’, wage-slaves.<sup>14</sup> Tuinman’s vision of Spinoza’s ‘regeerkunde’, art of government, is in tune with his general opinion on de ‘vrygeesten’, who maintain that ‘each freethinker is a monarch’, because – reference to *Tractatus Theologico-Politicus* XVI – ‘[t]hey who neither hope nor fear, are in that respect not subject to the state’s right, but to their own’.<sup>15</sup> In effect, according to Tuinman Spinoza’s theory has become a theory fit for oppositional movements, undermining both religious and political authority which may come in handy for the underlying faction in politics to press its own cause. Such at least was the case in the province of Zeeland, where in various cities the factions that lost out in 1672 regained part of their power in the early eighteenth century. But this is not to suggest that the oppositional ideology and the underlying faction entertained more than a momentary coalition of interest. The regenten regaining power believed as much in law and order as those they were disposing of.<sup>16</sup>

From the perspective of this particular case, there is something awkward about the standard interpretation of political Spinozism, oscillating as it

<sup>13</sup> *Gruwelgeheim*, p. 268; I have not seen the original address, but Tuinman gives it in full, interspersed with his own remarks. The author is one ‘Pius Fidelus’, of whom Tuinman presumably uncovered the identity, suggesting that Fidelus is originally from Altona (or is it Altona = Hamburg?).

<sup>14</sup> It is debatable whether the last point is *De Jure Ecclesiasticorum* (1665) rather than TP. Tuinman, who gave the earlier references explicitly, gives none on the point of the wage-slaves. He may have had the general opinion in mind according to which Spinoza wrote the DJE. See the introduction to *Lucius Antistius Constans. Du droit des ecclésiastiques*. Tr. V. Butori, Intr. H. Blom and C. Lazzéri. Centre de philosophie politique et juridique. Université de Caen 1991, pp. ix–xxi.

<sup>15</sup> *De heilloze gruwelleere der vrygeesten* (Middelburg: J. Op Somer 1714) p. 65; Fatalism is the metaphysical argument, according to Tuinman, in the ‘onderstelling van die eene zelfstandigheid en noodzakelijke werkorde’ [the hypothesis of a single substance and a necessary causal order] –p.7– although they have cloaked it in an evangelical dress [‘een Evangelische huik’, p.4]. Although this is a travesty of Spinoza’s naturalistic political theory, it taps the core elements in anti-Spinozism to which the alleged Spinozism of Van Hattem may have adapted itself.

<sup>16</sup> As a matter of fact, the process of oligarchisation which had been slowly but steadily been pervading Dutch society eroded as much the (reformed) church as the vroedschap. See for a recent appraisal: L. Kooijmans, ‘Patriciaat en aristocratisering in Holland tijdens de zeventiende en achttiende eeuw’, in M. Prak & J. Aalbers (eds), *De bloem der natie. Adel en patriciaat in de Noordelijke Nederlanden* (Meppel: Boom 1987) pp. 93–102.

does between the general state of mind associated with ‘Machiavelli, Hobbes, Spinoza, La Court and others’ on the one hand, and the – somewhat more precise – ideological identification with the Arminian-minded ‘politieken’ on the other hand.

The first variety is presumably that of the immoral reason-of-state thinkers, who deny political virtue and Christian politics aiming at the promotion of absolutist rule irrespective of traditional privileges or the well-being of the people. It is the variety that had been forcefully attacked by Gisbertus Cockius in the 1660’s, and would in almost the same terms be rejected off hand by many a writer during the Witten-war of the 1750’s. This version of political Spinozism, as seen by its critics, has precious little to do with Spinoza’s political thought as we understand it today, particularly since we have become acquainted with the many differences among these destroyers of morality and society. Since we now believe that for all his appreciation of Machiavelli, Hobbes or De la Court, Spinoza had established a political theory that differs as often as not from those of his predecessors, the identification of Spinoza with this band of radical political theorists is not very illuminative. It only purveys something of its radicality, but does not reveal any precise understanding of the contents of the theory. The historian of political thought definitely cannot deplore this. His is not the task to read backwards, so to say, his or her own insights into the historical conceptions under scrutiny. He has to live with the fact that some important thinker was not ‘really’ understood. The contrary is the case: we should use this kind of information to reconstruct the way of ideas in their historical development.

On the other hand, given the dearth, or rather absence of published Spinozist political theories in that period, and the correlated necessity to rely on the information on Spinozism provided by its adversaries, we run into some very peculiar difficulties. Taco van den Honert described the situation in a wonderful travesty of Spinozan argument in his attack on Leenhoff.<sup>17</sup> Who is a Spinozist, he asked his readers? He surmises the following answer: It is one who explains that somebody else is a Spinozist, since to be able to give such an explanation he has to understand Spinoza. Apparently Van den Honert took for granted that the syllogism did not apply to himself. Van den Honert indeed made it sufficiently clear that his own detailed study of the *Ethica* was undertaken only to be able to oppose these dangerous opinions with more force. The difficulty is: if a Spinozist will never expose himself,

<sup>17</sup> Taco H. van den Honert, *Brief aan den heer Fredericus van Leenhof, Predikant tot Swolle, wegens de redenkundige anmerkingen en de opheldering van zijn Hemel op aarde*. Amsterdam: G. Borstius 1704. The travesty is that he gives his argument along the lines of a geometrical demonstration, with postulates, demonstrations and scholia.



unless by decrying other crypto-Spinozists, how can we ever know the anti-Spinozist from the crypto-Spinozist? It is like the notorious paradox about the lying Cretenser. And Russell's solution of that paradox clearly has no application in this case of the crypto-Spinozist. The historian ought to divert his attention in other directions. And in the case of political philosophy he is helped by the fact that in the Low Countries there are no exposures of Spinozism to be found in the first place.

There is the danger of transposing our modern categories inadvertently to the historical situation. In focussing on Spinoza's political thought the distortion of 'Whig history' has to be taken into account. The general understanding of Spinoza, as was pointed out in the previous chapter, is that he appertains to a particular political faction: that of the 'Loevesteinse factie', the adversaries of the ambitious policies of Prince William II, captivated by the latter on the castle Slot Loevestein, ominously the same castle where Hugo Grotius was held in 1619-1621. Spinoza's connection with Pieter de la Court and Johan de Witt, as well as his critical attitude towards despotism, and his theoretical underpinning of the politics of toleration that precipitated the downfall of the arch-republican Oldebarneveldt, all this is brought forward to argue that Spinoza himself ideologically belonged to the 'Loevesteinse factie', or the 'staatsgezinden', or at least the republicans and anti-Orangists. Consequently, looking for political Spinozism, one is tempted to concentrate on adherents of the same ideology. And this is to miss the mark. First of all, one ought to take serious Spinoza's criticism of the same regenten in the *Tractatus Politicus*. Secondly, François Hemsterhuis, for one, notwithstanding the Spinozist orientation in his political writings, defended the 'staats-stadhouderlijke stelsel', the necessity of a stadhouder in the Republic. As a Frisian, moreover, he had some connections to the Frisian Orange Court. Hence, here we find an Orangist reader of Spinoza, although not necessarily a Spinozist supporter of Orangism.<sup>18</sup> This seems to smack of a *contradictio in terminis*. I have argued that the whole notion of a natural allegiance between Spinoza, Spinozism and anti-Orangism is a fundamental misconception, highly detrimental to a correct understanding, not only of Spinoza's republicanism, but also of Spinoza's legacy in Dutch political thought.

<sup>18</sup> Hemsterhuis believed, like Slingelandt to whom he referred favourably, in the potentialities of the 'staats-stadhouderlijke stelsel', but at the same time was highly critical of what he regarded as the impotent policies (or rather lack of that) of William V.

#### 4 Van der Muelen on natural law, civil society & sovereignty

Ulric Huber adopted Spinoza's integration of liberty and absolutism, in particular with respect to the role of the *multitudo*. Kossmann has shown that indeed Huber must have been in Spinoza's debt on this score.<sup>19</sup> But we still lack a detailed analysis of this reception.<sup>20</sup> This is the more pressing since Huber was the first natural lawyer who made short thrift with the Dutch practice to exempt their own country from the absolutism they otherwise preached. Indeed, Huber went a long way in adapting Spinozan naturalism to the vocabulary of natural jurisprudence. In his penchant for historical analysis of the origins of laws and institutions, he was able to indicate the various processes – by force or contract – by which a state can arise in which 'everyone under public rule safely can enjoy his life and goods, and is not offended in this right to a greater extent than is required by public utility without which individuals cannot subsist'.<sup>21</sup> In particular in a democracy, Huber notes, sovereignty is quite absolute, 'since here there is outside the people itself no order against which the multitude desires to protect itself'.<sup>22</sup>

Willem van der Muelen (1659-1739) took his degree in law in the University of Utrecht on a dissertation *de defensione sui* (1681). His career was that of a Utrecht regent, and although Van der Muelen's father belonged to a different faction from Velthuysen's – being elected to the Utrecht vroedschap in 1674 after Velthuysen's own removal from office – the son would prove an ardent student of Velthuysen's writings. Apparently his public duties as a dike-reeve, as a trustee of the Oost-Indische Compagnie, as a justice in the Utrecht Court, and last but not least as a canon in the chapter of St. Marie, left him sufficient leisure for study and writing. His interests were the practice of law, as well as natural law. In accordance with his father's political allegiance, Willem – or Guilhelmus as he put it, somewhat pompously, on the title-pages of his publications – actively sought to curry favour with William III, by dedicating several books to the Prince. The first of these was the *Dissertatio de sanctitate summi imperii civilis* (1689), a dissertation on sovereignty, apparently written to endorse William's newly acquired dignity in Great Britain. Some years before

<sup>19</sup> E.H. Kossmann, *Politieke theorie in het zeventiende-eeuwse Nederland* (Amsterdam: Noord-Hollandsche Uitgevers Mij 1960) pp. 95-103.

<sup>20</sup> Veen rejects Kossmann's analysis, mainly on the argument that Spinoza and Huber disagreed about the relationship of utility and right. Moreover, Veen deems Huber realistic in comparison to Spinoza's abstract and idealistic approach of the best form of government; See T.J. Veen, *Recht en nut. Studien over en naar aanleiding van Ulric Huber (1636-1694)*. Zwolle: Tjeenk Willink 1976, pp. 202-214.

<sup>21</sup> Ulric Huber, *De jure civitatis* I, ix, 27 (pp. 51-2).

<sup>22</sup> Huber, *DJC*, I, x, 19 (p. 57)

he had published two dissertations on the origins of natural jurisprudence and civil society (1684).

The *Dissertatio de sanctitate* is a remarkably Dutch treatise, notwithstanding its abstract argument. Its opening paragraphs express two well-known principles, first that of *concordia* and rule for the sake of the ruled, secondly that merciful God had given to the world a virtuous prince, who by restoring the laws in England, 'was to be the protector and comfort of the oppressed, and would unloose the shackles of Europe's perpetually menacing servitude'.<sup>23</sup> The dissertation is sandwiched between two quotations from Cicero, the first on discord and civil strife as the consequences of rulers who alienate the people, the second on the duty to 'exterminate' tyranny from civil society. Evidently, there is nothing very remarkable about these views, which were part and parcel of the self-gratulatory literature of 1688–1689.<sup>24</sup> Moreover, written by a regent who at least to some measure must be reckoned among the clientele of the prince of Orange, one might expect it to be along standard Orangist lines. That it was not, must be seen as a further commentary on the complicated nature of factions in the Republic, but most of all as an indication of the effects of the naturalistic movement I have been describing. Within the confines of a lawyer's vocabulary, Van der Muelen's dissertation – together with his previous writings of 1684 – demonstrate a break with earlier understanding of Dutch liberty, as was recognised immediately.<sup>25</sup> Kossmann has first drawn attention to Van der Muelen and did not hesitate to stress his importance in calling him a Dutch Locke, who went the way of 'liberal radicalism'.<sup>26</sup> He pointed out that Van der Muelen had replaced the old Calvinist constitutionalism of the sixteenth century by a modern, individualistic theory of sovereignty, in which freedom and equality of the citizens provide a natural boundary to the sovereign's power. Comparing him in that respect unfavourably with Locke, he indicated that Van der Muelen did not provide, however, an analysis in more detail of the institutional mechanisms that should go with this new theory. But one might ask whether that had been Van der Muelen's intention, or importantly limits his relevance. We may well

<sup>23</sup> *qui praesidium & solatium esset oppressis, atque Europae perpetuae imminens servitutis dissolveret vincula*, G.V.M. [Willem van der Muelen], *Dissertatio de sanctitate summi imperii civilis Qua examinatur An summo imperanti quibusdam in casibus resistere, eumque imperio exuere, & debellare civibus liceat* (Utrecht, Fr. Halma, 1689) Preface [2].

<sup>24</sup> See H.W. Blom, 'Our Prince is King! The impact of the Glorious Revolution on political debate in the Dutch Republic', in: *Parliaments, Estates and Representation*, (1990) pp. 45–58.

<sup>25</sup> See *Bibliothèque universelle et historique*, (1689) vol XIII, art iv pp. 138–168; *Nouvelles de la République des Lettres*, (1689), vol XI, art iv, pp. 352–360.

<sup>26</sup> E.H. Kossmann, *Politieke theorie in het zeventiende-eeuwse Nederland* (Amsterdam: Noord-Hollandse Uitgeverij 1960) pp. 74–82.

first discuss Van der Muelen's 1684 dissertations, which show his reliance on Velthuysen's political morality.

#### 4.1 The social fabric

In the first of the two dissertations of 1684, Van der Muelen sets out very forcefully against the opinion of those who hold natural law as old as mankind, as if natural reason were the 'fountain, foundation and pedestal' of natural law.<sup>27</sup> These authors – Grotius, Osiander – maintain that God has amply provided man with reason, to the exclusion of other animals. Hence they believe that man never has been *exlegem*, outside the rule of law. 'But, woe, how much darkness has obfuscated their mind'. Although Van der Muelen does not deny the relationship of natural law and reason, he insists that as laws differentiate between good and evil, natural law is rather 'the precept of right reason, that is, a certain distinction between right and wrong, good and evil, which is brought forward by the rational soul and presented to us, that we may have a principle for acting and speaking'.<sup>28</sup> But this distinction can only be had if there exist objects that permit a comparison in terms of good and evil. Since Adam did not experience good and evil, he cannot have had the notion of it, and hence practiced virtue 'following the constitution of his sacred nature', as Van der Muelen finishes off a long quotation from Velthuysen's *de pudore naturali* (1676). The precise meaning of this opening is to be found in the ensuing argument: the analysis of the notion of natural law, and a digression into the reputed Pelagianism of his opinions.

Commenting on Grotius's three meanings of law,<sup>29</sup> he accepts heartily the principle that the notion of law can be applied to brutes and other beings alike, all acting according to their innate nature, since they but follow God's eternal decree. 'Therefore I do not think that the man is wrong who understands by the law and constitution of nature, conceived in a broad sense, the rules of the nature of each single individual, according to which we understand each being to be naturally determined to exist and act in a certain mode'.<sup>30</sup> Evidently, if this reference is meant to be to Spinoza, it is a travesty,

<sup>27</sup> G.V.M. [Guilhelmus Van der Muelen] *Disputatio de origine juris naturalis*. in: Idem, *Dissertationes de origine juris naturalis et societatis civilis*. (Utrecht: Joh. van de Water 1684) pp. 1–64; the argument starts right on page 1.

<sup>28</sup> *dictamen rectae rationis, id est, distinctio quaedam justi & injusti, boni & mali ab anima rationali profecta & nobis oblata, ut factorum & dictorum haberemus rationem, Origine*, p. 5.

<sup>29</sup> *DJ&P*, I, i, 3–4.

<sup>30</sup> *Quamobrem non puto eum a vero aberrare, qui per jus & institutum naturae latè sump-tum, intelligit regulas naturae uniuscujusque individui, secundum quas unumquodque naturaliter determinatum concipimus ad certo modo existendum & operandum, Origine*, p. 11.

and definitely meant to be one, as it is further supported by a quotation from Plato arguing the teleological nature of seeds. But, nonetheless, like in his interpretation of 'natura vel Deus' a few pages down ('when I speak of nature, I speak of God because He is the creator of nature'), it is travesty with a vengeance. It commits him to equally defend the thesis that one and the same law applies to all created beings, and that the notion of right ('jus') 'can be extended to all human actions, and the inclinations and propensities of brutes, trees, bushes, and the movements of natural bodies'.<sup>31</sup> How can Van der Muelen get disentangled from this knot of natural laws and theology, given the additional (and sincere, as I take it) principle that 'the precepts of reason, as far as they pertain to Theology, ought to agree with the holy books, or else should rather be deleted from the soul as being in contradiction with eternal truth'.<sup>32</sup>

His resolving argument, first, takes recourse to the *lumen naturale* (p. 57), which enlightens Christians and pagans alike. He propounds a version of the ontological proof of God which concludes with an identification of God as the most perfect being, first cause, endowed with infinite sanctity, from whom flows supreme justice and thence the distribution of reward and punishment. It is a bit terse, but permits Van der Muelen to comply with his principle of the concurrence of twofold truth.

Secondly, he elaborates on his conception of nature, the 'fabric of this universe, constructed with the utmost counsel and wisdom', this 'machinery of the world', of which he borrows a lengthy description by Samuel Parker. The order of the world cannot be explained 'unless there were a cause, that knows its utility, that chooses the means to further that utility, and moreover judges the use of the means chosen'. This counsel and reason cannot inhere in natural things, 'thus they must all be ruled and governed by the counsel and reason of some rector; but that rector is whom we call by the name of Supreme Almighty, the author and cause or creator of this universe, i.e. of all things'.<sup>33</sup>

But this recourse to Parker's Deism does not really solve things for Van der Muelen, because it does not square with some of his basic convictions, in

<sup>31</sup> Origine, p. 20; the argument is supported with a reference to Psalm 148; for a comparable use of 'right', see Spinoza, TTP, XIV: 'By the right and established order of Nature I mean simply the rules governing the nature of every individual thing, according to which we conceive it as naturally determined to exist and to act in a definite way. For example, fish are determined by nature to swim, and the big ones to eat the smaller ones. Thus it is by sovereign natural right that fish inhabit water, and the big ones eat the smaller ones'.

<sup>32</sup> Origine, p. 57.

<sup>33</sup> Origine, p. 52. The quotation is from Samuel Parker, *Disputationes de Deo et providentia divina* (London: John Martyn 1678) II, § 3.

particular the one to become central to his political thought, and proudly expressed at the end of the second dissertation of 1684: 'Prima & fundamentalis naturae lex est Conservatio sui ipsius'. This is the more a problem for Van der Muelen, as he first introduced the *conservatio* in the first dissertation as a natural inclination which man has in common with other beings. In fact, on Van der Muelen's account this natural inclination to preserve oneself should be either something – like other passions – that has to be supervised by the rational soul, or else ought to be accepted as a right *per se*. In the first case it cannot be a fundamental right, in the second one it destroys his use of Parker. As a consequence, his attempt to turn the naturalistic tendencies of Velthuysen into a theory congruent with his undoubtedly sincere religious convictions runs into havoc. There is no help in his further analysis of morality in terms of will and understanding, and the standard principle that the will concurs with the understanding, since the basic issue – what is the method to discover the laws of nature – is not solved. He could just as well have argued that God's command is a law unto man.

I surmise that Van der Muelen, who apparently – among others by Jacobus Koelman – was associated with the dangerous opinions of Velthuysen, and, according to his own testimony, was attacked for Pelagian heresies, believed that he could save sufficiently of Velthuysen's programme to make his 'fundamental law' stick while at the same time maintain his religious orthodoxy. The trick was that of Parker, but whereas Parker's intention was to intoxicate the naturalistic programme as such, without any interest in self-preservation, Van der Muelen attempted a combination that could not work.

For yet another reason he was depending on Velthuysen's paradigm. Not only wishes he to maintain the priority of self-preservation, but also the existence of morality prior to civil society, in order to escape Grotius's absolutist rejection of resistance. It was thus that arose his problems with the suspicion of Pelagian heresy. Velthuysen's argument had been that the development of morality is natural and gradual, motivated by necessity although directed towards moral principles to be discovered afterwards. This argument at least reduced the role of government in moral education, if not taking it away.<sup>34</sup> Velthuysen could rely on the purposeful order of nature whereby utility – or 'noodt', necessity, in the *Ondersoek* – produces the practices that men's dim notions of just and right could not yet discern. Van der

<sup>34</sup> Velthuysen discussed this topic directly – in terms not very different from those in the last two chapters of the TTP – in his *Ondersoek of de Christelijcke overheydt eenigh quaedt in haer gebiedt mach toe laeten* (Middelburg 1660) [=Enquiry into whether a Christian sovereign may admit some evil under its government]

Muelen, however, had to give a different turn to the crucial distinction between the sanctity of primordial man and the depravity of man after the Fall. He argues – somewhat contradictory – that whereas prelapsarian man did not know the law of nature, postlapsarian man had been able to consult innate moral principles that had not been completely washed out by the Fall. So his opponents and ‘slanderers’ might well ask whether in the end he was not siding with Pelagius in holding that prelapsarian man had been neither good nor bad. But this matter can not bother us any further. Van der Muelen’s attempt to reconcile naturalism and revelation had failed. The only things left were a vague Deism and some quite general references to natural religion. And although he retained self-preservation as a principle in his political theory, it was not based on a coherent moral theory. It had become the juridical and quite innocuous expression of an element in naturalism that befitted someone who had graduated on self-defence.

#### 4.2 The origins of the state

Very remarkable in these dissertations is his attack on the notion of *sociabilitas*.<sup>35</sup> He defends the Hobbesian thesis that the state does not originate from *appetitus societatis*: ‘in reality it has its origins from mutual fear, from the desire of men to damage each other’.<sup>36</sup> One of his arguments for this conclusion is derived from what Van der Muelen regards as the most important single passion of man: his care for his own liberty, *studium libertatis*, i.e. ‘to govern himself, that is to live according to his own judgement, and to state and prescribe the mode and rule that have to direct the actions that originate from himself’.<sup>37</sup> It is therefore that man has no innate passion for society:

But this desire for liberty makes for his rejection and dismissal of all government; because this liberty is the power to live his own life ... Because since man’s greatest interest is in his own conservation, he does his utmost to reject those things which carry before themselves the semblance of suffering.<sup>38</sup>

Van der Muelen makes it clear, however, that man has left the Golden Age,

<sup>35</sup> Kossmann, who relies mostly on Van der Muelen’s later work on Grotius, apparently overlooked the fact that in 1684 *appetitus societatis* is explicitly and forcefully rejected. *Politieke theorie*, p. 77.

<sup>36</sup> *verum a mutuo metu, ex mutua hominum laedendi voluntate ortum suum habente*, *Origine*, p. 75.

<sup>37</sup> ‘sibi imperare, id est suo arbitrio, non alieno vivere, & actionibus, quae a se proficiscuntur, modum & regulam, ad quam dirigi debent, statuere ac praescribere’, *Origine* pp. 70–71.

<sup>38</sup> Hoc autem *studium libertatis* omne imperium declinat ac respuit; quippe cum ea sit potestas vivendi ut velis... Quippe cum homo suae conservationi maxime studeat, summa ope nititur ea declinare, quae prae se ferunt laedendi speciem, *Origine*, pp. 72, 77. The Ciceronian background can be found in *De Officiis*, I,4,11–, where we find a discussion of the ‘*studium libertatis*’ in its relation to ‘*conservatio sui*’, ‘*imperium*’ and ‘*declinare laesum*’.

*aurea aetas*, and lives in Ovidius’s Iron Age. He (mis)cites Hobbes: In the first period man was to man like God, but in the last man is to man a wolf.<sup>39</sup> Therefore, man is anxious to defend himself against any injustice he might suffer from his fellow-men. To that purpose he, notwithstanding his love of freedom, accepts government and no longer persists in his ‘*juri suo resistendi*’. Moreover, since compliance with the decrees of government is, as Tacitus explained, ‘*gloria relicta*’, a lost virtue, political obligation will not take place unless fear for punishment is added, ‘*nisi poenarum metu accedente*’.<sup>40</sup>

So whenever people have no hope left, they decide to unite in a civil society on the condition, that is, that they agree ‘*de ratione, quae communis defensio sit instituenda*’, on the principles according to which their common defence has to be arranged. Furthermore they have to institute some council, or a person, that is to decide for all, to live in concord and peace. To this purpose they will have to conclude a *pactum submissionis*.<sup>41</sup>

We can very well describe Van der Muelen’s position in this work of 1684 as a Ciceronian Hobbesianism vintage Velthuysen, as will once again be evident from the last reiteration of the argument in the book:

The first and fundamental law of nature is the preservation of oneself. [this law is directed at man as an individual and forces him to crave for individual property] to the exclusion of other men. [He tries to unite with other men] whose only care and goal is, that each promotes his own advantage, glory and honour as much as he can.<sup>42</sup>

‘*Utile*’ and ‘*honour*’, if only when correctly defined, continue to prevail in the analysis of justice. This Ciceronian foundation of political life gets new meaning in the *societas civilis*.<sup>43</sup>

Indeed, by denying the *appetitus societatis*, and endorsing *mutuo metu* as its alternative, leading to a defence organisation rather than a state, Van der Muelen had something more up his sleeve. Denial of *appetitus societatis* does not imply a general fear for social contacts: men live in families, understand

<sup>39</sup> In illo homo homini Deus, in hoc autem homo homini lupus est, *Origine*, p. 65; see Thomas Hobbes, *De Cive*, *Epistola Dedicatoria* [Clarendon Edition of the Works of Thomas Hobbes, vol II] p. 73. For references related to the other two Hobbes-arguments in Van der Muelen, scil. ‘*ex mutuo metu*’ and ‘*conservatio sui*’, see *De Cive*, caput I, passim.

<sup>40</sup> *Origine*, p. 74.

<sup>41</sup> Of course, Van der Muelen here refers to Pufendorf, *De Jure Naturae et Gentium*, lib. 7 cap. 2.

<sup>42</sup> ‘*Prima & fundamentalis naturae lex est Conservatio sui ipsius*. [this law is directed at man as an individual and forces him to crave for individual property] exclusis caeteris hominibus. [He tries to unite with other men] quorum unicus scopus & finis est, ut quisque suam utilitatem & gloriam honoremque, quantum in se est, promoveat, *Origine*, p. 92.

<sup>43</sup> Kossmann, *Politieke theorie*, overlooks this Ciceronian element. See more specifically for the importance of these three concepts in Cicero: N. Wood, *Cicero’s social and political thought*. Berkeley: University of California Press 1988, esp. chap. 4. See furthermore, *De Officiis*, II 31–38 for a discussion of glory, honour and their relation to justice.

each other's desires, and conclude contracts.

Thus was Van der Muelen's argument in 1684. He did not change his mind on these points in the next five years, but added an argument that, although quite common in the Republic, gained an enormous momentum in the context of his political theory. We will in the next paragraphs give a description and analysis of the new and refreshing meaning added on this Ciceronian Hobbesianism.

#### 4.3 The English expedition: new opportunities for political theory<sup>44</sup>

Pierre Jurieu's reaction to the events in England in 1688/9 indicate an interesting change of opinion on the occasion of the Glorious Revolution.<sup>45</sup> In the next quotation from this exponent of Huguenot political theory is one of many indications of a changing attitude:

Quand le Roi & le peuple sont opposés, le Parlement est juge. Or un juge ne peut avoir besoin du consentement de l'une des parties pour valider ses sentences. Quand le Parlement & le Roi travaillent de concert à la conservation de la Religion & de la Société alors seulement ils ne peuvent rien faire l'un sans l'autre.<sup>46</sup>

This is a remarkable change in seventeenth century Huguenot political theory, incorporating the notion of King-in-parliament into what at that time was an absolutist conception of sovereignty. Jurieu makes it clear, however, that parliament itself is not invested with sovereignty, as he is obliged to say in accordance with the theorem of the indivisibility of sovereignty. Parliament acts as Judge in the conflict between the people and the king.

[The king] a voulu anéantir tous les privileges de la Nation. Il n'en avoit pas le pouvoir, il est donc sorti de ses bornes.

And by doing so, the king forfeited his rights as king.<sup>47</sup>

This line of reasoning is not an isolated one at the time. Sovereignty and tyranny are embedded in one theory according to which the king's limits are formulated by the nation and his behaviour in that respect is judged by parliament. We might be tempted, nevertheless, to understand these remarks as a modern formulation of the classic sixteenth-century Huguenot theory of resistance. And although I do not want to underestimate the importance to Jurieu of that tradition, things did change for Jurieu during his exile-years in Holland, as it did for Dutch thought in general.

<sup>44</sup> This theme is elaborated upon in my 'Our Prince is King'.

<sup>45</sup> [Pierre Jurieu] *Apologie pour les Serenissimes Majestés Britanniques, Contre un Infame Libelle Intitulé Le vray portrait de Guillaume Henri de Nassau, nouvel Absalom, nouvel Herode, nouveau Cromwel, nouveau Neron*. Den Haag, Troyel 1689 [Kn. 254], p. 9/10. Tr. in *Collection of state tracts*, I, 185.

<sup>46</sup> Jurieu, *Apologie*, p. 23.

<sup>47</sup> Jurieu, *Apologie*, p. 8.

#### 4.4 Van der Muelen as a modern republican

Evidently this reaction to the events played a role for Van der Muelen as well. Not only the political humiliation of 1672 had given way to a new self-confidence in the Republic, but also the developments in France and England posed a new challenge to the religious, political and economic interests of the country. The Revocation of the Edict of Nantes, and the succession to the English throne by James II in the same year stimulated the different parties in Dutch politics to put aside their grievances and to combine forces. In 1689, William III who previously had expressed his contempt for constitutional arrangements like that of the Doge of Venice, was quite willing to allow the English Parliament its due. However, not a few regenten did accept the obvious, and now no longer innocuous fact that William III successfully performed the role of 'eminent head', of king in the Republic. As was the case in England, Dutch political writers referred to the ancient constitution to both explain and circumscribe the position of this monarchical element in the Republic.<sup>48</sup>

In his central *dissertatio* of 1689<sup>49</sup>, addressed to William III, the Deliverer of Europe, Van der Muelen skillfully refers to this conventional wisdom in his introduction: there is no legitimate power without bounds of fundamental laws; there exists a mutual obligation between prince and people that stipulates that both parties perform their part of the contract. 'Non est Princeps supra leges, sed leges supra principem'. So far for conventional wisdom that only reiterates the classic Protestant theory of resistance. We can easily see what Van der Muelen is heading for: he introduces his central question as being that about the relevance of the people's judgement on the behaviour of the *imperii gubernacula*. To emphasize that he has no small fish to fry, he immediately presents the opponents' argument: it would be idle to make the government dependent on the people's opinions, because these are variable and divided. Even Jupiter cannot please everybody with fair weather, nor with rain. And in his solution of it, Van der Muelen recurs to natural liberty and equality, to people's sovereignty, and from there to the people's right to install the type of government they deem best for the problems at hand.

It cannot be over-emphasized that Van der Muelen's theory so to speak originated from consensus, as was observed in the summary of the book in

<sup>48</sup> See e.g. the debate between Jacob Perizonius and Ulric Huber, that centers exclusively around the interpretation of the *leges fundamentales*. Perizonius, in his *De origine et Natura imperii inprimis Regii, a libero et sui juris populo simpliciter delati* (1689), defends the continuity of people's sovereignty, whereas Huber argues that, in constituting the state, the sovereignty is definitively transferred to the new sovereign. U. Huber, *De juris popularis, optimatum et regalis imperii, sine vi et a sui juris populi constituti* (1689).

<sup>49</sup> *Dissertatio de sanctitate summi imperii civilis*.

Bayle's *Bibliothèque*. 'La personne du peuple' does not dissolve in the political contract, nor is the sovereign granted more power than originally had resided in the people.<sup>50</sup> It was the unprecedented cooperation between William III and the regenten that had suggested to him the possibility of a new foundation of political life to start with. In other words, only when consensus exists in a polity as to the fundamental goals and principles of political organisation, there can be a real *civitas*. That is to say, that for Van der Muelen it is no longer the opposition between tyrants and Christian princes that counts, but between just and unjust *civitates*. His point of reference is the actual consensus on the goals and purposes of the body politic and the institutional procedures appropriate to it. The ancient 'Tests and Acts', the language of prerogatives and privileges, no longer appeal to him. He believes in the possibilities of the new language of individualism, reason and cooperation:

And therefore they can elect another in the place of a prince who has died in a normal way or had his life taken away, under such law and institution as suits them; if the form of the prior government displeases, they can change it and establish another one; if they discover some vices, they correct them, repeal prior laws or institutions, establish new ones, by which they deem the conservation and well-being of society will be better taken care of; it is in their power to augment or diminish the power of the prince, reserve for themselves part of the rule, or yield it all up; whether to appoint one or many to defend society, for eternity or for a specified time, lest the power of the state be diminished by delay or solitariness, depends on their consensus.<sup>51</sup>

### 5 Simon van Slingelandt

In the political thought of Simon van Slingelandt the pivotal elements of the republican debate appear.<sup>52</sup> Slingelandt, born in Dordrecht, had an important political career in the Republic. He was educated in The Hague and at Leiden University. As he had been inscribed in the German nation of Orléans for the year 1684, one may surmise that he made the Grand Tour. He became, like his father, secretary of the Council of State (1690–1720), Recorder of the Council (1720–1727) and Raadpensionaris of the States of Holland (1727–

1736). In the last capacity he was to be the most important official in the Republic, virtually the architect of Dutch foreign policy and involved in all brokering and policy-making of the States-General. Actually all three posts he successively occupied were in the center of Dutch politics. The secretary and the recorder of the Council and the raadpensionaris together were known as the 'three ministers' of the state. They operated in close contact. Slingelandt started his political career under William III, and learned the tricks of the trade during the Nine Years' War (1688–1697). After William's death in 1702, he lived through one of the most devastating war the Republic experienced: the Spanish Succession War (1702–1714). This war which involved the Dutch into a large scale landwar, was fought in the Southern Netherlands. The Dutch raised an army of 100,000 soldiers, to find out that even then they were more hindered by their allies than by the French fiend. The outcome of this war was a Dutch state on the verge of bankruptcy, and notwithstanding the Treaty of Utrecht (1713–4) the Dutch were left insecure and burdened with the defence of the Barrier in the Southern Netherlands for which they lacked money and interest.

It was in the aftermath of these events that Slingelandt composed his most important political writings, to be published only in 1784 (during the patriotic upheaval) as *Staatkundige Geschriften*.<sup>53</sup> The various parts of these writings circulated, however, during his lifetime. Slingelandt produced as part of his official duties a tremendous amount of letters of which that with the Frisian statesman Sicco van Goslinga, continued over more than 30 years. These letters,<sup>54</sup> mainly concerned with foreign policy, complement the *Staatkundige Geschriften* which treat constitutional matters. Its more than 1000 pages comprise a history of political institutions of the Republic in general and Holland

<sup>50</sup> *Bibliothèque universelle et historique*, XIII, iv, pp. 163–4.

<sup>51</sup> Ideoque in principis civiliter mortui & capitis diminuti locum alium possunt eligere, tali lege & conditione qua ipsi placet, si displicet prioris imperii forma, possunt eam mutare & aliam constituere, si vitia quaedam detegerunt, ea corrigunt, priores leges vel conditiones abrogant, novas condunt, quibus conservationi & saluti societatis melius consultum iri putant, principis potestatem vel augere vel diminuire, sibi imperii partem retinere, vel totum cedere in ejus est arbitrio: unum vel plures societati tuendae destinare, idque in perpetuum vel in tempus, ne potestas mora vel solitudine corrumpatur, ab ejus dependet consensu, *Sanctitate*, §23, pp. 91/92.

<sup>52</sup> The scanty literature on Slingelandt comprises the following: [Alb. G. Waelwyk] *Vaderlandse remarques volgens en op de staatkundige geschriften van Mr. Simon van Slingelandt, over de oude regering van Holland, onder de graaven en de verandering daarin gevallen zeedert de trouwen*. Den Haag: J.A. Bouvink 1787; Matthijs Siegenbeek, *Lofrede op de raadpensionaris Simon van Slingelandt*. Leiden: Haak 1819; Matthijs Siegenbeek, *Over Simon van Slingelandt als staatsvormer: eene voorlezing op 7 oktober 1842*; G.W. Vreede, *Voorouderlijke wijsheid in haghelijke tijden: het ministerie der raadpensionarissen Simon van Slingelandt, Pieter Steyn en Laurens Pieter van der Spiegel herdacht*. Utrecht: Beijers 1872; A. Goslinga, *Slingelandt's efforts towards European peace*. Den Haag: Nijhoff 1915; J.A. van Arkel, *De houding van den raadpensionaris Simon van Slingelandt tegenover het huis van Oranje*. Amsterdam: Paris 1925. Discussion also in I. Leonard Leeb, *The ideological origins of the Batavian Revolution. History and politics in the Dutch Republic 1747–1800* (Den Haag: Nijhoff 1973) pp. 40–57; J. Aalbers, *De Republiek en de vrede van Europa* (Groningen: Noordhoff 1980) passim.

<sup>53</sup> In four volumes, in Amsterdam by Petrus Schouten.

<sup>54</sup> This correspondence has been printed: *Briefwisseling Van Slingelandt–Van Goslinga 1697–1731*. Ed. W.A. van Rappard. Den Haag 1978. Sicco van Goslinga (1664–1631) was a Frisian nobleman (grietman), supporter of the Orange-family than living in Friesland, important diplomat and influential regent.

and Zeeland in particular; several reports on the defects of the present arrangements; some very detailed proposals for the improvement of i.a. tax-collection, management of the army, the functioning of the Council of State.

#### 5.1 Failing institutions

So Slingelandt had two domains into which to investigate the causes of the disastrous war: foreign policy and internal institutions. Slingelandt on political institutions is my main concern. As the Dutch political regime alternated between periods with a stadhouder and those without, students of Spinoza are generally inclined to regard the stadhouderless period as superior, since in the first stadhouderless period (1650 to 1672) philosophy and learning flourished, also Spinoza lived the greater part of his life then. This is not true for Slingelandt, who equally shared in the period of William III (1672-1702) and the following, second stadhouderless period (1702-1747). Crude sociology of knowledge would suggest that as their worlds were different, Spinoza and Slingelandt must have appreciated these political regimes differently as well. That, in my opinion, was not the case. Both maintained that the States-regime had failed in adapting sufficiently to the absence of a stadhouder, in not providing for the crucial functions of the stadhouder by appropriate republican means. Slingelandt is very clear:

It does not presuppose great political acumen to understand that if the public interest would demand the revival of the political regime of the years 1650-1672, it would be contrary to this purpose not to correct at the same time several major defects in that regime, which although partly of older provenance, never raved as much as in that period and were since corrected a little by a means that ended with the death of the very memorable king.<sup>55</sup>

Indeed, this echoes Spinoza's verdict in *Tractatus Politicus* IX, 14 that the Dutch believed that 'to maintain their liberty it was enough to abandon their count, and to behead the body of the dominion, but never thought of remoulding it, and left its limbs, just as they had first been constituted, so that the county of Holland has remained without a count, like a headless body, and the actual dominion has lasted on without the name.' Hence is was unclear 'with whom the authority of dominion lay' and the republic was overthrown 'not

<sup>55</sup> Want men behoefde anders niet seer bedreeven te weesen in de saaken van de Republicq, om te weten, dat soo het overeenquam met het interest van het gemeen, te doen herleeven de forme van Reegering, welke plaats gehad heeft tusschen de jaaren 1650 en 1672, het ten uiterste daar meede streed, niet te gelyk te redresseeren verscheide capitaale defecten in de Regeering van die tyd, welke defecten, schoon zynde ten deel van ouder oorspronk, noit soo seer hadden in swang gegaan als in die jaaren, en aan welke naderhand wel eenigsins geremedieert was, maar niet anders als door een middel, dat ophield door de dood van hoogst ged<sup>e</sup>. Koning. (I, 174)

from a useless waste of time in debates, but from the misformed state of the said dominion and the fewness of its rulers'. Spinoza wrote these words after the eventful year 1672. Slingelandt's similar and equally critical argument was propounded after the disaster of the war of 1702-1713. Both understand that political misfortune depends from institutions not from persons. Moreover, both see that good politics requires debate and final decision, since otherwise the multitude will through its weight into the game. As Slingelandt has it:

If the regenten see their advantage in reviving the old (stadhouderless) regime, it is their interest not to give occasion to the multitude, for reasons of the defects of the form of rule, or rather the effects thereof, to desire for change.<sup>56</sup>

Like Spinoza, Slingelandt is aware that politics is ruled by interest. He stresses that the regenten of Holland should have a particular interest to mend the defects of the state, since they most of all want to prevent the return of a stadhouder. Does not history show that stadhouders rise to power on the wings of popular discontent? But Slingelandt also knows that great acts in politics originate more from fear than from reason: 'the fear of Spanish usurpation made the provinces unified and becoming' (I, 194), and he may have despaired that once acute fear is overcome, the regenten will ever understand their long-turn interest. He adduces two general maxims:

The first is, that since forms of government differ, the correction of their defects have to be adapted to the particular form. ...The second is that in proposing corrections it should not only be investigated which means are the best in view of the particular form of government to be mended, but also and more in particular, which means most apparently can be put into practice, although they are as such not the best, but at least bring about the correction aimed at.<sup>57</sup>

We will see shortly that Slingelandt's view was as detached and scholarly as Spinoza's, but I want to discuss first what the implications of this criticism of republican government may entail.

<sup>56</sup> soo de Regenten haar reekening soudén vinden by het herleeven der voors. forme van Regeering, het van haar interest was, geen oorsaak te geeven aan de gemeente om, uit overweeging der defecten in de forme van de Regeering, of liever uit gevoel van de gevolgen van dien, te wenschen naa verandering, Ibid.

<sup>57</sup> de eerste is, dat dewyl alle Staatsregeeringen niet van éne soort zyn, de middelen van redres moeten gepast worden na die bysondere soort van Staatsregeering, welke soude moeten daar van gebruik maaken. ... De tweede, dat in het voorslaan van middelen van reders moet ondersogt worden, niet alleen, welke middelen de beste zyn met opsig tot de constitutie van die Staatsregeering, welke soude moeten daar van gebruik maaken, maar ook, en wel insonderheid, wat middelen apparenst sullen ingang vinden, schoon mischien in haar selve niet soo goed zynde als andere, mids dat in alle gevallen het beoogt redres daar door kan uitgewerkt worden. (II, 111-112)

Spinoza's view on institutional shortcomings in politics is a complicated one. On the one hand, he emphasises the naturalistic side of politics, in two respects. Political theory describes states as they really exist or have existed. Although one can distinguish between more and less successful states, as such states do not have a normative value or final principle according to which to arrange its functioning. That is, states are not to be classified according to their degree of perfection, but according to their success. Secondly, Spinoza admonishes his readers to accept the political order they happen to live in, thereby presumably indicating that it is not realistic to have a voluntaristic conception of politics. In modern terms, Spinoza does not believe in the malleability of the state.

On the other hand, however, the analyses of success and failure of political institutions as provided in the *Tractatus Politicus*, have a natural sequel in remarks like the one we are discussing now: once a shortcoming is indicated, it is evident that getting rid of it would be an improvement. This had been the central interest of Pieter de la Court, who suggested all kinds of institutional changes to promote the interest of Holland. Could that also have been Spinoza's opinion? I want to suggest that Spinoza's naturalism required a further step. In his theory, institutional changes should be seen as effects rather than as goals. They presuppose a theory of political change that shows how from the same principles that regulate the state's existence can flow political change as well. Since the core principle here is the ways in which private interests institutionally co-operate in producing the state's interest (safety and wellbeing), the same applies to change. But how can it come about that the private interests that structurally maintain a given political order produce a change in the very same system they maintain? Here Slingelandt's second principle applies: only those changes are possible that accord with the actual interests entertained. Hence his dramatic imagery put before the Holland regenten: it is or a Prince, or a change in government. He himself did not believe that a Prince is necessary evil, but the Holland clique – in particular that of Amsterdam – believed so. If one takes serious Spinoza's criticism of the regenten regime, it is arguable that he also saw the possibilities of political change from this perspective. By juxtaposing monarchy and aristocracy, he was addressing both sides of the ideological spectrum. If the regenten regime does not practice the principle of wide spread and open participation in the governing bodies, it will fall in the hands of the multitude and thus lose out to Orange (as history showed). On the other hand, if a prince does not take serious his advisory councils (as William had already started to do) his rule will deteriorate into despotism and hence become equally ineffective and run into the pitfalls so eloquently described by Pieter de la Court. The

choice is yours, he seems to imply, like Slingelandt said explicitly. Either system can work, but presumably will only come about if the fear for the alternative is overriding the inertia of the existing interests.

Actual Dutch politics, however, was not impressed by these arguments. On Slingelandt's analysis, William III did nothing to adapt the political order to the exigences. Moreover, while in De Witt's time the processes of oligarchisation had already begun, and continued during William's system of 'dependentie', they were not stopped after 1702. Ironically, it might be said, the ruling elite in the Republic all were Spinozists. Evidently not quite like Spinoza would have liked to see it happen. But they had accepted the view that the ultimate basis of politics is self-interest, and hence concluded that as long as their self-interest was served, their politics was justified. Only foreign invasion, or popular revolt would tell them that their actions had exceeded the limits. One ought to read Roorda's description of the chaos that preceded the approaching French troops in 1672, in order to really appreciate the last phrases of *Tractatus Politicus* IX, 14. The rich started to flight to safer places, and made their belonging flight with them. The poor, accustomed in cases of necessity to hit the rich where it hurts most – in their property –, intercepted these 'flights'. As a contemporary report has it:

The great ones send away their many and best things to Amsterdam, Antwerp, Zealand and Hamboorough, and intend to follow after, and leave the people to the mercy of the French.

And ironically:

[The multitude] take liberty to say and do whatever they please, without controule.<sup>58</sup>

And yet, these regenten were sham, disingenuous or at least unthoughtful Spinozists, uneducated by the real meaning of the *Tractatus Politicus*, not to be corrected by the carefully drawn up advices of their most important minister, Simon van Slingelandt. Apparently no overriding interests presented themselves, strong enough to have lasting influence. If we add to this the upshot of recent research of the Dutch Republic, reported in Price's *Holland and the Dutch Republic*,<sup>59</sup> these shortsighted regenten may not have been too wrong after all. Their state managed quite well, in the circumstances, and it did so precisely for the particular interconnection of private interests, although it might have been improved in principle.

<sup>58</sup> Quoted in Roorda, D.J., *Partij en factie. De oproeren van 1672 in de steden van Holland en Zeeland, een krachtmeting tussen partijen en facties.* (Groningen: Noordhof 1961) p. 95.

<sup>59</sup> J.L. Price, *Holland and the Dutch republic in the seventeenth century.* Oxford: Oxford University Press 1993.



My answer to the problem from Hemsterhuis of the lost political theory of Spinoza evidently is speculative in many respects. One question comes naturally: did Slingelandt read Spinoza? In the more than thousand pages he wrote I encountered three references. The first of these is Grotius. He is referred to as the teacher of Dutch republicanism, of the free state. This is the kind of reference to sooth everybody, particularly in the eighteenth century when Grotius is incorporated as the preceptor of any possible political argument. Slingelandt is squeamish about his sources, as is apparent as well from a little exchange with his correspondent Goslinga. Slingelandt replies to Goslinga's question in relation to his reading Cicero 's'il est possible, que des gens d'une moral si pure soient damnez pour ne pas avoir embrassé une révélation dont ils n'ont pas eu la moindre connoissance'. Slingelandt answers:

On s'y perd, soit qu'on raisonne sur les idées que nous avons des perfections divines, ou qu'on raisonne sur ce que l'Ecriture nous en dit et nommément St. Paul dans plus d'un endroit. Si vous voulez savoir ce que d'autres, aussi ignorans que nous, en ont dit, vous pourrez vous satisfaire en lisant ce qu'en a écrit La Motte le Vayer. Mais je sais bien que ce n'est pas ce que vous souhaitez de savoir. Pour mes petites pensées, je vous les dirai au coin du feu, ne pouvant pas le faire dans une lettre avec l'étendue, et en même temps avec la précision que la matière demande.<sup>60</sup>

The suggestion that the matter exceeds the limits of a letter, as a matter of fact, was a standard formula in this correspondence normally in connection with diplomatic matters that could not suffer being written down. I, for one, would give more than a penny for Slingelandt's 'little thoughts'. But there is sufficient compensation in the many thoughts devoted to international affairs which still await further scrutiny as to the underlying principles. Together with a comparison of Slingelandt's constitutional propositions with those in the *Tractatus Politicus*, it might turn out to make an argument for political Spinozism in the eighteenth-century Republic.

## 6 François Hemsterhuis and the state as body: Mes animaux politiques

As the reluctant promoter of Spinoza's career in German idealism, Hemsterhuis (1721-1790) is not an unnatural candidate for the concluding chapter in this study. However, the very private – not to say idiosyncratic – style of philosophy of this son of the famous classicist Tiberius Hemsterhuis does not provide a natural opening to a discussion within the confines of the history of political thought, were it not for his interesting and critical political

<sup>60</sup> Letter of 7 May 1724 (Van Rappard, *Briefwisseling*, p. 165). The letter in which Goslinga poses the question is lost.

thought itself. Hemsterhuis, whose only employment presumably had been that of a clerk of the Council of State (from 1755 onwards), joined this practical experience of politics with a theoretical interest to apply the principles of his philosophy to the political affairs of the Dutch Republic.<sup>61</sup>

Not without symbolic import, gems were one of Hemsterhuis' favourite pastimes and artistic predilections: he was well at home in the world of stones and cameos, not in the least because of his aesthetic conviction that in miniatures shines the truth. It illustrates his preferred style of arguing and of presenting his opinions: small and refined were his writings; he was little concerned with the eighteenth-century tradition of large and verbose writing in political philosophy. Hemsterhuis aimed at finding the essential and at formulating it condensed and succinctly. He developed to this purpose a concept of intuitive knowledge. His moral philosophy is based on the notion of *organe morale*, comparable to the moral sense of the Scottish philosophers.<sup>62</sup>

The conciseness of his writings evidently confronts one with the necessity to interpret and to interpolate his position to a considerable degree. References to other moral and political philosophers are scant and mostly derogatory or imprecise, endorsing his tendency to idiosyncratic philosophising. Very remarkable in this latter respect is his use of the expression *animal politique*, hinting at ideological oppositions that are permitted only to shine through but never are explicitly stated.

If one goes through the Socrates-Diotima correspondence, Hemsterhuis appears as a peevish and somewhat disappointed spectator of Dutch politics.<sup>63</sup> His exclams of despair about the future of the Republic, his indignation at the short-sightedness, selfishness and incompetence of leading politicians, his explicit condemnation of the person that he deems otherwise the only one in a position to save the nation, Prince William V, are unmistakable. But this attitude abruptly changes time and again into an unrestrained exultation of the greatness of the Republic, misunderstood and envied by its neighbours.

Being a clerk to the Council of State and introduced to the circle of its

<sup>61</sup> See on Hemsterhuis' life: Brummel, *Frans Hemsterhuis*; on his philosophy: Klaus Hammacher, *Unmittelbarkeit und Kritik bei Hemsterhuis*. Munich: Fink 1971; on his relation to German philosophy: Klaus Hammacher, 'Hemsterhuis und seine Rezeption in der deutschen Philosophie', in: *Algemeen Nederlands Tijdschrift voor Filosofie*, (1983) pp. 110-131.

<sup>62</sup> See for a balanced analysis, Hammacher, *Unmittelbarkeit und Kritik*.

<sup>63</sup> See for the correspondence of Hemsterhuis, which mainly consists of letters exchanged with the princess of Galitzin, his Diotima, P.J. Buynsters, 'Hemsterhuis-Dokumentatie', In: *Documentatieblad werkgroep Achttiende Eeuw*, (1969) pp. 1-27. The letters quoted here all reside in the Universitätsbibliothek Münster, references made to date and volume and number. Politically vulnerable remarks had been coded 'en chiffres'.

most important members, one would expect from an ideological point of view that Hemsterhuis sides with the Orangist cause.<sup>64</sup> I therefore first enquire into the arguments he puts forward to defend the necessity of the House of Orange in the Dutch Republic. Then I come to his conception of the state, its origins and development, with a keen eye to his implicit commentary on other conceptions of politics, and the development of his ideas over the years of his literary career. In a way, this approach is an hazardous one. One might easily overlook the possibly apolitical nature of his notion of morality. I might not do full justice to the scope of Hemsterhuis's theory of morality, in order to see how Hemsterhuis relates to Spinoza.

#### 6.1 Political thought and ideas about politics

In his last letter of the year 1784, Hemsterhuis writes his 'toute chère Diotime' that he may well have lived the last year of the Dutch Republic, 'unless a Deity intervenes'. And he continues 'en chiffres':

Guillaume V est beaucoup plus efficacement la seule cause de notre mort que le premier celle de notre naissance.

And this is not an atypical or isolated remark. In those years of patriotist upheaval Hemsterhuis is in utmost despair, but portrays himself as a realist. Diotime's grief at Hemsterhuis's disappointment about the situation, he does not share, 'car moins fol j'auais dû m'y attendre'. But nonetheless his is a tormented soul. Behind his stance as a man of the world lingers his outright pessimism. This complex psychology is typically present in his letter of November 26th, in his description of the 'triste état de la patrie':

Je puis dire à présent qu'elle a actuellement tous les maux dont un corps politique est susceptible. La religion même s'en mêle. Les mennunites veulent entrer dans le regence en Frise. C'est un parti puissant. On arme partout le plat pais. Cela trouve par ci par là quelque difficulté, mais je crains qu'on trouvera plus après à les desarmer.

#### 6.2 L'Optimum

During the last months of 1784, the Council of State is under attack for the desolate situation of the fortresses while international tension is rising as a consequence of Joseph II's demands concerning the Scheldt. Hemsterhuis is requested to prepare a justification, which turns out to be a proposal for political change. In this intervention in politics, Hemsterhuis understands the Republic as the fortuitous effect of historical circumstances.<sup>65</sup> The war

<sup>64</sup> See A.Th. van Deursen, 'De Raad van State onder de Republiek van 1588-1795', in: *Raad van State. 450 jaar* (Den Haag: SDU 1981) pp. 47-91.

<sup>65</sup> See his *Ebauché d'un avis du conseil d'état*, in: J.H. Halbertsma, *Letterkundige Naaogst I* (Deventer: 1840) pp. xii-xxiv.

against a foreign tyrant united the previously divided provinces to a whole 'composé de parties homogènes'. This 'homogeneity', however, could only prevail as long as its cause lasted. As soon as the war ended, the experience of peace and freedom, and the indulgence in its fruits had made the Dutch jealous of their political superiors, without however understanding that their laws, institutions and costumes related to a state of war, but had not developed with a view to securing a republic in times of peace. The ardent defence of established privileges created many factions, which thereby became more and more heterogeneous. This state, without stable foundations in its own organisation, has survived only as an effect of the system of European powers and has been troubled to its bones by each change of fortune.

Redress of the situation has to be found in a combination of two perfections that notwithstanding the present troubles inhere in this state: 1) the absolute and individual liberty of its citizens, and 2) the power of its 'corps d'état'. In their combination the optimum has to be found. Then, Hemsterhuis flatly suggests that the optimum should consist of the maintenance of this individual liberty (in order to prevent dissension), together with giving the 'pouvoir exécutif' to the House of Orange. He requisites that the executive should be the greatest possessor of real estate in the country, because that would give him the greatest interest in the prosperity and conservation of the fatherland. Although this 'sketch' accords with the generally pro-Orangist attitude of the Council of State, it seems warranted to believe that in the version that was discussed in November 1784 it was rather the position of the Council of State that profited from the power-argument.

The echo of previous authors who decried the Dutch negligence in adapting its institutions to changed circumstances is paramount. The underlying arguments, however, pose some problems of their own. 'Homogeneity' and 'corps d'état' are the pivotal terms. I come to that shortly.

In his correspondence with Diotime he both expressed his expectations for the *Ebauché* and laments its failure. 'La vraie source de nos maux se trouve dans le relâchement universel de force morale'.<sup>66</sup> The Dutch have to recover 'les vertus de leurs Pères'. If only all citizens 'veulent s'embrasser comme compagnons & frères il y aura de la possibilité de reléver cette illustre République'. Along these lines the Republic might act in a way worthy to its 'ancienne gloire', and may prove to posterity 'que la valeur & la concorde dans la bonne & dans la mauvaise fortune méritent de l'admiration & du respect'.

In a later letter Hemsterhuis recommends himself as 'un bon législateur' able to deliver cheap and quick work since he knew by heart the pessimism

<sup>66</sup> Letter of 2 November 1784.

which by changing the sign he could easily transform into the *optimum*. The Americans who seem to consider the Dutch constitution for a model might well profit from his 'petite lumière'.

But eventually, our legislator did not succeed. A few days later, his contradictory state of mind is phrased in one paragraph:

Notre état est déplorable. La tyrannie, la stupide fureur & la crasse ignorance de nos demagogues est à son comble, aussi que la lâche timidité des autres. Cette République foncièrement beaucoup plus puissant que les Etrangers ne le croient, & que je ne l'aurois cru moi même il y a deux ans, périra inmanquablement (sans miracle) par tous les maux qui peuvent attacher un état.

Or even more succinctly: 'Je conçois aisément un paradis sans Joseph, sans Prince d'Orange & sans demagogues'.<sup>67</sup>

What is the point of this? Why does he both believe in and despair about the future and strength of the Republic? Why does he see himself both as an effective legislator as well as ineffective in the light of facts? And next, how can one explain this invalidating inconsistency in his opinions about Dutch politics?

In a short note in the Bucholtz collection, Hemsterhuis gives an inventory of *l'Homme et ses rapports*. There he states that the author contemplates society and the reciprocal relations between the individuals that comprise it, and that he deduces from this 'toute la politique'. But as so often, this plan did not materialise. We are left with 'sketches' and 'remarks', from which however a remarkable affinity with the Dutch naturalist tradition surfaces. In the *Ebauché* we find the argument:

les lois, les institutions ou les coutumes actuelles étaient l'émanation des circonstances du jour, ayant presque toutes leurs rapports exclusivement à un état de guerre, et n'étant que peu ou nullement faites dans le but d'assurer l'existence d'une république en temps de paix.

Moreover, its converse transpires on many pages of the correspondence. 'Car vous sçavez que selon nos idees une longue paix pour une Republique puissante c'est la Phthisie'. He advises war as a remedy to the institutional weaknesses. But he promises his Princess to write more extensively on 'mes animaux politiques'.<sup>68</sup>

### 6.3 Hemsterhuis's reactions to the Dutch ideological landscape

In his daily experience of political life he seems to keep to a three-fold, and later on a four-fold classification. 'Le P.d.O', the Prince of Orange, comes in the first place. Secondly the provincial ruling elite of the regenten, and

<sup>67</sup> Letter of 20 December 1784.

<sup>68</sup> See De la Court, *Interest van Holland*, p. 253 on states as voracious animals.

thirdly the few real statesmen as he finds them in some of the members of the Council of State. From 1784 onwards, the 'demagogues' are presented as a fourth group, indicating one of his targets when he dryly mentions the 'Overijssel plie sous Cappelle'.<sup>69</sup>

With each of these groups he has at least some sympathy, although his derision prevails in the end. We have noted his unfavourable opinion about William V. In December 1785, he suggests that the Prince ought to threaten with abdication and with leaving to Germany to force a resolution of the conflict between 'democrats' and 'aristocrats'. The Prince has to be the balancer between the *friponnerie* and the *basse* of the agitators of popular enthusiasm and the short-sighted 'esprit de corps' of the self-interested regenten. This notion of the 'eminente hoofd', 'la tête' as Hemsterhuis has it, as the balancer and conciliator of the Nation is central to the Orangist position. Especially the 'noblesse' of a Prince of Orange forms the central prerequisite to this function, although William V does not compare to his ancestors in this respect. He goes on to remark on the suggested tactical retreat to Prussia: 'Sa paresse le voudroit bien & volontiers, mais il veut sa femme avec lui, par jalousie & par crainte qu'elle n'eut le gloire de redresser les affaires sans lui. Jugez de l'état de ce pauvre Prince.' In this suggestion to force a resolution to the conflict, Hemsterhuis comes closest to the Orangist ideology as I have been able to find. But it would be to rash to conclude from this that Hemsterhuis fully endorses the Orangist position. Indeed, his general conception of the head of the state is not that of an impartial conciliator but wavers between that of a strong executive power on the one hand, and that of men of great moral quality on the other. The first aspect shows itself clearly in a remark from early 1784:

Princes ce sont de toutes autres machines [que l'homme], & qui ne ressemblent aussi peu à un homme qu'une Etat ou un Peuple. Je vois la naissance nécessaire de ces machines depuis la grande catastrophe, je vois que nécessairement un jour il n'y en aura plus.

Here, princes are the embodiment of the political animal, of the physical aspect of the body politic. Against the physical dimension, we find the Platonic view of the prince as the man of outstanding moral quality.

Orangists would place the prince beyond the sphere of interests. The interest-based approach to politics is part and parcel of the Republican tradition of De la Court and Spinoza, and as it seems, of Hemsterhuis.

In the same vein, we find Hemsterhuis partly endorsing, partly criticizing the point of view of the 'aristocrats', his second group. He both praises lib-

<sup>69</sup> 'Plie' means 'plooi' in Dutch, expression for a political faction. Joan Derk van der Cappel- len tot den Pol (1741-1784) wrote his *Aan het volk van Nederland* in 1781.

erty, and condemns its consequences. The moral superiority of liberty is out of the question, but its physical weaknesses are evident. Men tend to cling to their liberties, their privileges and prefer 'l'esprit de corps', partisanship to the full developments of their 'rapports' to other men. Only real statesmen do surpass these limits. François Fagel evidently is such an exception, but also Van Slingelandt is highly praised, as one of the few who was aware of the necessity to rearrange the political institutions and who shared Hemsterhuis's preference for a central role for the Council of State. Also Willem Bentinck seems to be honoured with a place in the gallery.

Only the fourth ideological group can expect but little leniency from Hemsterhuis. The 'demagogues' are the ones that prepare the way for rascals and imbeciles in the seats of government. Some praise they get for their contribution to the military spirit by organising and training the 'vrijcorpsen' whose parades he visited in The Hague. Part of the ambiguity of the second Alexis<sup>70</sup> may be accounted for by Hemsterhuis's not entirely unsympathetic attitude to the maybe somewhat childish but apparently sincere show of patriotism implied.

Evidently Hemsterhuis can no longer be relegated to the Orangist camp, as previous writers have done. No doubt he would have preferred the presence of a heroic Prince of Orange, but for different reasons. Monarchs and nobility may be a historical necessity, but they will fade away. History is important for Hemsterhuis, but not as a fountain of historical rights as it was in the writings of an Orangist like Adriaan Kluit, but in the first place as a way to discover the characteristics of a political community.

So if we organize his political *aperçus* in the letters around the four ideological groups mentioned, we must conclude that he sides only with the ideologically uncommitted, high-minded servants of the state. His opinions about the Orangists, the aristocratic regenten, and the demagogical patriots have positive as well as negative implications.

#### 6.4 Theoretical allegiances

The meaning of Hemsterhuis's political arguments obtains clearer contours by relating the genealogy of the bits and pieces in his published writings that deal with man in society, with the body politic and its institutions. Here, one may well bear in mind his remark on Aristotle, 'le seul grand maitre en politique qui existe, & dans cette branche, plus Socratique que Platon' (21.1.85).

Like Rousseau, Hemsterhuis's political theory must be seen against the background of the theory of contract. Not that we find such a theory in

<sup>70</sup> 'Alexis ou du militaire', in: E. Boulan (ed.), François Hemsterhuis. *Le Socrate hollandais, suivi de Alexis ou du militaire* (Groningen: Noordhoff 1924) pp. 103-104.

Hemsterhuis, but because he makes the analysis of the state of nature a serious and important matter in his argument. For Rousseau, Grotius and Hobbes were the culprits of story. Hemsterhuis had another axe to grind. As elsewhere, Spinoza must have been central.

Why is the reference to Spinoza evident? In the *Lettre sur les désirs* he sides with Spinoza against Rousseau, 'le Vieux de la montagne' as he later will call the Savoyard, in condemning the usurpation of religion by the state. In *L'homme et ses rapports* this theme is elaborated in a head-on attack on revealed religion that alienates man from his relation to the Deity and thus from developing his *organe moral*. In the *Reflexions sur la République des Provinces-Unies* we find the Spinozist formula:

Dans cet état isolé l'homme ne diffère des autres animaux peut-être que de quelques degrés de sagacité de plus. Il a tout en commun avec eux, et ce qu'il faut bien remarquer, son droit sur tout ce qui l'entoure n'est mesuré que par ses désirs et par son pouvoir.

'Cet état isolé', however, is not simply the state of nature. In *Alexis*, ou de l'âge d'or, Hemsterhuis takes great pains to distinguish different phases in the history of mankind: 'Voilà deux âges d'or de nature fort différente'. Here again an element of the Spinozist programme comes to the fore, albeit not in precise accordance with Spinoza's own preferences. The author of the *Tractatus Theologico-politicus* was well aware that a separation of religion and politics could only be effectively sustained if he produce an account of political morality invulnerable to religious controversy. He therefore devised a conception of the state of nature that explains both the benefits of the institution of the state as well as the natural limits thereof. The state administers the public behaviour of its inhabitants but is unable to regulate the care for their individual salvation. To this purpose, Spinoza's state of nature has no place for right and wrong so as to prevent any claims (by religious groups e.g.) to contend the wisdom of the state. Political regulations have but one function only, that is to efficiently organize the body politic.

Hemsterhuis seems to agree with this last element in the argument. Laws are not made to promote the moral good, but to prevent 'des irrégularités nuisibles à la société'.<sup>71</sup> Or, like Hemsterhuis will say with reference to his first Golden Age, 'l'homme étoit absolument parfait, autant que la nature de son essence pouvoit le permettre' (*Alexis*, 194). After the fall, however, things were changed. Man had become aware of the distinction between good and evil, and from thence onwards, had to cope with his freedom in matters moral. Fortunately, God had not deprived him of all reminiscences of the

<sup>71</sup> 'Ebauché d'un avis du conseil d'état', in: J.H. Halbertsma, *Letterkundige Naaogst* ([Deventer 1840] pp. 564-588) p. 571.

paradise lost, and left man a dim light of reason to shine on his path. According to Hemsterhuis:

Ensuite l'homme parvint par ce principe de perfectibilité adhérent à sa nature, à cet âge d'or, ou plutôt d'argent – dont la fin ne pouvoit être qu'une perfection animale – jusqu'à ce que le sage lui apprit par une philosophie éclairée, à lier de nouveau le présent au futur, et à reconnoître l'homogénéité de son existence éternelle. (ibid, 194-5)

Velthuysen and Van der Muelen used their double staged conception of the state of nature to develop a historically relative notion of morality in an attempt to defend their enlightened moral views against Christian orthodoxy. Their position implied a notion of moral progress. But it was Hemsterhuis who was to draw more the ultimate conclusion, in saying:

et si nous suivont avec soin la marche naturelle des facultés de l'homme dans cette vie, nous parviendrons à entrevoir un troisième âge qui ne différera pas moins des précédents. Il aura lieu, mon cher, lorsque les sciences de l'homme seront parvenues aussi loin qu'avec ses organes actuels il aura pu les porter. (ibid, 195)

But is this really all that philosophy can learn us about the different ages of perfection? With Diocles we may respond: 'No, for sure'. We might still feel the need to probe into the 'sagesse efficiente des prêtres', to phrase the problems of the 'société artificielle' in a metaphorical way.

#### 6.5 Artificial society

There is a tinge of inconsistency, or should we say scepticism, in Hemsterhuis's institutional politics. Different emphasis is to be found in the several phases that his constitutional ideas went through. In the first place, the *Lettres sur les désirs* present us with a focus on the commonwealth or public good. Both 'la vertu politique' and 'législation' are defined in relation to 'le plus grand bien de la société'. The dialectic of these two forces directed at the common good and political unity at the same are at the root of the decline of morality. Especially the duties towards God and man are undermined by the consequences of revealed religion and by the distinction of social class and status. By putting religion and morality to its own use, artificial society usurps what it should not usurp. This is too much:

le gouvernement n'a de droit que sur les actions de l'individu comme causes nécessaires de certains effets déterminés.

In other words, only necessary infringement on a person's self determination is permissible, necessary that is in view of the public good. A government certainly should not try to replace man's own orientation to the community's good by means of regulations, but should enhance it by supplementary measures. What are these supplementary means? Hemsterhuis speaks of

'intérêts' and of 'droit', but does not endorse the conception of political man classically implied in these terms. He alludes to the notion of a community of interests, and to the public benefits of an individual's pursuit of his own interests. He possibly only plays with the connotation of the word 'interest' here, not ready to swallow it head and tail. He possibly even hints at a totally different interpretation of interest, as where he writes of the 'utilité qui résulteroit de la coagulation de ces âmes si fortes, si éclairées & si actives'.

It is in *L'Homme et ses rapports* that we see the notion of rights reappear again, now at face value along Rousseau's lines: 'l'homme, né libre, devient esclave de la législation'. Property, the cause of legislation, forces upon man a fixation on objects, that makes him forgetful of the 'moi' as well as of other men. 'De là s'ensuit, que la société actuelle elle-même n'est qu'un objet physique'. The moral element in the state is subdued, in the first place, as Hemsterhuis will elaborate upon in his *Réflexions*, because the state itself is but a machine, a physical contraption. So all moral orientation to matters politic must be in terms of the relations to fellow-men. But more importantly even, the idea of the *vertue politique* is becoming ambivalent, because the state tries to organise and arrange this virtue and thereby weakens the *organe moral* and thus by implication the real *vertue politique*.

Here, again, we find the same basic mechanism: progress means decay. The growth of desires means property, that is the prevalence of the physical over the moral, the attempt to promote the *vertue politique* means its decline. The same pertains to religion. Already in the *Lettre sur les désirs*, revealed religion is the origin of the decay of real religion. Especially in the state, in the institutionalised religion of the church, this process is enhanced. It is as if every attempt by men to adapt to the necessities of life is doomed to fail, or even worse, to promote contrary results. In a sense, Hemsterhuis has generalised Rousseau's explanation of the origins of inequality into a theory of unintended consequences. A theory, that is, that unlike the invisible hand of Adam Smith, shows the unintended decay, instead of unintended progress.

Rousseau, to be sure, did not to proceed to such a conclusion. He felt assured that by combining the right sort of state with the right kind of religious devotion (state religion), the process could be stopped. Hemsterhuis, for his part, regards this as dangerous as it was impossible. Like 'les Rois Asiatiques' and the Popes, le vieux de la montagne 'a essayé de mêler la Religion et la vertu civile ensemble'. In general, these two professions, of theology and philosophy, are the perils of our times.

The prospects of a third Golden Age become very dim. Halfheartedly Hemsterhuis discusses possible stratagems to remedy the situation. He suggests public education as a good possible remedy, but refrains from a further

elaboration. He suggests the remedy of *amour de la patrie* that would promote the sincerity of the citizens, but does not elaborate. We may see him prepare the way to the solution he fancies in his last letters: the solution of the world to come. He seems to heed for the same in the *Alexis*, where he is somewhat ambivalent about the third Golden Age by shifting rashly to the Golden Age of the eternal afterlife.

But once again, our Sisyphus takes up his task in the *Réflexions*. With Aristotle, he tries to provide a practical solution to the diversity of man, but unlike Aristotle, he feels that he fails. From a somewhat different angle than in his other writings, he focuses on the internal effects of the international relations between states. 'Artificial society', like isolated man, is not different from other animals. The *organe moral* is missing, the rights of this society are but measured by its desires and its power. 'Artificial society' is an *animal politique*, an animal in the form of a state. Evidently, in contrast to Aristotle use of the term *zoon politikon*, this animal is not an animal oriented to the *polis*, but a *polis* turned into a brute animal! Like a group of men, a group of states will be afflicted by ambition, by 'l'esprit des conquêtes'. But unlike man, a state cannot find help in an *organe moral*, however slight. The *animal politique* is destitute of moral sense. A man can sacrifice himself for his fellows, a state cannot. A state that sacrifices itself, is like a wolf that sacrifices itself 'pour l'amour d'un tigre'. Hence, the exigences of the state become even more repressive. It becomes an outright rival of what nature requires of man, and thereby corrupts man to replace *l'amour de la patrie* by *l'esprit de corps*, in its double meaning of physical preferences and factional interests. In one of his letters, Hemsterhuis suggests a simple solution: all European states should contract to defend each other's boundaries against each of them. The Dutch policy of neutrality had tried this over and again, and demonstrated the impracticality of the advice.

His insistence in the *Ébauche* that a sovereign should be the largest landowner in the country comes straightaway from Spinoza's *Tractatus Politicus*, chapters V and VI; his belief that the more relations a state has the stronger it is, has its counterpart in the *Ethica*. Even his notion of true brotherhood and *amour de la patrie* can be related to this philosopher that played such a central role in Hemsterhuis's intellectual career. But his pessimism forbade him to follow Spinoza in his more positive valuation of the state. Hemsterhuis didn't see a way out of the distressing situation of Dutch political life. The deduction of all politics from the principles therefore was halfhearted, and leaves us with the impression of being haphazard and inconclusive.

From a biographical point of view, a development of his political ideas is

clearly present. One might resume it by suggesting that the more and the longer he was involved in practical politics, the more the Sisyphean aspect came to the fore, preparing the way to a total retreat from politics, both practical and theoretical, in the end.

The contrast made between *animal politique* and true political strength, the derision of ideology as a travesty of real knowledge, the turn to a Platonized Christianity as a last refuge in the face of utter failure, by a philosopher who once wrote that during 'la premiere lueur de l'Aurore de la vrai physique' everybody was a Spinozist, may provide a last insight into the prospects and limits of naturalism. He may have been right when he wrote that Holland has

fournis sans aucune comparaison les plus sçavans, les plus raffinés & les plus déterminés Spinosistes qui existent.

For all his personal preoccupations, his reference to 'les Spinosistes de la vieille roche' who attempted to have the *Ethica* 'deduit de l'Évangile' points to the particular problems involved in the Dutch practice of this 'Système'. And Hemsterhuis, who at the end of his life could no longer think of Spinoza 'qu'avec un souverain degout', was correct in believing that his notion of Divinité differed from that of the philosopher of the 'amor intellectualis Dei'. That Hemsterhuis in the process had abstracted philosophy from the political world he lived in was a consequence, but one he did not deplore.

## 7 Conclusion

In 1720, a book was published, which title ran *Free thoughts on religion, the church, and national happiness*,<sup>72</sup> in every respect a typical republican tract, very much like the ones discussed in this study. If not already its discussion of religion and church betrayed the book's Dutch background, the favourable presentation of king William's role in re-establishing liberty and good government in England leaves no doubts. Repeating the arguments of the Orangist's propaganda pamphlets of 1688 and 1689 about the illegitimacy of James II's son, and exalting William's cause against popery and the ambitions of 'Lewis the fourteenth', the text reminds the reader of similar stories in pamphlets like Ericus Walten's thirty years earlier. And as then, here is a defence of the wholesome effects of William's interference in English politics, and warnings are issued against the Stuart zealots promoting the cause of the pretender. In yet some other aspects this book of 1720 has a definite Dutch flavour, as where is written: 'My aim is to make men penetrate into their own con-

<sup>72</sup> B.M., *Free thoughts on religion, the church, and national happiness*. London: T. Jauncy 1720.

sciences, and by searching without flattery into the true motives of their actions, learn to know themselves'. And applying this to politics:

I have often heard well-meaning people say, that would every body be honest, ours is the best constitution in the world. But this is no encomium, where every body will be honest and do their duty, all governments are good alike. That is the best constitution which provides against the worst contingencies, that is armed against knavery, treachery, deceit, and all the wicked wiles of humane cunning, and preserves itself firm and remains unshaken, though most men should prove knaves. It is with a national constitution, as it is with that of mens bodies; that which can bear most fatigues without being disorder'd, and last the longest in health, is the best.<sup>73</sup>

The author continues arguing, that since 'a very considerable part of the sovereignty remains virtually in the people', 'therefore a prince of wisdom and penetration, considering, that he has almost every subject to fear, and none he can really trust, should for his own sake be willing to desist from this right of absolute sway, and share the supreme power with his people'.<sup>74</sup> Indeed, 'whoever would be happy should endeavour to be wise. ... There is no better way of curing groundless jealousy and pannick fears, than by daring to examine and boldly look into the face of things'.<sup>75</sup> On this principle it is explained that it is wrong to expect virtue from statesmen and courtiers. One may better rely on laws and legislation as curbs than on 'all the virtues ministers can be possess'd of'. Discussion of the moral qualities of statesmen is a partisan affair: 'A whole set of statesmen of different tempers and capacities, virtues and vices, are extoll'd to the skies in one company, in another they are damn'd to the pit of hell, and as often as these great men change sides, so often shall those companies change their language'.<sup>76</sup> But high politics is different from what people ordinarily imagine:

He who knows how courtiers throw their own faults upon others; their artifices in spreading reports; the fastening of slander; the mines they dig for one another's destruction; the deep craft of their intrigues, and all the other machinations in practice among them, will have but little faith in what is rumour'd about publick ministers.<sup>77</sup>

The author had come a long way from his youthful involvement in faction-strife which had forced him in the early 1690's to leave his native Rotterdam, to live in London as a physician and writer.<sup>78</sup> As a critic of English 'grumbling' he rose to a notoriety he might never have attained if the Rotterdam regenten had exhibited the public virtue that Mandeville later realised could not have been expected from them in the first place. In England, 'in the

<sup>73</sup>Free thoughts, pp. 297.

<sup>74</sup>Free thoughts, pp. 303, 307. <sup>75</sup>Free thoughts, p. 335.

<sup>76</sup>Free thoughts, p. 343. <sup>77</sup>Free thoughts, p. 341.

<sup>78</sup> See for the story: Rudolf Dekker, "'Private vices, public benefits' revisited: the Dutch background of Bernard Mandeville', in: *History of European Ideas*, 14 (1992) pp. 481-498.

midst of so much ease, and greater plenty than any empire, state or kingdom now enjoys',<sup>79</sup> Mandeville applied naturalistic principles to the explanation of man and society. Unlike Spinoza's, Mandeville's writings would have a continuous impact on political thought throughout the eighteenth century and contribute importantly to the development of sociology and economy in the Scottish enlightenment. Apparently the Dutch enlightenment had experienced a premature close at the end the seventeenth century, only much later to take stock of the further development of the naturalistic programme in politics, by importing it from abroad.

One might ponder about the reasons for this peculiar fate of Dutch naturalism. I hope to have given some indications of an answer, short of the well-worn saying that prophets are not honoured in their own country. On my reading of the later vicissitudes of naturalism it rather seems the case that, just as for the Republic itself, the sheer advantage it held over developments that were to take place elsewhere in the Republic of Letters had produced its containment as well. And these constraints come into effect maybe even to a greater degree than during naturalism's further development in the eighteenth century elsewhere in Europe. The particular political and intellectual processes which subdued the original creative and radical development of a naturalistic view on politics and morality in the Republic may in the end even have been the outcome of the conditions under which it arose in the first place. In Mandeville's England, or in the Enlightenment in France, the naturalistic challenge was a comparatively new experience. Its earlier career in the Republic was no longer part of that experience. Mandeville referred to Pierre Bayle who in his own way had coped with Spinozan naturalism, rather than to Spinoza himself. Nevertheless, it has been forcefully argued that the basic psychological categories of Mandeville are the latter's.<sup>80</sup> It is an irony of the history of ideas that sometimes a genealogy has to be denied to be effective, and that productive theories having exhausted the possibilities of their original niche, can only prosper again in another surrounding and in disguise.

But the naturalistic programme is still on its way. It still is commendable that 'whoever would be happy should endeavour to be wise'. There still is 'no better way of curing groundless jealousy and pannick fears, than by daring to examine and boldly look into the face of things', and to examine the true motives of actions as an exercise in political morality.

<sup>79</sup>Free thoughts, p. 334.

<sup>80</sup> See Douglas Den Uyl, 'Passion, state, and progress: Spinoza and Mandeville on the nature of human association', in: *Journal of the History of Philosophy*, 25 (1987) pp. 369-395.





## BIBLIOGRAPHY

### PRIMARY SOURCES

#### Anonymous publications

- Aanmerkingen over den aanwasch der Grootheid en Ontzachelijke Oppermacht van ... den Koning van Pruisen. Den Haag: Van Os 1759 [Knuttel 18726].
- Korte aenteeckeninge, dienende tot anwoort ... nopende den Artijckel van Seclusie. s.l. 1655 [Knuttel 7660].
- Bickerse beroerten ofte Hollandsche eclipsis, tegen den helderen dageraedt der provincie van Hollandt. Brussel 1650 [Knuttel 6843].
- Copie van een brief, geschreven uyt Rotterdam aen N.N., Licentiaet in de Rechten tot Dantzic. Rotterdam: Desiderius Erasmus 1674 [Knuttel 10479].
- Precis du voyage de L'Empereur. 1781 [Knuttel 19497].
- Les trois Puissances ou Correspondance directe entre le temps, la politique et l'équité. Par une dame hollandaise. Utrecht 1785 [Knuttel 21007].
- Verhael van de gemeene bootsgesellen van 't schip Hollandia. s.l. [1672] [Knuttel 10300].

#### Other printed primary sources

- Althusius, Johannes, *Politica methodice digesta atque exemplis sacris & profanis illustrata*. Herborn 1614 (1603<sup>1</sup>).
- Aristotle, *Politics*. [Loeb Classical Library] Ed. H. Rackham. London: Heinemann 1959.
- Arminius, Jacobus, *Examen libelli Perkinsiani de praedestinationis modo et ordine*. [Opera theologica (Leiden 1629), III] Leiden: Basson 1612.
- Arnisaeus, Henning, *De republica seu relectionis politicae libri duo*. Frankfurt 1615.
- Bayle, Pierre, *Oeuvres diverses*. 4 vols. Den Haag: P. Husson 1727-1731. Repr. with intr. by E. Labrousse, Hildesheim: Olms 1965-1984.
- , *Dictionnaire historique et critique*. 4 vols. Amsterdam: Brunel 1730<sup>4</sup>.
- , and others, *Nouvelles de la République des Lettres*. 40 vols. Amsterdam: Desbordes 1684-1718; repr. Geneva: Slatkine 1966.
- Beaufort, Lieven de, *Verhandeling van de vrijheit in den burgerstaet*. Amsterdam 1737.

## Bibliography

- Bodin, Jean, *Les six livres de la république*. Paris: J. du Puis 1583.
- Botero, Giovanni, *Della ragion di stato*. Venezia, 1589<sup>1</sup>.
- Boulainvilliers, Comte de, *Etat de la France*. 6 vols. London 1807.
- Boxhornius, Marcus Zuierius, *De trapezitis, vulgo Longobardis ....* Leiden: Commelinus 1640.
- , *Institutiones politicae*. Ed. G. Hornius. Amsterdam: C. Commelinus 1668 (1663<sup>1</sup>).
- , *Arcana imperii detecta: or, divers select cases in government*. [tr. of *Disquisitiones politicae* (Den Haag: J. Verhoeve 1650)] London: J. Knapton 1701.
- , *Disquisitiones politicae, of overwegingen van staat en bestiering*. Tr. J.H. Glazemaker. Amsterdam: J. Rieuwerts and P. Arentsz 1669.
- Brutus, Junius, *Vindiciae contra tyrannos*. Ed. Trad. franç. de 1581, ed. A. Jouanne. 1581.
- Burgersdijk, Franco, *Idea oeconomica et politicae doctrinae*. Leiden 1623.
- , *Idea philosophiae moralis, sive compendiosa institutio*. Leiden: Elzevir 1644 (1623<sup>1</sup>).
- , *Institutionum metaphysicarum libri duo*. Leiden: H. de Vogel 1647 (1640<sup>1</sup>).
- , *Idea politica*. Ed. Georg Hornius. Leiden: Felix Lopez de Haro 1668 (1644<sup>1</sup>).
- Burman, Frans, *Synopsis theologiae et speciatim oeconomiae foederum Dei, ab initio saeculorum usque ad consummationem eorum*. 2 vols, Utrecht: 1678<sup>3</sup> (1671<sup>1</sup>).
- [Capellen tot den Poll, Joan Derk van der], *Aan het volk van Nederland*. [Lingen: F.A. van der Marck?] 1781.
- Cicero, Marcus Tullius, *De officiis*. [Loeb Classical Library] Tr. W. Miller. London: Heinemann 1913 (44 BC<sup>1</sup>).
- , *Officia Ciceronis, leerende wat yegelijk in allen staten behoort te doen*. Tr. D.V.G. (= Dirck Coornhert), Leiden: Jan Paedts Jacobsz 1589.
- , *De finibus bonorum et malorum*. [Loeb Classical Library] Tr. H. Rackham. London: Heinemann 1914 (45 BC<sup>1</sup>).
- , *Tusculanae disputationes*. [Loeb Classical Library] Tr. J.E. King. London: Heinemann 1927 (45 BC<sup>1</sup>).
- , *De legibus*. [Loeb Classical Library] Tr. C.W. Keyes. London: Heinemann 1928 (44 BC<sup>2</sup>).
- , *De fato*. [Loeb Classical Library] Tr. H. Rackham. London: Heinemann 1942 (44 BC<sup>1</sup>).
- Clapmarius, Arnold, *De arcanis rerum publicarum libri sex, illustrata a Joan. Corvinus I.C. Accessit v.d. Chr. Besoldi de eadem materia discursus, nec non Arnoldi Clapmarii et aliorum conclusiones de jure publico*. Amsterdam: L. Elzevir 1641 (1605<sup>1</sup>).
- Clerc, Jean le, *Epistolae theologiae, in quibus varii scholasticorum errores castigantur*. Irenopoli: Typis Philalethianis 1679.
- Clerc, Jean le, and others, *Bibliothèque Universelle et Historique*. 26 vols. Amsterdam 1688-1738.
- Coccejus, Johannes, *De leer van het verbond en het Testament van God*. Tr. & intr. W.J. van Asselt and H.G. Denger. Kampen: De Groot-Goudriaan 1990 (1677<sup>1</sup>).
- Constans, Lucius Antistius, *Du droit des ecclésiastiques*. Alethopoli: Apud Cajum Valerium Pennatum 1665. Tr. V. Butori, Intr. H. Blom and C. Lazzéri. Centre de philosophie politique et juridique. Université de Caen 1991.
- Coornhert, Dirck V., *Proces van 't ketterdooden ende dwangh der conscientien*. Tusschen Justum Lipsium ... ende Dirck Coornhert. [Wercken, II, f. 42-109] Gouda: J. Tournay 1589.
- , *Wercken*. 3 vols. Amsterdam: J.A. Colom [1633].
- , *Zedekunst dat is wellevenskunste*. [Wercken I, f. 268-335<sup>1</sup>] [Gouda: J. Tournay] 1586.
- [Johan en Pieter de la Court] V.D.H., *Consideration en exempelen van staat, omtrent de fundamenten van allerley regeringe*. Amsterdam: I.I. Dommekracht 1660.
- , V.H., *Consideration van staat, ofte politike weeg-schaal*. 4th ed. Amsterdam: Dirk Dirksz 1662 (1660<sup>1</sup>).
- [Pieter de la Court] V.D.H., *Interest van Holland, ofte gronden van Hollands-welvaren*. Amsterdam: Cyprianus van der Gracht 1662.

## Primary sources

- [Pieter de la Court] V.D.H., *Naeuwkeurige consideratie van staet, wegens de heerschappye van een vrye en geheymen staets-regering over de gantsche aertbodem*. Amsterdam: J.C. van der Gracht 1662.
- , *Aanwysing der heilsame politike gronden en maximen van de republike van Holland en West-Vriesland*. Leiden: Hakkens 1669.
- [Pieter de la Court] John de Witt, *The true interest and political maximx of the Republick of Holland and West-Vriesland*. London 1702.
- Cudworth, Ralph, *The true intellectual system of the world*. London: R. Royston 1678.
- Cudworth, Ralph, *A treatise concerning eternal and immutable morality*. London: J. & J. Knapton 1731.
- Cumberland, Richard, *A treatise of the laws of nature*. Tr. John Maxwell. London: R. Phillips 1727 (Tr. of *De legibus naturae*, 1672<sup>1</sup>).
- Cuylenburch, Bartholomaeus à, *Theses theologiae de primo hominis statu*. [sub praesidio ... Andreae Essenii] Utrecht: Meinhard van Drunen 1670.
- [Duijkerius, Johannes], *Het leven van Philopater*. Groningen: S. van der Brug [Amsterdam: A. Wolsgryn] 1691.
- , *Vervolg van 't leven van Philopater*. Groningen: S. van der Brug [Amsterdam: A. Wolsgryn] 1697.
- Ferguson, Adam, *An essay on the history of civil society*. [repr. London: Transaction Books 1980] Edinburgh 1767.
- Graevius, Johannes, *Oratio in natalem quinquagesimum Academiae Trajectanae*. [17 April 1686] Utrecht 1686.
- Groot, Hugo de, *Briefwisseling*. Ed. P.G. Molhuysen e.a. Den Haag: Nijhoff 1928ff.
- Grotius, Hugo, *Verantwoordighingh aan de wettelijcke regeringh van Hollandt ende West-Vrieslandt*. Paris [Hoorn: J.W. van der Beek] 1622.
- Hugo de Groot, *De Jure belli ac pacis libri tres*. Ed. Gulielmus van der Muelen. Utrecht: G. van de Water 1696-1703.
- Heenvliedt, Simon van, *Theologico-politica dissertatio, ofte discours over dese vrage: of den Pausgezinden in de vereenighde Nederlanden, niet en behooren toegestaen te worden, d'openbare exercitien van hare religie [etc.]*. Utrecht: Jacob Waterman 1662.
- Heereboord, Adrianus, *Meletemata, in quibus pleraeque res metaphysicae ..., tota ethica ..., universa physica ..., summa rerum logicarum per disputationes traditur*. Amsterdam 1665.
- Heidanus, A., *De origini erroris libri octo*. Amsterdam: J. à Someren 1678.
- Heine, Heinrich, 'Die Heimkehr', in: *Werke*. 4 vols. (Wiesbaden: R. Löwit s.d.) vol I. pp. 167-231.
- Hemsterhuis, François, *Oeuvres philosophiques*. 3 vols, Ed. L.S.P. Meyboom. Leeuwarden: W. Eekhoff 1846-1850.
- , 'Ebauché d'un avis du conseil d'état', in: J.H. Halbertsma, *Letterkundige Naoogst* [Deventer 1840] pp. 564-588.
- , 'Réflexions sur la République des Provinces-Unies', in: J.H. Halbertsma, *Letterkundige Naoogst II* [Deventer 1845] pp. xii-xxiv.
- , 'Alexis ou du militaire', in: E. Boulan (ed), François Hemsterhuis. *Le Socrate hollandais, suivi de Alexis ou du militaire* (Groningen: Noordhoff 1924) pp. 103-104.
- Honert, Taco H. van den, *Brief aan den heer Fredericus van Leenhof, Predikant tot Swolle, wegens de redenkundige anmerkingen en de opheldering van sijnen Hemel op aarde*. Amsterdam: G. Borstius 1704 [Kn. 15298].
- Hoop, H.J. van der, *Catéchisme constitutionel à l'usage de la nation Belgique*. Liere 1787.
- Huber, Ulric, *De jure civitatis libri tres*. Franeker: Johannes Gyselaar 1684 (1672<sup>1</sup>).

## Bibliography

- Huber, Ulric, *Spiegel van doleantie en reformatie, na de tegenwoordigen toestand des vaderlands*. Vredenburg 1672 [Knuttel 10591].
- , *De juris popularis, optimatum et regalis imperii, sine vi et a sui juris populi constituti*. Franeker: H. Amama and Z. Taedama 1689.
- Hutcheson, Francis, *An inquiry into the original of our ideas of beauty and virtue*. Ed. P. Kivy. Den Haag: Nijhoff 1973 (1725<sup>1</sup>).
- , *An essay on the nature and conduct of the passions and affections with illustrations on the moral sense*. London 1728.
- [Pierre Jurieu], *Apologie pour les Serenissimes Majestés Britanniques, contre un infame Libelle intitulé Le vray portrait de Guillaume Henri de Nassau, nouvel Absalom, nouvel Herode, nouveau Cromwel, nouveau Neron*. (Tr. in *Collection of state tracts*, I, 185) Den Haag: Troyel 1689 [Knuttel 13254].
- Kant, Immanuel, *Idee zur einer allgemeinen Geschichte in weltbürgerlicher Absicht*. [Werke. Ed. W. Weischedel. Wiesbaden: Insel 1964, vol VI, pp. 33–50; A 385–494] 1784.
- , *Die Metaphysik der Sitten*. [AA, VI, pp. 203–493] Königsberg 1797.
- Kettwig, M., *De veritate philosophiae Hobbesianae*. 1695.
- Kluit, Adriaan, *Historie der Hollandsche Staatsregeling tot aan het jaar 1795*. 5 vols, Amsterdam: Wouter Brave 1802–05.
- Koelman, Jacobus, *Wederlegging van een boekjen van J.C. Bleiswijk, genaamt Moses als een Godt over Aäron*. Amsterdam: Abr. Broeckholt 1689 [Knuttel 13326].
- Leibniz, Gottfried Wilhelm, *Philosophischer Briefwechsel*, in: *Sämtliche Schriften und Briefe*, 2. Reihe, Bd. I. Darmstadt: Reichl 1926 ff.
- Lipsius, Justus, *Politicorum sive civilis doctrinae libri sex*. Leiden: Fr. Raphelengius 1589.
- , *A direction for travellers*. Norwood: Johnson 1977 (1592<sup>1</sup>).
- , *Over de standvastigheid*. Tr. P.H. Schrijvers. Amsterdam: Ambo 1983.
- , *Justi Lipsii Epistolae*. Brussel: Koninklijke Akademie voor Wetenschappen 1978 ff.
- , *Epistolario de Justo Lipsio y los españoles (1577–1606)*. Ed. Alejandro Ramirez. Madrid: Ed. Castelia 1966.
- Locke, John, *Du gouvernement civil*. Geneva: Du Villard et Jaquier 1724 (1691<sup>1</sup> Amsterdam).
- [Luzac, Elie], *Hollands rijkdom, behelzende den oorsprong van den koophandel*. 4 vols, Leiden 1780–1783.
- Machiavelli, Niccolò, *Il Principe*. 1532.
- , *Prince ofte Onderrechtinge hoe hem een Vorst in zijn regeeringhe dragen ende aen-stellen sal*. Tr. A.N. [=A. van Nievelt]. Leiden: Cornelis Banheyningh 1652.
- [Mandeville, Bernard] B.M., *Free thoughts on religion, the church, and national happiness*. London: T. Jauncy 1720.
- [Johannes Melchior] J.M. V.D.M., *Epistola ad amicum, continens censuram libri, cui titulus: Tractatus Theologico-Politicus, in quo demonstrantur &c*. Utrecht: Noenaert 1671.
- Millar, John, *Observations concerning the distinction of ranks in society*. London: John Murray 1771.
- , *The origin of the distinction of ranks: or an enquiry into the circumstances which give rise to influence and authority in the different members of society*. London: John Murray 1779.
- Montesquieu, Charles de, *De l'esprit des lois*. [Paris: Gallimard 1949; Oeuvres Complètes, vol. 2; Pleiade. Ed. R. Caillouis]. Geneva: Barrillot 1748.
- [Willem van der Muelen] G.V.M., *Dissertationes de origine juris naturalis et societatis civilis*. Utrecht: Joh. van de Water 1684.
- , *G.V.M., Dissertatio de sanctitate summi imperii civilis. Qua examinatur an summo imperanti quibusdam in casibus resistere, eumque imperio exuere, & debellare civibus liceat*. Utrecht: François Halma 1689.

## Primary sources

- Muelen, Gulielmus van der, *Dissertationes philologicae, de die mundi, et rerum omnium naturali, complectentes historiam creationis juxta seriem et ordinem, a Moyse descriptam cap. I et II genes. Acc. defensio dissertationis de origine juris naturalis opposita Simonis Henrici Musaei vindiciis juris nati. Paradisei contra praedictam dissert. editis*. Utrecht: Hermannus Besseling 1738 (1713<sup>1</sup>).
- Musaeus, Simon H., *Vindiciae iuris naturae paradisei. Contra dissertationam Ultrajecti Anno 1684 editam de origine iuris naturae*. Plön: Tobias Schmid 1686.
- Musaeus, Simon H., *Responsio ad GVM defensionem dissertationis de origine iuris naturae vindiciis iuris naturae paradisei oppositam*. Plön: Tobias Schmid 1689.
- Nemesius d'Èmèse, *De natura hominis*. Tr. G. Verbeke and J.R. Moncho. Leiden: Brill 1975.
- Noodt, Gerard, *Dissertatio de jure summi imperii et lege regia*. Leiden: Elsevier 1699.
- [Samuel Parker], *A discourse of ecclesiastical politie: wherein the authority of the civil magistrate over the consciences of subjects in matter of religion is asserted; the mischiefs and inconveniences of toleration are represented [etc.]*. London: John Martyn 1670.
- Parker, Samuel, *Disputationes de Deo et providentia divina*. London: John Martyn 1678.
- , *A demonstration of the divine authority of the law of nature and of the Christian religion*. London: Royston 1681.
- Paulus, Pieter, *Verklaring der Unie van Utrecht*. 3 vols. Utrecht: J. van Schoonhoven 1775–1777.
- Perizonius, Jacob, *De origine et natura imperii imprimis regii, a libero et sui juris populo simpliciter delati*. Franeker: J. Gyselaar 1689.
- Philalethium, Ireneum [Eewout Teellinck], *Amos, ofte de siener Israëls*. Middelburg 1622 [Knuttel 3626].
- Placette, Jean de la, *Eclaircissements sur quelques difficultez qui naissent de la considération de la liberté nécessaire pour agir moralement. Avec une addition ou l'on prouve contre Spinoza que nous sommes libres*. Amsterdam: E. Roger 1709.
- Plato, *The Republic*. [Loeb Classical Library] Tr. P. Shorey. London: Heinemann 1930.
- Plutarchus, *Moralia*. 3 vols, Frankfurt: L. Zetzner 1619.
- , *Verscheide zedige werken*. Tr. J.H. Glazemaker. Amsterdam: G. van Goedesberg 1661.
- Pufendorf, Samuel, *De jure naturae et gentium libri octo*. [repr. *Classics of International Law*, Oxford: Clarendon Press 1934] Amsterdam: A. van Hoogenhuysen 1688 (1672<sup>1</sup>).
- Rivo Ursino, Galeacco de, *Grondigh bericht, nopende den interest van desen staet, vermits de doodt van Sijn Hooghey, met het noodsaeckelijcke redres van dien*. Rotterdam 1651 [Knuttel 7009].
- Schele, Rabold, *Libertas publica*. Amsterdam 1666.
- Seneca, Lucius Annaeus, *Epistulae morales*. 3 vols, Tr. R.M. Gummere. London: Heinemann 1917.
- Sharrock, Robert, *Ὑποτεσις Ἐτικῆ de officiis secundum naturae jus, seu de moribus ad rationis normam conformandis*. Oxford: Lichfield 1660; ed. sec. 1682.
- Sidney, Algernon, *Court maxims, discussed and refelld*. Ed. & intro. by H.W. Blom, E.O.G. Haitzma Mulier and R. Janse. Cambridge: Cambridge University Press (in press).
- , *Discourses concerning government*. Ed. Th. G. West. Indianapolis: Liberty Classics 1990 (ed. J. Toland, 1698<sup>1</sup>).
- Slingelandt, Simon van, *Staatkundige geschriften*. 3 vols, Amsterdam: Petrus Schouten 1784.
- , *Briefwisseling Van Slingelandt–Van Goslinga 1697–1731*. Ed. W.A. van Rappard. Den Haag 1978.
- Smith, Adam, *The theory of moral sentiments*. Ed. A.L. Macfie and D.D. Raphael. Oxford: Oxford University Press 1976 (1759<sup>1</sup>).
- [Spinoza, Benedictus] *Tractatus Theologico-Politicus*. Hamburg: H. Künrath [Amsterdam: J. Rieuwertsz] 1670.

## Bibliography

- [Spinoza, Benedictus] B.D.S., *Opera Posthuma*. [Amsterdam: J. Rieuwertsz] 1677.  
 Spinoza, Benedictus, *A theologico-political treatise and A political treatise*. Tr. and intr. R.H.M. Elwes. New York: Dover 1951 (1883<sup>1</sup>).  
 —, *Spinoza Opera*. 4 vols. Ed. C. Gebhardt. Heidelberg: Carl Winter 1925.  
 —, *The political works of Spinoza*. Ed. A.G. Wernham. Oxford: Clarendon Press 1958.  
 —, *Briefwisseling*. Tr., ed. and intr. F. Akkerman, H.G. Hubbeling and A.G. Westerbrink. Amsterdam: Wereldbibliotheek 1977.  
 —, *The collected works of Spinoza*. vol. I. Ed. and tr. Edwin Curley. Princeton NJ: Princeton University Press 1985.  
 Suárez, Franciscus, *Defensio fidei contra Aglicanae errores*. [Opera Omnia, 26 vols. Paris 1856–78, vol. XXIV] Coimbra 1613<sup>1</sup>.  
 —, *Tractatus quinque in primam secundae D. Thomae*. [Opera Omnia, 26 vols. Paris 1856–78, vol. IV] 1628<sup>1</sup>.  
  
 Tacitus, P. Cornelius, *Historiae. Annales*. [Loeb Classical Library] Tr. C.H. Moore; J. Jackson 4 vols. London: Heinemann 1925–1937.  
 Thomas Aquinas, *Summa Theologia*. Rome: Ex typographia senatus 1886.  
 Thomasius, Christian, *Paulo plenior historia juris naturalis*. Halle: Widow Chr. Salfeldius 1719.  
 Tindal, John, *The rights of the Christian church asserted*. London 1706.  
 Tuinman, Carolus, *De heilloze gruwelleere der vrygeesten*. Middelburg: J. Op Somer 1714.  
 —, *Het helsche gruwelgeheim der heilloze vrygeesten*. Middelburg: W. Eling 1717.  
 —, *Korte afschietzing der ysselykheden welke van de Spinozistische vrygeesten uitdrukkellyk worden geleert*. Rotterdam: R. Doesburg 1719.  
 Tyrrell, James, *A brief disquisition of the laws of nature, according to the principles laid down in the reverend Dr. Cumberland's ... Latin treatise on that subject. As also his confutations of Mr. Hobbs's principles ... with the Right Reverend Author's approbation*. London: Richard Baldwin 1692.  
  
 Uytenbogaert, Johannes, *Tractaet van 't ampt ende autoriteyt, eener hoohger christelicker overheydt in kerkelicke saecken*. Den Haag: Hillebrandt Jacobsz 1610 [Knuttel 1767].  
  
 Valckenier, Petrus, 't Verwerd Europa, ofte Politijke en Historische Beschryvinge Der waare Fundamenten en Oorsaken van de Oorlogen en Revolutien in Europa, voornamelyk in en omtrent de Nederlanden zedert den jaare 1664 gecauseert door de gepretendeerde Universele Monarchie der Franschen. Amsterdam: Hendrik en Dirk Boom 1675.  
 [Lambert van Velthuysen], *Bewijs dat het gevoelen van die genen die leeren der sonne stilstandt en des aertrycks beweging niet strijdich is met Gods-woort*. s.l. [1655] [Knuttel 7712].  
 —, *Epistolica dissertatio de principiis justi et decori, continens apologiam pro tractatu clarissimi Hobbaei De Cive*. Amsterdam: L. Elzevir 1651.  
 —, *Ondersoek of de Christelijcke overheydt eenigh quaedt in haer gebiedt mach toe laeten*. Middelburg: Jan Effendewegh 1660.  
 Velthuysen, Lambertus van, *Nova methodus qua traditur doctrina de praedestinatione et gratia*. Utrecht: T. ab Ackersdijck 1662.  
 —, *Een tractaet van afgodery en superstitie*. Utrecht 1669 [Knuttel 9851]. 2nd, enl. ed: Amsterdam: G. Hendricksz 1670.  
 —, *Apologie voor het tractaet van de afgoderye en superstitie, tegen eenige stellingen des eerwaardigen kerckenraad van de Nederlandsche Gemeente 't Utrecht*. Utrecht: Dirck van Ackersdyck 1669 [Knuttel 9774].  
 —, *Tractatus moralis de naturali pudore & dignitate hominis in quo agitur de incestu, scortatione, voto caelibatus, conjugio, adulterio, polygamia & divortiis, &c.* Utrecht: Rudolphus à Zyll 1676.  
 —, *Opera omnia*. 2 vols, Rotterdam: Reinerus Leers 1680.

- [Alb. G. Waelwyk] *Vaderlandsche remarques volgens en op de staatkundige geschriften van Mr. Simon van Slingelandt, over de oude regeering van Holland, onder de graaven en de verandering daarin gevallen zeedert de troublen*. Den Haag: J.A. Bouvink 1787.  
 Waejen, Johannes vander, *Pro vera et genuina Reformatorem sententia in negotio de Interprete Scripturae, libri tres. ... adversus Ludovicum Wolzogium. Addita sparsim contra Lamberti Velthusii errores disgressionem*. Amsterdam: H. and Th. Boom 1669.  
 Wagenaar, Jan, *Het egt en waar karakter van den heere raadpensionaris Johan de Witt*. Amsterdam 1757.  
 Walaeus, Antonius, *Het ampt der kerkendienaren*. Middelburg: Adriaen vanden Vivere 1615.  
 —, *Compendium ethicae Aristotelicae ad normam veritatis christianae revocatum*. Leiden 1636 (1620<sup>1</sup>).  
 Wassenaer, Gerard van, *Bedekte konsten in regeringen en heerschappien*. Utrecht: G. van Zyll and D. van Ackersdyck 1657.

## STUDIES

- Aalbers, Johan, *De Republiek en de vrede van Europa. Deel I: Achtergronden en algemene aspecten*. Groningen: Wolters-Noordhoff 1980.
- Aalders H.Wzn, G.J.D., *Plutarch's political thought*. [Verhandelingen der Koninklijke Nederlandse Akademie van Wetenschappen, Afd. Letterkunde, NR, CXVI] Amsterdam: North-Holland 1982.
- Abel, G., *Stoicismus und frühe Neuzeit. Zur Entstehungsgeschichte moderner Denkens im Felde von Ethik und Politik*. Berlin: Duncker & Humblot 1978.
- Akkerman, Fokke & e.a., *Spinoza. Briefwisseling*. Amsterdam: Wereldbibliotheek 1977.
- , *Studies in the posthumous works of Spinoza*. Groningen 1980.
- , 'Le caractère rhétorique du *Traité Théologico-Politique*', *Les Cahiers de Fontenay*, (1985) pp. 381-390.
- Albiac, Gabriel, *La sinagoga vacía. Un estudio de las fuentes marranas del espinosismo*. Madrid: Ediciones Hiperión 1987.
- Alquié, Ferdinand, *Le rationalisme de Spinoza*. Paris: Presses Universitaires de France 1981.
- Arendt, Hannah, *Between past and future. Six exercises in political thought*. New York: Viking Press 1968 (1961<sup>1</sup>).
- Arkel, J.A. van, *De houding van den raadpensionaris Simon van Slingelandt tegenover het huis van Oranje*. Amsterdam: Paris 1925.
- Asselt, J.W. van, *Amicitia Dei. Een onderzoek naar de structuur van de theologie van Johannes Coccejus (1603-1669)*. Ede: ADC 1988.
- Baier, Annette, *Postures of the mind: essays on mind and morals*. London: Methuen 1985.
- Baier, Annette, *A progress of sentiments: reflections on Hume's Treatise*. Cambridge (Mass.): Harvard University Press 1991.
- Baier, Annette, 'Theory and reflective practice', in: Idem, *Postures of the mind. Essays on mind & morals*. (London: Methuen 1985) pp. 207-227.
- Balibar, Etienne, 'Spinoza: la crainte des masses', in: Emilia Giancotti (ed), *Proceedings of the first Italian International Congress on Spinoza* (Naples: Bibliopolis 1985) pp. 293-320.
- Barnard, Frederick M., 'Rightful decorum and rational accountability. A forgotten theory of civil life', in: Werner Schneiders (ed), *Christian Thomasius 1655-1728* (Hamburg: Felix Meiner Verlag 1989) pp. 187-198.
- Beetz, Manfred, 'En neuentdecker Lehrer der Conduite. Thomasius in der Geschichte der Gesellschaftsethik', in: Werner Schneiders (ed), *Christian Thomasius 1655-1728* (Hamburg: Felix Meiner Verlag 1989) pp. 199-222.
- Beld, A. van den, 'De plaats van de deugd in de hedendaagse ethiek', in: H.G. Hubbeling en R. Veldhuis (ed), *Ethiek in meervoud* (Assen: Van Gorcum 1985) pp. 145-203.
- Bennett, Jonathan, *A study of Spinoza's Ethics*. Cambridge: Cambridge University Press 1984.
- Bergh, G.C.J.J. van den e.a. (eds.), *Rechtsgeleerd Utrecht. Levensschetsen van elf hoogleraren uit 350 jaar Faculteit der Rechtsgeleerdheid in Utrecht*. Zutphen: Walburg Pers 1986.
- , 'The life and work of Gerard Noodt (1647-1725). Dutch legal scholarship between humanism and enlightenment'. Oxford: Oxford University Press 1988.
- Berlin, I., 'Two concepts of liberty', in: Idem, *Four essays on liberty*. (Oxford: Oxford UP 1969) pp. 118-172.

- Blockmans, W.P. & P. van Peteghem, 'La pacification de Gand à la lumière d'un siècle de continuité constitutionnelle dans les Pays-Bas: 1477-1576', in: Rudolf Vierhaus (ed), *Herrschaftsverträge, Wahlkapitulationen, Fundamentalgesetze* (Göttingen: Vandenhoeck & Ruprecht 1977) pp. 220-234.
- Blockmans, W.P., 'Breuk of continuïteit? De Vlaamse privilegiën van 1477 in het licht van het staatsvormingsproces', in: Idem (ed), *1477. Le privilège général et les privilèges régionaux de Marie de Bourgogne pour les Pays-Bas* (Kortrijk: UGA 1985) pp. 97-125.
- , 'Alternatives to monarchical centralization: the great tradition of revolt in Flanders and Brabant', in: H.G. Koenigsberger (ed), *Republiken und Republikanismus im Europa der Frühen Neuzeit* (Munich: Oldenbourg 1988) pp. 145-154.
- Blom, Hans W., 'Political science in the Golden Age. Criticism, history and theory in Dutch seventeenth century political thought', *The Netherlands' Journal of Sociology*, (1979) pp. 47-71.
- , 'De grondslagen van de politieke wetenschap - de wetenschappelijkheid van de politologie', in: *Wijsgerig Perspectief*, (1979/80) p. 61-66.
- , *Spinoza en De la Court: politieke wetenschap in de zeventiende eeuw*. [Mededelingen vanwege het Spinozahuis] Leiden: Brill 1981.
- , 'Het maatschappijbeeld van de Nederlandse achttiende-eeuwse Verlichting', in: W. Arts and J.K.M. Gevers (ed), *Rede, sentiment en ervaring. Sociale wetenschap in de 18e eeuw* (Leiden: Van Loghum Slaterus 1983) pp. 51-65.
- & Jaap M. Kerkhoven, 'A letter concerning an early draft of Spinoza's Treatise on religion and politics?', *Studia Spinozana*, (1985) pp. 371-378.
- , 'Virtue and republicanism. Spinoza's political philosophy in the context of the Dutch Republic', in: H.G. Koenigsberger (ed.), *Republiken und Republikanismus im Europa der Frühen Neuzeit* (Munich: Oldenbourg 1988) pp. 195-212.
- , 'A Dutch context to late 17th century republican thought. Gulielmus Van der Muelen's dissertation on sovereignty', *Il Pensiero Politico*, (1989) pp. 66-73.
- , 'Our Prince is King! The impact of the Glorious Revolution on political debate in the Dutch Republic', *Parliaments, Estates and Representation*, (1990) pp. 45-58.
- , 'Lambert van Velthuysen et le naturalisme: Autour de sa lettre à Jacob Ostens', *Cahiers Spinoza*, (1991) pp. 203-212.
- , 'Felix qui potuit rerum cognoscere causas. The moral and political philosophy of Burgersdijk', in: E.P. Bos & H.A. Krop (ed), *Franco Burgersdijk 1590-1635* [Studies in the History of Ideas in the Low Countries, I] (Amsterdam/Atlanta: Editions Rodopi 1993) pp. 119-150.
- , 'Habsburg and the Low Countries: Despotism and the end of the Ancien Régime', in: W. Braunerder (ed), *Heiliges Römisches Reich und moderne Staatlichkeit*. Frankfurt a/M: Lang 1993) pp. 195-217.
- , 'Spinoza's moral and political philosophy', in: G.H.R. Parkinson (ed), *The Renaissance and seventeenth century rationalism* [History of Philosophy, 4] (London: Routledge 1993) pp. 313-348.
- , 'De la Court e l'«interesse di Stato», in: *Scienza & Politica*, (1993) pp. 25-48.
- & Ivo W. Wildenberg (eds.), *Pieter de la Court in zijn tijd (1618-1685). Aspecten van een veelzijdig publicist*. Amsterdam: APA 1986.
- , Theo Verbeek & Yves-Charles Zarka (eds.), *Entre Descartes et Hobbes: la philosophie politique aux Pays-Bas avant Spinoza*. [Studies in the History of Ideas in the Low Countries, III] Amsterdam/Atlanta: Editions Rodopi (forthcoming).
- Bonger, H., *De movering van de godsdienstvrijheid bij Dirck Volckertszoon Coornhert*. Arnhem: Van Loghum Slaterus 1954.
- , *Leven en werk van D.V. Coornhert*. Amsterdam: Van Oorschot 1978.
- Boogman, J.C., 'The Union of Utrecht: its genesis and consequences', in: Idem, *Van spel en spelers*. (Den Haag: Nijhoff 1982) pp. 53-82.

## Bibliography

- Boogman, J.C., 'De raison d'état-politicus Johan de Witt', in: Idem, *Van spel en spelers*. (Den Haag: Nijhoff 1982) pp. 162-189.
- Bots, Hans, e.a., *De «Bibliothèque universelle et historique» (1686-1693). Een periodiek als treffpunt van geleterd Europa*. Maarssen: APA 1981
- Boucher, David, *Texts in context. Revisionist models for studying the history of ideas*. Dordrecht: Nijhoff 1985.
- Boudon, Raymond, *Effets pervers et ordre social*. Paris: Presses Universitaires de France 1989 (1977<sup>3</sup>).
- Boudon, Raymond, *The analysis of ideology*. [Tr. Malcolm Slater] Cambridge: Polity Press 1989.
- Boulan, Emile, *François Hemsterhuis. Le Socrate hollandais, suivi de Alexis ou du militaire*. Groningen: Noordhoff 1924.
- Boylan, M., *Method and practice in Aristotle's biology*. Washington 1983.
- Brummel, Vincent, *Frans Hemsterhuis. Een filosofen leven*. Haarlem: Tjeenk Willink 1925.
- Brunner, Otto, 'Das "ganze Haus" und die alteuropäische "Ökonomik"', in: Idem, *Neue Wege zur Sozialgeschichte*. (Göttingen 1956) pp. 33-61.
- Buckle, Stephen, *Natural law and the theory of property*. Grotius to Hume. Oxford: Clarendon Press 1991.
- Bunge, Wiep van, *Johannes Bredenburg (1643-1691). Een Rotterdamse Collegiant in de ban van Spinoza*. Rotterdam 1990.
- Burgess, Glenn, *The politics of the Ancient Constitution. An introduction to English political thought, 1603-1642*. London: Macmillan 1992.
- Bynsters, P.J., 'Hemsterhuis-dokumentatie', *Documentatieblad werkgroep Achttiende Eeuw*, (1969) pp. 1-27.
- Bijl, Murk van der, *Idee en interest. Voorgeschiedenis, verloop en achtergronden van de politieke twisten in Zeeland en vooral in Middelburg tussen 1702 en 1715*. Groningen: Wolters-Noordhoff 1981.
- Caton, Hiram, *The politics of progress: the origins and development of the commercial republic 1600-1835*. Gainesville: University of Florida Press 1988.
- Church, William F., *Richelieu and reason of state*. Princeton (N.J.): Princeton University Press 1972.
- Clarke, Stanley G. & Evan Simpson (eds.), *Anti-theory in ethics and moral conservatism*. Albany, NY: State University of New York 1989.
- Colie, Rosalie L., *Light and enlightenment. A study of the Cambridge Platonists and the Dutch Arminians*. Cambridge: Cambridge University Press 1957.
- , 'Spinoza and the early English Deists', *Journal of the History of Ideas*, (1959) pp. 23-46.
- Cornelissen, J.D.M., 'Johan de Witt en de vrijheid', in: Idem, *De eendracht van het land. Cultuurhistorische studies over Nederland in de zestiende en zeventiende eeuw*. (Amsterdam: De Bataafsche Leeuw 1987) pp. 127-139.
- , 'Hoof en Tacitus. Bijdrage tot de kennis van de vaderlandse geschiedenis in de eerste helft van de zeventiende eeuw', in: Idem, *De eendracht van het land. Cultuurhistorische studies over Nederland in de zestiende en zeventiende eeuw*. (Amsterdam: De Bataafsche Leeuw 1987) pp. 53-102.
- Croft, P. & I.A.A. Thompson, 'Aristocracy and representative government in unicameral and bicameral institutions. The role of the peers in the Castilian Cortes and the English Parliament 1529-1664', in: H.W. Blom, W.P. Blockmans, H. de Schepper (ed), *Bicameralisme* (Den Haag: SDU 1992) pp. 63-86.
- Cropsey, Joseph, 'The invisible hand: moral and political considerations', in: Idem, *Political philosophy and the issue of politics*. (Chicago: University of Chicago Press 1977) pp. 76-89.

## Studies

- David, Karel & Leo Noordegraaf (eds.), *The Dutch economy in the Golden Age*. Amsterdam: Nederlandsch Economisch-Historisch Archief 1993.
- De Sousa, Ronald, *The rationality of emotion*. Cambridge (Mass.): MIT Press 1987.
- De Vree, Johan K., *Order and disorder in the human universe. The foundations of behavioral and social science*. 3 vols, Bithoven: Prime Press 1990.
- Dekker, Evert & H. Veldhuis, 'De menselijke wilsvrijheid. Een systematische analyse', *Nederlands Theologisch Tijdschrift*, (1993) pp. 119-127.
- Dekker, Evert, *Rijker dan Midas. Vrijheid, genade en predestinatie in de theologie van Jacobus Arminius (1559-1609)*. Zoetermeer: Bockencentrum 1993.
- Dekker, Rudolf M., '“Wij willen al den duyvel aff hebben!” Protesten tegen belastingen in het verleden', in: J.Th. de Smidt, et al. (ed), *Fiscaliteit in Nederland* (Zutphen: Walburg Pers 1987) pp. 33-44.
- , '“Private vices, public benefits” revisited: the Dutch background of Bernard Mandeville', *History of European Ideas*, (1992) pp. 481-498.
- Den Uyl, Douglas J., *Power, state and freedom. An interpretation of Spinoza's political philosophy*. Assen: Van Gorcum 1983.
- , 'Passion, state, and progress: Spinoza and Mandeville on the nature of human association', in: *Journal of the History of Philosophy*, (1987) pp. 369-395.
- Dent, N.J.H., *The moral psychology of the virtues*. Cambridge: Cambridge University Press 1984.
- Deugd, C. de (ed.), *Spinoza's political and theological thought*. Amsterdam: North-Holland 1984.
- Deursen, A.Th. van, 'Tussen eenheid en zelfstandigheid. De toepassing van de Unie als fundamentele wet', in: S. Groenvelt and H.L.Ph. Leeuwenberg (ed), *De Unie van Utrecht. Wording en werking van een verbond en een verbondsacte* (Den Haag: Nijhoff 1979) pp. 136-154.
- , 'De Raad van State onder de Republiek van 1588-1795', in: *Raad van State. 450 jaar* (Den Haag: SDU 1981) pp. 47-91.
- , *Plain lives in a Golden Age. Popular culture, religion and society in seventeenth-century Holland*. Cambridge: Cambridge University Press 1991.
- Dibbits, H.C., *Jacobus Revius, zijn leven en werken*. Amsterdam: Ten Brink & De Vries 1895.
- Dibon, Paul, *L'Enseignement philosophique dans les universités néerlandaises à l'époque pré-cartésienne 1575-1650*. Amsterdam: Institut français d'Amsterdam 1954.
- , & F. Waquet, *Johannes Fredericus Gronovius, pèlerin de la République des Lettres. Recherches sur le voyage savant au xviiie siècle*. Genève 1984.
- , *Regards sur la Hollande du Siècle d'Or*. Napels: Vivarium 1990.
- Dihle, A., *The theory of the will in classical antiquity*. Berkeley: University of California Press 1982.
- Ditzhuyzen, R.E. van, 'Simon van Slingelandt, secretaris van de Raad van State 1690-1725', (Raad van State 450 jaar. Den Haag: SDU 1981) pp. 93-102.
- Dormans, E.H.M., *Het tekort. Staatsschuld in de tijd der Republiek*. Amsterdam: NEHA 1991.
- Dreitzel, Horst, *Protestantischer Aristotelismus und absoluter Staat. Die 'Politica' des Henning Amisus (ca. 1575-1636)*. Wiesbaden: Steiner Verlag 1970.
- , 'Der Aristotelismus in der politischen Philosophie Deutschlands im 17. Jahrhundert', in: E. Keszler, Chr. H. Lohr and W. Sparr (eds.), *Aristotelismus und Renaissance. In memoriam Charles B. Schmitt* (Wiesbaden: Steiner Verlag 1988) pp. 163-192.
- Droetto, A., 'Il "Tacitismo" nella storiografia groziana', in: N. Bobbio (ed), *Studi groziani* (Torino 1968) pp. 101-151.
- Duerr, Hans Peter, *Nacktheit und Scham*. Frankfurt a/M: Suhrkamp 1988.
- Düsing, K., 'Die Teleologie in Kants Weltbegriff', *Kant Studien. Ergänzungsheft*, (1968).
- Duker, A.C., *Gisbertus Voetius*. 3 vols, Leiden: Brill 1897-1910, 1915.
- Dunin-Borkowski, Stanislaus von, *Spinoza*. 4 vols, Münster: Aschendorffsche Verlagsbuchhandlung 1910-1936.

- Dunn, John, 'The identity of the history of ideas', *Philosophy*, (1968) pp. 85-104.
- Dijksterhuis, E.J. e. a., *Descartes et le cartésianisme hollandais*. Paris: Presses Universitaires de France 1950.
- Dijn, Herman de, 'Ervaring en theorie in de staatkunde. Een analyse van Spinoza's "Tractatus Politicus"', *Tijdschrift voor Filosofie*, 1970 pp. 30-71.
- , *Methode en waarheid bij Spinoza*. [Mededelingen vanwege het Spinozahuis, 35] Leiden: Brill 1975.
- , 'Adriaan Heereboord en het Nederlands Cartesianisme', in: *Algemeen Nederlands Tijdschrift voor Wijsbegeerte*, (1983) pp. 56-69.
- , 'The compatibility of determinism and moral attitudes', in: Emilia Giancotti (ed), *Proceedings of the first Italian international congress on Spinoza* (Napels: Bibliopolis 1985) pp. 205-219.
- , 'Spinoza als bevrijdingsfilosoof. Omtrent Antonio Negri's Spinoza-interpretatie', *Tijdschrift voor Filosofie*, (1986) pp. 619-630.
- Elster, Jon, *The cement of society. A study of social order*. Cambridge: Cambridge University Press 1989.
- , *Ulysses and the sirens*. Cambridge: Cambridge University Press 1984<sup>2</sup>.
- , *Political psychology*. Cambridge: Cambridge University Press 1993.
- Elzinga, Simon, *Het voorspel van den oorlog van 1672: de economisch-politieke betrekkingen tusschen Frankrijk en Nederland in de jaren 1660-1672*. Haarlem: Tjeenk Willink 1926.
- Emmery, Christopher R., *The study of politica in the Netherlands in the early eighteenth century*. (unpubl. Diss. University of London) 1967.
- Enno van Gelder, H.A., *Getemperde vrijheid. Een verhandeling over de verhouding van kerk en staat in de Republiek der Verenigde Nederlanden en de vrijheid van meningsuiting in zake godsdienst, drukpers en onderwijs, gedurende de 17e eeuw*. Groningen: Wolters-Noordhoff 1972.
- Epkema, E., 'Pieter de Groot', *Tijdschrift voor Geschiedenis, Land- en Volkenkunde*, (1909) pp. 173-187, 240-255.
- Erle, M., *Die Ehe im Naturrecht des 17. Jahrhunderts*. Göttingen 1952.
- Evers, M., 'Angelsaksische inspiratiebronnen voor de patriottische denkbeelden van Dirk van der Capellen', in: Th.S.M. van der Zee e.a. (ed), *De Nederlandse revolutie? 1787* (Amsterdam: De Bataafse Leeuw 1988) pp. 206-217.
- Feingold, Mordechai, 'The ultimate pedagogue. Franco Petri Burgersdijk and the English speaking academic learning', in: E.P. Bos and H.A. Krop (ed), *Franco Burgersdijk (1590-1635). Neo-aristotelianism in Leiden* [Studies in the History of Ideas in the Low Countries, 1] (Amsterdam/Atlanta, GA: Rodopi 1993) pp. 151-165.
- Feuer, Lewis S., *Spinoza and the rise of liberalism*. Boston: Beacon Press 1964.
- Fink, Zera S., *The classical republicans. An essay in the recovery of a pattern of thought in seventeenth century England*. Evanston: Northwestern University 1945.
- Fockema Andreae, S.J., *De Nederlandse staat onder de Republiek*. [Verhandelingen der Koninklijke Nederlandse Akademie van Wetenschappen, afd. Letterkunde, NR LXVIII, 3] Amsterdam: North-Holland 1960.
- Forsyth, Murray, 'The place of Cumberland in the history of natural law doctrine', *Journal of the History of Philosophy*, (1982).
- Frank, Robert H., *Passions within reason. The strategic role of the emotions*. New York: W.W. Norton & Comp. 1988.
- Franken, M.A.M., *Coenraad van Beuningen's politieke en diplomatieke activiteiten in de jaren 1667-1684*. Groningen: Wolters 1966.
- Frede, Michael, 'The Stoic doctrine of the affections of the soul', in: M. Schofield and G. Striker, *The norms of nature. Studies in Hellenistic philosophy* (Cambridge: Cambridge University Press 1986) pp. 93-110.

- Freudenthal, J., *Die Lebensgeschichte Spinoza's in Quellenschriften, Urkunden und nichtamtlichen Nachrichten*. Leipzig: Verlag von Veit 1899.
- Fritschy, J.M.F., *De patriotten en de financiën van de Bataafse Republiek. Hollands krediet en de smalle marges voor een nieuw beleid (1795-1801)*. (Diss.) Leiden: Hollandse Historische Reeks 1988.
- , 'De patriottenbeweging in Nederland. Een verzetsbeweging tegen een financiële oligarchie?', in: Th.S.M. van der Zee, J.G.M.M. Rosendaal en P.G.B. Thissen (ed), 1787: *De Nederlandse revolutie?* (Amsterdam: De Bataafse Leeuw 1988) pp. 52-69.
- Fruin, Robert, *De oorlog van 1672*. Groningen: Wolters-Noordhoff 1972.
- Frijda, Nico H., *The emotions*. Cambridge: Cambridge UP 1986.
- Frijhoff, W.Th.M., *La société néerlandaise et ses gradués, 1575-1814*. Maarssen: APA 1981.
- Gabler, Hans-Jürgen & Geschmack und Gesellschaft, *Geschmack und Gesellschaft. Rhetorische und sozialgeschichtliche Aspekte der frühauflärerischen Geschmackskategorie*. Frankfurt a/M 1982.
- Gauthier, David, 'Why ought one obey God, reflections on Hobbes and Locke', *Canadian Journal of Philosophy*, (1977) pp. 425-446.
- Geertz, Clifford, 'The strange estrangement: Taylor and the natural sciences', in: J. Tully (ed), *Philosophy in an age of pluralism. The philosophy of Charles Taylor in question* (Cambridge: Cambridge University Press 1994) pp. 83-95.
- Gelderen, Martin van, *The political thought of the Dutch Revolt, 1555-1590*. Cambridge: Cambridge University Press 1992.
- , (ed.) *The Dutch Revolt*. Cambridge: Cambridge University Press 1993.
- Geurts, P.A.M., *De Nederlandse Opstand in de pamfletten 1566-1584*. Utrecht: HES 1983 (1956<sup>3</sup>).
- Geyl, Pieter, *Geschiedenis der Nederlandse stam*. Amsterdam: Wereldbibliotheek 1961-1962.
- , 'Democratische tendenties in 1672', in: Idem, *Pennestrijd over staat en historie*. (Groningen: Wolters-Noordhoff 1971) pp. 72-129.
- , 'Het stadhouderschap in de partij-literatuur onder De Witt', in: Idem, *Pennestrijd over staat en historie*. (Groningen: Wolters-Noordhoff 1971) pp. 3-71.
- , 'De Witten-oorlog, een pennestrijd in 1757', in: Idem, *Pennestrijd over staat en historie*. (Groningen: Wolters-Noordhoff 1971) pp. 130-273.
- Gilson, Etienne, *Le Thomisme. Introduction à la philosophie de Saint Thomas d'Aquin*. Paris: Vrin 1972.
- , *Saint Thomas moraliste*. Paris: Vrin 1974.
- Gordon, Robert M., *The structure of emotions. Investigations in cognitive philosophy*. Cambridge: Cambridge University Press 1987.
- Goslinga, A., *Slingelandt's efforts towards European peace*. Den Haag: Nijhoff 1915.
- Green, O.H., *The emotions. A philosophical theory*. [Philosophical Studies Series, 53] Dordrecht: Kluwer 1992.
- Greenspan, Patricia, *Emotions and reasons. An inquiry into emotional justification*. London: Routledge 1993.
- Groenveld, S. & H.L.Ph. Leeuwenberg (eds.), *De Unie van Utrecht. Wording en werking van een verbond en een verbondsacte*. Den Haag: Nijhoff 1979.
- Guenancia, Pierre, 'Passions et liberté chez Descartes', in: H.W. Blom, Th. Verbeek, Y.-C. Zarka (ed), *Entre Descartes et Hobbes. La philosophie politique aux Pays-Bas avant Spinoza* [Studies in the History of Ideas in the Low Countries] Amsterdam: Rodopi forthcoming.
- Gunn, J.A.W., *Politics and the public interest in the seventeenth century*. London: Routledge & Kegan Paul 1969.
- Haakonssen, Knud, *The science of a legislator. The natural jurisprudence of David Hume and Adam Smith*. Cambridge: Cambridge UP 1981.

## Bibliography

- Haakonssen, Knud, 'From moral philosophy to political economy: the contribution of Dugald Stewart', in: V. Hope (ed), *Philosophers of the Scottish Enlightenment* (Edinburgh: Edinburgh UP 1984) pp. 211-232.
- , 'John Millar and the science of a legislator', *Juridical Review*, (1985) pp. 41-68.
- , 'Hugo Grotius and the history of political thought', *Political Theory*, (1985) pp. 239-265.
- , 'Natural law and moral realism: the Scottish synthesis', in: M.A. Stewart (ed.), *Studies in the philosophy of the Scottish enlightenment* (Oxford: Oxford University Press 1990) pp. 61-85.
- , 'The character and obligation of natural law according to Richard Cumberland', in: H.-E. Bödeker and I. Hont (eds), *Unsocial sociability*, forthcoming.
- Habermas, Jürgen, *Zur Logik der Sozialwissenschaften*. Frankfurt a/M: Suhrkamp 1970.
- , *Moral consciousness and communicative action*. Tr. of *Moralbewusstsein und kommunikatives Handeln* (Frankfurt a/M: Suhrkamp 1983) by Chr. Lenhardt e.a. Cambridge: Polity Press 1990.
- Haerten, Willi, *Lambert van Velthuysen (1622-1685) als Philosoph, insbesondere als Ethiker*. (Diss.) [Cologne] 1924.
- Haitisma Mulier, Eco O.G., *The myth of Venice and Dutch republican thought in the seventeenth century*. Assen: Van Gorcum 1980.
- , 'De Nieuwkeurige consideratie van staet van de gebroeders De la Court. Een nadere beschouwing', *Bijdragen en Mededelingen betreffende de Geschiedenis der Nederlanden*, (1984) pp. 396-407.
- , 'The language of seventeenth-century republicanism in the United Provinces: Dutch or European?', in: Anthony Pagden (ed.), *The languages of political theory in early-modern Europe* (Cambridge: Cambridge University Press 1987) pp. 179-195.
- , *Het Nederlandse gezicht van Machiavelli. Twee en halve eeuw interpretatie 1550-1800*. [Inaugural lecture; Amsterdamse Historische Reeks, Grote Serie, 8] Hilversum: Verloren 1989.
- , 'A controversial republican: Dutch views of Machiavelli in the seventeenth and eighteenth centuries', in: Gisela Bock, Quentin Skinner & Maurizio Viroli (ed), *Machiavelli and republicanism* [Ideas in Context, 18] (Cambridge: Cambridge University Press 1990) pp. 247-263.
- , 'De Bataafse mythe in de patriottentijd: De aloude staat en geschiedenissen der Verenigde Nederlanden van E.M. Engelberts', *Theoretische Geschiedenis*, (1992) pp. 16-34.
- , 'Spinoza et Tacite', in: H. W. Blom, Th. Verbeek & Y.C. Zarka (ed), *Entre Descartes et Hobbes. La philosophie politique aux Pays-Bas avant Spinoza* [Studies in the History of Ideas in the Low Countries, 3] Amsterdam: Editions Rodopi, forthcoming.
- Hammacher, Klaus, *Unmittelbarkeit und Kritik bei Hemsterhuis*. Munich: Fink 1971.
- , 'Hemsterhuis und seine Rezeption in der deutschen Philosophie', *Algemeen Nederlands Tijdschrift voor Wijsbegeerte*, (1983) pp. 110-131.
- Hampshire, Stuart, *Spinoza. An introduction to his philosophical thought*. Harmondsworth: Penguin 1987.
- Hampton, Jane, *Hobbes and the social contract tradition*. Cambridge: Cambridge University Press 1986.
- Harris, E.E., 'Spinoza's treatment of natural law', in: C. de Deugd (ed), *Spinoza's political and theological thought* (Amsterdam: North-Holland 1984) pp. 63-62.
- Hart, Marjolein 't, *The making of a bourgeois state. War, politics and finance during the Dutch Revolt*. Manchester: University of Manchester Press 1993.
- , 'Freedom and restrictions. State and economy in the Dutch Republic 1570-1670', in: K. Davids and L. Noordegraaf (ed), *The Dutch economy in the Golden Age* (Amsterdam: Nederlandsch Economisch-Historisch Archief 1993) pp. 105-130.
- Hartmann, Nicolai, *Teleologisches Denken*. Berlin: De Gruyter 1951.
- Hatton, Ragnild, *Louis XIV and absolutism*. London: MacMillan 1976.

## Studies

- Hein, Isolde & Albert Heinekamp, 'Ein neu gefundener Brief von Leibniz an Lambert van Velthuysen', *Studia Leibnitiana*, (1990) pp. 151-162.
- Hirschman, Albert O., *The passions and the interests. Political arguments for capitalism before its triumph*. Princeton: Princeton UP 1977.
- Hont, Istvan, 'The language of sociability and commerce: Samuel Pufendorf and the theoretical foundations of the "Four-Stages Theory"', in: Anthony Pagden (ed), *The languages of political theory in early-modern Europe* [Ideas in Context] (Cambridge: Cambridge University Press 1987) pp. 253-276.
- , 'The political economy of the "unnatural and retrograde" order: Adam Smith and natural liberty', in: *Französische Revolution und politische Ökonomie* (Trier: Karl Marx Haus 1989) pp. 122-149.
- , 'Free trade and the economic limits to national politics: neo-Machiavellian political economy reconsidered', in: John Dunn (ed), *The economic limits to modern politics* (Cambridge: Cambridge University Press 1990) pp. 41-120.
- , 'The rapsody of public debt: David Hume and voluntary state bankruptcy', in: N. Phillipson and Q. Skinner (eds.), *Public discourse in early modern Britain* (Cambridge: Cambridge University Press 1993) pp. 321-348.
- Horne, Thomas A., *Property rights and poverty. Political argument in Britain, 1605-1834*. Chapel Hill/London: University of North Carolina Press 1990.
- Hull, W.I., *Benjamin Furly and the Quakerism in Rotterdam*. Lancaster 1941.
- Israel, Jonathan, *Dutch primacy in world trade, 1585-1740*. Oxford: Oxford University Press 1989.
- Jacob, Margaret C., *The radical Enlightenment. Pantheists, Freemasons and republicans*. London: Allen and Unwin 1981.
- Kampinga, H., *De opvattingen over onze oudere vaderlandsche geschiedenis bij de Hollandsche historici der XVIe en XVIIe eeuw*. Utrecht: HES 1980 (1917<sup>1</sup>).
- Kantorowicz, Ernst, *The King's two bodies. A study in medieval political theology*. Princeton (N.J.): Princeton University Press 1957.
- Keohane, Nannerl O., *Philosophy and the state in France: the Renaissance to the Enlightenment*. Princeton: Princeton University Press 1980.
- Kerkhoven, Jaap M., & Hans W. Blom, 'De la Court en Spinoza: van correspondenties en correspondenten', in: H. W. Blom & I. W. Wildenberg (ed), *Pieter de la Court in zijn tijd (1618-1685)* (Amsterdam: APA 1986) pp. 137-160.
- Kerkhoven, Jaap M., *Spinoza's clausules aangaande van uitsluiting van politieke rechten in hun maatschappelijke context*. Delft: Eburon 1991.
- Kimlicka, Will, *Contemporary political philosophy. An introduction*. Oxford: Clarendon Press 1990.
- Kirk, Linda, *Richard Cumberland and natural law. Secularisation of thought in seventeenth-century England*. Cambridge: J. Clarke 1987.
- Kittsteiner, H.D., *Naturabsicht und unsichtbare Hand*. Frankfurt a/M: Ullstein 1980.
- Klashorst, G. O. van de, '“Metten schijn van monarchie getempert”. De verdediging van het stadhouderschap in de partijliteratuur 1650-1686', in: H. W. Blom & I. W. Wildenberg (ed), *Pieter de la Court in zijn tijd (1618-1685). Aspecten van een veelzijdig publicist* (Amsterdam: APA 1986) pp. 93-136.
- , & H.W. Blom and E.G.O. Haitisma Mulier, *Bibliography of Dutch seventeenth century political thought. An annotated inventory, 1581-1710*. Maarssen: APA 1986.
- Knuttel, W.P.C., *Verboden boeken in de Republiek der Vereenigde Nederlanden*. Den Haag: Nijhoff 1914.
- , *Catalogus van de pamfletten-verzameling berustende in de Koninklijke Bibliotheek*. 9 vols. Den Haag: Algemeene Landsdrukkerij 1889-1920.



## Bibliography

- Koenigsberger, H.G. & George L. Mosse, *Europe in the sixteenth century*. London/New York 1968.
- Koenigsberger, H.G., 'The States-General of the Netherlands before the Revolt', in: Idem, *Estates and Revolutions. Essays in early modern history*. (Ithaca: Cornell University Press 1971).
- , 'Dominium regale or dominium politicum et regale: Monarchies and parliaments in early modern Europe', in: Idem, *Politicians and virtuosi. Essays in early modern history*. (London: Hambledon Press 1986) pp. 1-25.
- Kolakowsky, Leszek, *Chrétiens sans église. La conscience religieuse et le lien confessionnel au XVIIe siècle*. Paris: Gallimard 1969.
- Koopmans, Joop W., *De Staten van Holland en de opstand. De ontwikkeling van hun functies en organisatie in de periode 1544-1588*. (Diss.) Groningen: Hollandse Historische Reeks 1990.
- Kooijmans, L., 'Patriciaat en aristocratisering in Holland tijdens de zeventiende en achttiende eeuw', in M. Prak & J. Aalbers (eds), *De bloem der natie. Adel en patriciaat in de Noordelijke Nederlanden* (Meppel: Boom 1987) pp. 93-102.
- Kossmann, E.H., 'Bodin, Althusius and Parker, of: over de moderniteit van de Nederlandse Opstand', in: *Opstellen aangeboden aan F.K.H. Kossmann*. Den Haag: 1958 pp. 79-98; repr. in: Idem, *Politieke theorie en geschiedenis*. (Amsterdam: Bert Bakker 1987) pp. 93-110.
- , *Politieke theorie in het zeventiende-eeuwse Nederland*. [Verhandelingen der Koninklijke Nederlandse Akademie van Wetenschappen, afd. Letterkunde, N.R. 67-2] Amsterdam: Noord-Hollandse Uitgevers Maatschappij 1960.
- , 'In praise of the Dutch Republic: some seventeenth-century attitudes'. Inaugural lecture delivered at University College London 13 May 1963. Repr. in: Idem, *Politieke theorie en geschiedenis*. (Amsterdam: Bert Bakker 1987) pp. 161-175.
- , 'Enlightened conservatism: the case of Elie Luzac', *Acta Historiae Neerlandicae*, (1973) pp. 67-82.
- , 'Some late 17th-century Dutch writings on Raison d'Etat', in: Roman Schnur (ed), *Staatsräson. Studien zur Geschichte eines politischen Begriffs* (Berlin: Dunker & Humblot 1975) pp. 497-504.
- , 'The singularity of absolutism', in: R. Hatton (ed), *Louis XIV and absolutism* (London: MacMillan 1976) pp. 3-17.
- , 'Dutch republicanism', in: (ed), *L'Età dei Lumi* (Napels: Jovene 1985) pp. 453-486; repr. in: Idem, *Politieke theorie en geschiedenis*. (Amsterdam: Bert Bakker 1987) pp. 211-233.
- , 'Volkssoevereiniteit aan het begin van het Nederlandse ancien régime', in: Idem, *Politieke theorie en geschiedenis*. (Amsterdam: Bert Bakker 1987) pp. 59-92.
- Kraus, Jody S., *The limits of Hobbesian contractarianism*. Cambridge: Cambridge University Press 1993.
- Kymlicka, Will, *Contemporary political philosophy. An introduction*. Oxford: Clarendon Press 1990.
- Ladd, John (ed), *Ethical relativism*. London: Wadworth 1973.
- Lagree, Jacqueline, *La religion naturelle*. Paris: Presses Universitaires de France 1991.
- Laux, Henri, *Imagination et religion chez Spinoza. La potentia dans l'histoire*. Paris: Vrin 1993.
- Leur, Jonathan, *The desire to understand*. Cambridge: Cambridge University Press 1988.
- Leeb, I. Leonard, *The ideological origins of the Batavian Revolution. History and politics in the Dutch Republic 1747-1800*. Den Haag: Nijhoff 1973.
- Lomonaco, Fabrizio, *Lex Regia. Diritto, filologia e fides historica nella cultura politico-filosofica dell'Olanda di fine seicento*. Napels: Guida 1990.
- Luthe, Heinz Otto, *Distanz. Untersuchung zu einer vernachlässigten Kategorie*. Munich: Fink 1985.

## Studies

- MacIntyre, Alisdair, *After virtue. A study in moral theory*. Notre Dame, IN: University of Notre Dame Press 1981.
- Mackie, John L., *Ethics. Inventing right and wrong*. Harmondsworth: Penguin 1977.
- McShea, Robert J., *The political philosophy of Spinoza*. New York: Columbia University Press 1968.
- , 'Spinoza: human nature and history', in: Maurice Mandelbaum and Eugene Freeman (ed), *Spinoza: Essays in interpretation* (La Salle (Ill.): Open Court 1975) pp. 101-115.
- Malcolm, Noel, 'Hobbes and Spinoza', in: J.H. Burns (ed), *The Cambridge History of Political Thought 1450-1700* (Cambridge: Cambridge University Press 1991) pp. 530-557.
- Maronier, J.H., *Jacobus Arminius. Een biografie*. Amsterdam: Y. Rogge 1905.
- Marti, Hanspeter, 'Naturrecht, Ehrbarkeit und Anstand im Spiegel frühauflärerischer Hobbeskritik. Lambert van Velthuysens Briefdissertation 'De principiis justi et decori' und ihre Aufnahme in der deutschen Schulphilosophie', *Aufklärung*, (1991) pp. 69-95.
- Matheron, Alexandre, *Individu et communauté chez Spinoza*. Paris: Minuit 1969.
- , 'Etat et moralité selon Spinoza', in: Emilia Giancotti (ed), *Proceedings of the first Italian international congress on Spinoza* (Naples: Bibliopolis 1985) pp. 343-354.
- , *Anthropologie et politique au XVIIe siècle. Etudes sur Spinoza*. Paris: Vrin 1986.
- , 'Passions et institutions selon Spinoza', in: Christian Lazzeri et Dominique Reynié (ed), *La raison d'Etat: politique et rationalité* (Paris: Presses Universitaires de France 1992) pp. 141-170.
- Matuschka, Michael von, *Lambert van Velthuysens (1622-1685) Menstruationstheorie in ihrer wissenschaftshistorischen Bedeutung. Zur Vorgeschichte der Endokrinologie der Ovarien*. Amsterdam: Israël 1980.
- Meinecke, Friedrich, *Die Idee der Staatsräson in der neueren Geschichte*. München/Berlin: Oldenbourg 1925 (1924<sup>1</sup>).
- Meinsma, K.O., *Spinoza en zijn kring. Historisch-kritische studiën over Hollandsche vrijgeesten*. Utrecht: HES 1980 (1896<sup>1</sup>).
- Milbrath, Lester W., *Political participation. How and why do people get involved in politics?*. Chicago: Rand McNally 1965.
- Mitchell, Joshua, *Not by reason alone. Religion, history, and identity in early modern political thought*. Chicago: University of Chicago Press 1993.
- Moore, James & M. Silverthorne, 'Natural sociability and natural rights in the moral philosophy of Gershom Carmichael', in: V. Hope (ed), *Philosophers of the Scottish Enlightenment*. (Edinburgh: Edinburgh UP 1984) pp. 1-12.
- Moreau, Pierre-François, 'La notion d'imperium dans le Traité politique', in: Emilia Giancotti (ed), *Proceedings of the first Italian international congress on Spinoza* (Naples: Bibliopolis 1985) pp. 355-366.
- Morford, Mark, 'Tacitean Prudence and the doctrines of Justus Lipsius', in: T.J. Luce and A.J. Woodman (ed), *Tacitus and the Tacitean tradition* (Princeton: Princeton University Press 1993) pp. 129-151.
- Mout, M.E.H.N., 'In het schip: Justus Lipsius en de Nederlandse Opstand tot 1591', in: S. Groenvelt, M.E.H.N. Mout and I. Schöffer (ed), *Bestuurders en geleerden* (Amsterdam: De Bataafse Leeuw 1985) pp. 55-64.
- , 'Ideales Muster oder erfundene Eigenart. Republikanische Theorien während des niederländischen Aufstands', in: H.G. Koenigsberger (ed.), *Republiken und Republikanismus im Europa der Frühen Neuzeit*. (Munich: Oldenbourg 1988) pp. 169-194.
- Mugnier-Pollet, Lucien, *La philosophie politique de Spinoza*. Paris: Vrin 1976.
- , 'Les atavars du pouvoir absolu', in: Emilia Giancotti (ed), *Proceedings of the first Italian international congress on Spinoza* (Naples: Bibliopolis 1985) pp. 367-372.
- Mullan, John, *Sentiment and sociability. The language of feeling in the eighteenth century*. Oxford: Clarendon Press 1988.

## Bibliography

- Munzer, Stephen R., *A theory of property*. Cambridge: Cambridge University Press 1990.
- Mijnhardt, W.W. (ed.), *Kantelend geschiedbeeld. Nederlandse historiografie sinds 1945*. Utrecht: Spectrum 1983.
- Negri, Antonio, 'Reliqua Desiderantur. Congettura per una definizione del concetto di democrazia nell'ultimo Spinoza', *Studia Spinozana*, (1985) pp. 143-181.
- , *The savage anomaly. The power of Spinoza's metaphysics and politics*. Tr. M. Hardt. Minneapolis (Minn.): University of Minneapolis Press 1991.
- Nelson, William N., *On justifying democracy*. London: Routledge & Kegan Paul 1980.
- Neu, Jerome, *Emotion, thought and therapy. A study of Hume and Spinoza and the relationship of philosophical theories of the emotions to psychological theories of therapy*. London: Routledge and Kegan Paul 1977.
- Nijenhuis, Ida J.L., *Een Joodse Filosoof. Isaac de Pinto (1717-1787) en de ontwikkeling van de politieke economie in de Europese Verlichting*. Amsterdam: NEHA 1992.
- Nobbs, Douglas, *Theocracy and toleration. A study of the disputes in Dutch Calvinism from 1600 to 1650*. Cambridge: Cambridge University Press 1938.
- Noble, H.-D., *Les passions dans la vie morale*. Paris: Lethiculleux 1931-1932.
- Oestreich, Gerhard, *Strukturprobleme der frühen Neuzeit*. Berlin: Duncker & Humblot 1980.
- , *Neostoicism and the early modern state*. Ed. B. Oestreich and H.G. Koenigsberger. Tr. D. McIntock. Cambridge: Cambridge University Press 1982.
- Ortony, Andrew & Gerald L. Clore & Allan Collins, *The cognitive structure of emotions*. Cambridge: Cambridge University Press 1988.
- Pahnke, E., *Studien über Ciceros Kenntnis und Benutzung des Aristoteles und die Herkunft der Staatsdefinitionen De rep. I 39*. (Diss. Freiburg) 1962.
- Parker, G., *Spain and the Netherlands 1559-1659*. Glasgow: Collins 1979.
- Passmore, J.A., *Ralph Cudworth. An interpretation*. Cambridge: Cambridge University Press 1951.
- Pateman, Carole, *Participation and democratic theory*. Cambridge: Cambridge University Press 1970.
- Patrides, C.A. (ed), *The Cambridge Platonists*. Cambridge: Cambridge University Press 1969.
- Perez, J., *La révolution des 'comunidades' de Castille (1520-1521)*. Bordeaux: Université de Bordeaux 1970.
- Petry, M.J., 'Hobbes and the early Dutch Spinozists', in: C. de Deugd (ed), *Spinoza's political and theological thought* (Amsterdam: North-Holland 1984) pp. 150-170.
- Platt, John, *Reformed thought and scholasticism. The arguments for the existence of God in Dutch theology, 1575-1650*. Leiden: Brill 1982.
- Pocock, John G.A., *The Machiavellian moment. Florentine political thought and the Atlantic republican tradition*. Princeton: Princeton University Press 1975.
- , *Virtue, commerce, and history*. Cambridge: Cambridge University Press 1985.
- Popkin, Richard H., 'Scepticism, old and new', in: Idem, *The third force in seventeenth-century thought*. (Leiden: Brill 1992) pp. 236-245.
- Preus, J. Samuel, 'Spinoza, Vico and the imagination of religion', *Journal of the History of Ideas*, (1989) pp. 71-93.
- Price, J.L., *Holland and the Dutch Republic in the seventeenth century. The politics of particularism*. Oxford: Clarendon Press 1994.
- Proceedings of the first Italian international congress on Spinoza*. Ed. Emilia Giancotti. Naples: Bibliopolis 1985.
- Putnam, Hilary, *Meaning and the moral sciences*. London: Routledge & Kegan Paul 1978.
- Raab, Felix, *The English face of Machiavelli. A changing interpretation 1500-1700*. London 1965.

## Studies

- Rademaker, C.S.M., *Gerardus Joannes Vossius (1577-1649)*. Zwolle: Tjeenk Willink 1967.
- Reibstein, E., *Volkssouveränität und Freiheitslehre. Texte und Studien zur politischen Theorie des 14.-18. Jh.* 2 vols, Ed. C. Schott. Fribourg: Alber 1972.
- Rice, Lee C., 'Emotion, appétition, and conatus in Spinoza', *Revue Internationale de Philosophie*, (1977) pp. 101-116.
- , 'Piety and philosophical freedom in Spinoza', in: C. de Deugd (ed), *Spinoza's political and theological thought* (Amsterdam: North-Holland 1984) pp. 184-205.
- , 'Spinoza, Bennett, and teleology', *The Southern Journal of Philosophy*, (1985) pp. 241-253.
- Richter, Melvin, 'Despotism', in: P.H. Wiener (ed), *Dictionary of the history of ideas. Studies of selected pivotal ideas*. 4 vols (New York: Scribner 1973) vol. II, pp. 1-18.
- Riemaersma, Jelle C., *Religious factors in early Dutch capitalism 1550-1650*. The Hague: Mouton 1967.
- Robbins, Caroline, *The eighteenth-century Commonwealthmen*. Cambridge (Mass.): Harvard University Press 1959.
- Rogge, H.C., *Johannes Wtenbogaert en zijn tijd*. 3 vols, Amsterdam: Y. Rogge 1874-6.
- Rogier, L.J., 'De Ware Vrijheid als oligarchie', in: (ed), *Algemene Geschiedenis der Nederlanden* (Utrecht: De Haan 1954) pp. 195-212.
- Roorda, D.J., *Partij en factie. De oproeren van 1672 in de steden van Holland en Zeeland, een krachtmeting tussen partijen en facties*. Groningen: Noordhoff 1961.
- Rorty, Richard, *Philosophy and the mirror of nature*. Princeton: Princeton University Press 1979.
- Rowen, Herbert H., 'The Peace of Nijmegen: De Witt's revenge', in: Idem, *The rhyme and reason of politics in early modern Europe. Collected essays of Herbert H. Rowen*. [International Archives of the History of Ideas, 132] Ed. Craig E. Harline. (Dordrecht: Kluwer 1992) pp. 139-147.
- Sassen, Ferd., *Geschiedenis van de wijsbegeerte in Nederland tot het einde der negentiende eeuw*. Amsterdam: Elsevier 1959.
- Satris, Stephen, *Ethical emotivism*. Dordrecht: Kluwer 1987.
- Schama, Simon, *The embarrassment of riches. An interpretation of Dutch culture in the Golden Age*. New York: Knopf 1987.
- Schian, R., *Untersuchungen über das 'argumentum e consensu omnium'*. Hildesheim: Olms 1973.
- Schilling, Heinz, 'Die Geschichte der nördlichen Niederlande und die Modernisierungstheorie', *Geschichte und Gesellschaft*, (1982) pp. 475-517.
- , 'Der libertär-radikale Republikanismus der holländischen Regenten. Ein Beitrag zur Geschichte des politischen Radikalismus in der frühen Neuzeit', in: *Geschichte und Gesellschaft*, 10 (1984) pp. 498-533.
- Schmitt, Charles B., *Aristotle and the Renaissance*. Cambridge (Mass.): Harvard University Press 1983.
- Schneewind, J.B., *Moral philosophy from Montaigne to Kant. An anthology*. II vols, Ed. and with intr. by J.B. Schneewind. Cambridge: Cambridge University Press 1990.
- Schneiders, Werner, *Naturrecht und Liebesethik. Zur Geschichte der praktischen Philosophie im Hinblick auf Christian Thomasius*. Hildesheim: Georg Olms Verlag 1971.
- , (ed.) *Christian Thomasius 1655-1728*. Hamburg: Felix Meiner Verlag 1989.
- Schnur, Roman (ed.), *Staatsräson. Studien zur Geschichte eines politischen Begriffs*. Berlin: Duncker & Humblot 1975.
- Schöffers, Ivo, 'The Batavian Myth during the sixteenth and seventeenth centuries', in: J.S. Bromley e.a. (ed), *Some political mythologies. [Britain and the Netherlands 5]* (Den Haag: Nijhoff 1975) pp. 78-101.
- Schoeman, Ferdinand (ed.), *Responsibility, character, and the emotions. New essays in moral psychology*. Cambridge: Cambridge University Press 1987.

## Bibliography

- Schofield, Malcolm & Gisela Striker (eds.), *The norms of nature. Studies in Hellenistic philosophy*. Cambridge: Cambridge University Press 1986.
- Schoneveld, C.W., *Intertraffic of the mind. Studies in seventeenth-century Anglo-Dutch translation with a checklist of books translated from English into Dutch, 1600-1700*. Leiden: Brill 1983.
- Schröder, Winfried, *Spinoza in der Deutschen Frühaufklärung*. Würzburg 1987.
- Schrijvers, Michael, *Spinozas Affektenlehre*. Berne: Haupt 1989.
- Scott, Jonathan, *Algernon Sidney and the English Republic 1623-1677*. Cambridge: Cambridge University Press 1988.
- , *Algernon Sidney and the Restoration Crisis, 1677-1683*. Cambridge: Cambridge University Press 1991.
- Scribano, Maria Emanuela, *Da Descartes a Spinoza. Percorsi della teologia razionale nel Seicento*. Milan: Franco Angeli 1988.
- Siegenbeek, Matthijs, *Lofrede op de raadpensionaris Simon van Slingelandt*. Leiden: Haak 1819.
- , *Over Simon van Slingelandt als staatsheerformer: eene voorlezing op 7 oktober 1842*.
- Simmons, A. John, *The Lockean theory of rights*. Princeton (NJ): Princeton University Press 1992.
- Singer, Peter, *The expanding circle. Ethics and sociobiology*. Oxford: Clarendon Press 1981.
- Skinner, Quentin, 'Meaning and understanding in the history of ideas', *History and Theory*, (1969) pp. 3-53.
- , *The foundations of modern political thought*. 2 vols, Cambridge: Cambridge University Press 1978.
- , 'The republican ideal of political liberty', in: Gisela Bock, Quentin Skinner and Maurizio Viroli (ed), *Machiavelli and republicanism* (Cambridge: Cambridge University Press 1990) pp. 293-309.
- Smit, J.W., *Fruin en de partijen tijdens de Republiek*. Groningen: Wolters 1958.
- Sonnino, Paul, *Louis XIV and the origins of the Dutch War*. Cambridge: Cambridge University Press 1988.
- Sorabji, R., *Necessity, cause and blame. Perspectives on Aristotle's theory*. London: Duckworth 1980.
- Stegman, A., 'Le mot politique et ses implications dans la littérature européenne du début du XVIIIe siècle', *Cahiers de Lexicologie*, (1968) pp. 33-48.
- Stolleis, Michael, 'Textor und Pufendorf über die Ratio Status Imperii im Jahre 1667', in: Roman Schnur (ed), *Staatsräson. Studien zur Geschichte eines politischen Begriffs* (Berlin: Duncker & Humblot 1975) pp. 441-463.
- Stout, Jeffrey, *Ethics after Babel. The languages of morals and their discontents*. Boston: Beacon Press 1988.
- Strauss, Leo, 'How to study Spinoza's *Tractatus Theologico-Politicus*', in: Idem, *Persecution and the art of writing*. (Glencoe (Ill.): Free Press 1952) pp. 142-201.
- Strauss, Leo, *Spinoza's critique of religion*. Tr. E.M. Sinclair. New York: Schocken Books 1965.
- Strawson, Peter F., 'Liberty and necessity', in: Nathan Rothenstreich and Norma Schneider (eds), *Spinoza. His thought and work* (Jerusalem: The Israel Academy of Sciences and Humanities 1983) pp. 120-129.
- , *Skepticism and naturalism: some varieties*. New York: Columbia University Press 1985.
- Taylor, Charles, *The explanation of behaviour*. London: Routledge & Kegan Paul 1964.
- Thompson, Martyn P., 'A note on "reason" and "history" in late seventeenth century thought', *Political Theory*, (1976) pp. 491-504.
- , 'The history of fundamental law in political thought from the French wars of religion to the American Revolution', *American Historical Review*, (1986) pp. 1103-1128.
- Thauau, Etienne, *Raison d'état et pensée politique à l'époque de Richelieu*. Paris: Armand Colin 1966.

## Studies

- Thijssen-Schoute, C. Louise, *Nederlands Cartesianisme*. Utrecht: HES 1989 (1954<sup>1</sup>).
- Toffanin, Giuseppe, *Machiavelli e il "Tacitismo"*. Napoli: Guida 1972 (1921<sup>1</sup>).
- Tosel, André, *Spinoza ou le crépuscule de la servitude. Essay sur le Traité Théologico-Politique*. Paris: Aubier 1984.
- , 'La théorie de la pratique et la fonction de l'opinion politique dans la philosophie politique de Spinoza', *Studia Spinozana*, (1985) pp. 183-208.
- Tuck, Richard, *Natural right theories. Their origin and development*. Cambridge: Cambridge University Press 1979.
- , *Philosophy and government 1572-1651*. Cambridge: Cambridge University Press 1993.
- Tully, James, *A discourse on property. John Locke and his adversaries*. Cambridge: Cambridge University Press 1980.
- , *An approach to political philosophy: Locke in contexts*. Cambridge: Cambridge University Press 1993.
- Tijn, Theo van, 'Pieter de la Court, zijn leven en economische denkbeelden', *Tijdschrift voor Geschiedenis*, (1956) pp. 304-370.
- Veen, T.J., *Recht en nut. Studiën over en naar aanleiding van Ulric Huber (1636-1694)*. Zwolle: Tjeenk Willink 1976.
- , 'Van Vranck tot Kluit. Theoretieën over de legitimatie van de soevereiniteit der Staten Provinciaal (1587-1795)', in: Freonen om ds. J.J. Kalma hinne (Leeuwarden: Tille 1982) pp. 302-324.
- Velema, Wyger R.E., *Enlightenment and conservatism in the Dutch Republic. The political thought of Elie Luzac (1721-1796)*. Assen: Van Gorcum 1993.
- Venturi, Franco, *Utopia and reform in the enlightenment*. Cambridge: Cambridge University Press 1971.
- Verbeek, Theo, *La querelle d'Utrecht. René Descartes et Martin Schoock. Textes établis, traduits et annotés par Theo Verbeek*. Paris 1988.
- , *Descartes and the Dutch. Early reactions to Cartesian philosophy*. Carbondale: Southern Illinois University Press 1992.
- , (ed.), *Descartes et Regius: autour de l'explication de l'esprit humain*. [Studies in the history of ideas in the low countries, 2] Amsterdam/Atlanta: Rodopi 1993.
- , *De vrijheid van de filosofie. Reflecties over een Cartesiaans thema*. Utrecht: Department of Philosophy 1994.
- Verbeke, G., 'Filosofie en Christendom in het mensbeeld van Nemesius van Emesa', *Mededelingen van de Koninklijke Vlaamse Academie van Wetenschappen, Afd. Letteren*, (1971) pp. 3-32.
- Vermij, R.H., *Secularisering en natuurwetenschap in de zeventiende en achttiende eeuw*. Bernard Nieuwentijt. Amsterdam 1991.
- Vreede, G.W., *Voorouderlijke wijsheid in haghelijke tijden: het ministerie der raadpensionarissen Simon van Slingelandt, Pieter Steyn en Laurens Pieter van der Spiegel herdacht*. Utrecht: Beijers 1872.
- Walther, Manfred, 'Machina civilis oder Formen, Inhalte und Trägerschichten der Reaktionen auf den politktheoretischen Gehalt von Spinozas TTP in Deutschland vor 1700. Ein Versuch', [unpublished conference paper].
- Wansink, Hans, *Politieke wetenschappen aan de Leidse universiteit 1575- 1650*. Utrecht: HES 1981.
- Wessels, L.H.M., 'Overheden en verleden in het tweede tijdvak. Historie, Verlichting en Revolutie: enkele impressies bij een beoordeling van de ideologische positie van Nederlandse patriotten', in: Th.S.M. van der Zee, J.G.M.M. Rosendaal en P.G.B. Thissen (ed), 1787. *De Nederlandse revolutie?* (Amsterdam: De Bataafsche Leeuw 1988) pp. 218-245.

## Bibliography

- Wetzel, James, *Augustine and the limits of freedom*. Cambridge: Cambridge University Press 1992.
- Wickenden, Nicholas, G.J. *Vossius and the humanist conception of history*. Assen: Van Gorcum 1993.
- Wieland, W., 'The problem of teleology', in: J. Barnes, M. Shofield, R. Sorabji (ed), *Articles on Aristotle. I: Science* (London: Duckworth 1975) pp. 141-160.
- White, Morton, *What is and what ought to be done. An essay on ethics and epistemology*. Oxford: Oxford University Press 1981.
- Wildenberg, Ivo W., *Johan & Pieter de la Court (1622-1660 & 1618-1685). Bibliografie en receptiegeschiedenis. Gids tot de studie van een oeuvre*. Amsterdam: APA 1986.
- Williams, Bernard, *Ethics and the limits of philosophy*. Cambridge, MA: Harvard University Press 1985.
- Wood, Neil, *Cicero's social and political thought*. Berkeley: University of California Press 1988.
- Woolgar, Steve, 'Reflexivity is the ethnographer of the text', in: S. Woolgar (ed), *Knowledge and reflexivity. New frontiers in the sociology of knowledge* (London: Sage 1988) pp. 14-34.
- Worden, Blair, 'English republicanism', in: J.H. Burns, with Mark Goldie (ed), *The Cambridge History of Political Thought 1450-1700* (Cambridge: Cambridge University Press 1991) pp. 443-475.
- Zac, Sylvain, *Spinoza et l'interprétation de l'écriture*. Paris: Presses Universitaires de France 1965.
- Zee, Th.S.M. van der & J.G.M.M. Rosendaal en P.G.B. Thissen (eds.), 1787. *De Nederlandse revolutie?*. Amsterdam: De Bataafsche Leeuw 1988.
- Ziegler, K., *Plutarchos von Chaironeia*. Stuttgart: A. Drückenmüller Verlag 1949.

## INDEX OF NAMES

Aalbers, Johan, 39, 261, 288  
 Abel, G., 73, 288  
 Akkerman, Fokke, 106, 201, 286, 288  
 Albiac, Gabriel, 187, 288  
 Althusius, Johannes, 50, 89, 91, 94, 281  
 Arendt, Hannah, 186, 288  
 Aristotle, 11, 13, 30, 71-6, 81, 84, 88, 97, 101, 170, 272, 281  
 Arkel, J.A. van, 261, 288  
 Arminius, Jacobus, 42, 124-5, 281  
 Arnisaacus, Henning, 90, 92-4, 281  
 Arts, W., 54  
 Asselt, W.J. van, 233, 288  
 Augustine, Aurelius, 90  
 Baier, Annette, 13, 23, 152, 288  
 Balibar, Etienne, 221, 288  
 Barbeyrac, Jean, 119, 127  
 Bayle, Pierre, 260, 279, 281  
 Beaufort, Lieven de, 227, 281  
 Beetz, Manfred, 110, 288  
 Bennett, Jonathan, 197, 232, 288  
 Bergh, G.C.J.J. van den, 60, 288  
 Bertius, Petrus, 69, 73  
 Bleiswijk, J.C. van, 104-5  
 Blockmans, Wim P., 47, 289  
 Bodin, Jean, 29, 70, 89-90, 93-5, 282  
 Bongers, H., 188, 289  
 Boogman, J.C., 48, 163, 289-290  
 Bos, E.P., 68, 289  
 Boucher, David, 24, 290  
 Boudon, Raymond, 35, 290  
 Boulan, Emile, 35, 272, 290  
 Boxhornius, Marcus Zuerius, 227, 281  
 Brown, John, 105  
 Brummel, Vincent, 247, 267, 290  
 Brunner, Otto, 75, 290  
 Brutus, Junius, 50, 282  
 Bunge, Wiep van, 244, 290  
 Burgersdijk, Franco Petri, 28-9, 51, 67-100, 125, 153-4, 187-190, 197, 204, 281  
 Burgess, Glenn, 47, 290  
 Burman, Frans, 282  
 Buynsters, P.J., 267, 290  
 Bijl, Murk van der, 247, 290  
 Capelle tot den Pol, Joan Derk van der, 60, 271, 282  
 Charles I, king of England, 47  
 Charles V, king of Spain and Holy Roman Emperor, 47  
 Cicero, Marcus Tullius, 30, 59, 72-4, 81, 84-5, 88, 90, 113, 134, 188, 282  
 Clapmarius, Arnoldus, 166-171, 282  
 Clarke, Stanley G., 23, 290  
 Clerc, Jean le, 282  
 Clore, Gerald L., 15, 298  
 Coccejus, Johannes, 233, 282  
 Cockius, Gisbertus, 249  
 Colie, Rosalie L., 131, 290  
 Collins, Allan, 15, 298  
 Constans, Lucius Antistius, 105, 282  
 Constantinus, Roman Emperor, 94  
 Coornhert, Dirck V., 165-6, 188, 282  
 Cornelissen, J.D.M., 165, 290

## Index of Names

Corvinus, Joannes, 167-171, 282  
 Courcelles, Etienne de, 104, 107-8, 124  
 Court, Johan and Pieter de la, 29,  
     31-2, 35, 51-4, 56, 63, 102-3, 105,  
     123, 128, 157-182, 186-7, 191-2,  
     199, 204, 219-220, 225-7, 270, 282-3  
 Croft, P., 47, 290  
 Cudworth, Ralph, 130, 139, 283  
 Cuffeler, Abraham, 246  
 Cumberland, Richard, 102-3, 130-5,  
     138, 143, 283  
 Curley, Edwin, 193, 286  
 Cuylenburch, Bartholomaeus à, 283  
 De Mowbray, Malcolm, 111, 136  
 De Sousa, Ronald, 15, 153  
 Den Uyl, Douglas J., 199, 230, 279, 291  
 Dekker, Rudolf M., 40, 279, 291  
 Descartes, René, 68, 101, 108, 130, 139,  
     158, 177  
 Deursen, A.Th. van, 33, 35, 48, 268,  
     291  
 Dibon, Paul., 68-9, 83, 122, 291  
 Ditzhuyzen, R.E. van, 261, 291  
 Dormans, E.H.M., 38, 291  
 Dreitzel, Horst, 68, 92, 166, 291  
 Duker, A.C., 93, 291  
 Dunin-Borkowski, Stanislaus von, 102,  
     291  
 Dunn, John, 24-5, 292  
 Dijn, Herman de, 68, 211, 292  
 Easton, David, 15  
 Elster, Jon, 35, 61, 292  
 Emmerly, Christopher R., 227, 292  
 Enno van Gelder, H.A., 93, 292  
 Erastus, Thomas, 105  
 Feingold, Mordechai, 68, 292  
 Ferguson, Adam, 198-9, 283  
 Fink, Zera, 267, 292  
 Frank, Robert H., 15, 292  
 Frede, Michael, 153-4, 292  
 Frederick II, king of Prussia, 64  
 Fritschy, J.M.F., 37  
 Fruin, Robert, 36  
 Frijda, Nico H., 15, 293  
 Frijhoff, W.Th.M., 293  
 Galen, 82  
 Gauthier, David, 152, 293  
 Geertz, Clifford, 12, 293  
 Gelderen, Martin van, 49-50, 224-5,  
     293  
 Gevers, J.K.M., 54  
 Geyl, Pieter, 35, 99, 162, 165, 179, 200  
 Gilson, Etienne, 77, 293  
 Glazemaker, J.H., 285  
 Gomarus, Franciscus, 42  
 Goslinga, A., 261, 293  
 Goslinga, Sico van, 261, 266, 285  
 Graevius, Johannes, 111, 283  
 Graswinkel, Dirck, 157, 165  
 Greenspan, Patricia, 15, 293  
 Groenveld, S., 48, 293  
 Groot, Hugo de, see Grotius, Hugo  
 Groot, Pieter de, 159  
 Grotius, Hugo, 17, 28, 31, 42, 50, 85,  
     87, 103, 108-112, 116-8, 135, 149,  
     165, 168, 200, 283  
 Guenancia, Pierre, 83, 293  
 Guicciardini, Francesco, 158  
 Haakonssen, Knud, 118, 131, 151,  
     293-4  
 Habermas, Jürgen, 19, 21, 294  
 Haerten, Willi, 102, 294  
 Haitsma Mulier, E.O.G., 26, 45, 49, 53,  
     99, 159-160, 166-7, 171, 174, 177,  
     218, 220-1, 225, 294  
 Halbertsma, J.H., 269, 273, 283  
 Hammacher, Klaus, 267, 294  
 Hampshire, Stuart, 221, 294  
 Hampton, Jane, 148, 294  
 Hart, Marjolein 't, 38-40, 294  
 Hattem, Pontiaan, 247-8  
 Hatton, Ragnild, 45, 294  
 Heenvliedt, Simon van, 283  
 Heereboord, Adriaan, 31, 68, 74, 83,  
     101, 112, 122, 283  
 Heidanus, A., 283  
 Heine, Heinrich, 242, 283  
 Heinsius, Daniel, 74-5  
 Hemsterhuis, François, 31, 246-7, 250,  
     283  
 Hobbes, Thomas, 15, 29, 102, 104,  
     106-7, 109, 116-8, 122-3, 130, 132,  
     138, 140-5, 157-160, 206-7  
 Honert, Taco van den, 249-250, 283  
 Hont, Istvan, 14, 119, 131, 295  
 Hooft, Pieter Cornelisz., 166  
 Hoop, H.J. van der, 64, 283  
 Horne, Thomas A.147, 295  
 Hornius, Georg, 70, 94, 282  
 Huber, Ulric, 63, 117, 251, 259, 283-4  
 Hume, David, 13, 20, 30, 208, 211  
 Hutcheson, Francis, 30, 112, 284  
 Isabel, queen of Spain, 47  
 Israel, Jonathan, 33

## Index of Names

James, William, 151-2  
 James II, king of England, 53, 259  
 Janse, Ronald, 159-160, 175  
 Joseph II, king of Austria and Holy  
     Roman Emperor, 55, 64-5  
 Jouanne, A., 50, 282  
 Jurieu, Pierre, 258, 284  
 Kampinga, H., 49, 295  
 Kant, Immanuel, 17, 30, 103, 284  
 Kantorowicz, Ernst, 47  
 Keohane, Nannerl O., 166  
 Kerkhoven, Jaap, 159, 199, 220, 236  
 Kettwig, M., 284  
 Kirk, Linda, 118, 130, 145, 147, 295  
 Klashorst, G. O. van de, 51, 99, 225-6,  
     295  
 Kluiter, Adriaan, 43, 56-8, 63, 284  
 Knuttel, W.P.C., 201, 295  
 Koelman, Jacobus, 104-5, 126, 255, 284  
 Koenigsberger, H.G., 47, 296  
 Koerbagh, Adriaan, 201  
 Kohlberg, L., 19  
 Kolakowsky, Leszek, 102, 296  
 Kooijmans, L., 248, 296  
 Kossmann, E.H., 34, 45, 50, 53, 61, 72,  
     187, 218, 225-7, 241-2, 251-2, 256-7,  
     296  
 Kraus, Jody S., 233, 296  
 Krop, H.A., 68, 289  
 Kymlicka, Will, 12, 25, 295  
 Ladd, John, 21, 296  
 Languet, Hubert, 50, 282  
 Lear, Jonathan, 81, 296  
 Leeb, I. Leonard, 227, 261, 296  
 Leeuwenberg, H.L.Ph., 48, 293  
 Leibniz, G.W., 104, 284  
 Lipsius, Justus, 27, 30-1, 51, 67-8, 73,  
     75, 95-7, 161, 164-5, 172, 187-190,  
     284  
 Locke, John, 60, 150-1, 284  
 Lomonaco, Fabrizio, 64, 296  
 Louis XIV, king of France, 53  
 Lubbertus, Sibrandus, 93  
 Luthé, Heinz Otto, 23, 296  
 Luzac, Elie, 58-64, 284  
 Machiavelli, Niccolò, 18, 27, 38, 62, 70,  
     91, 95, 157-9, 172, 186, 284  
 MacIntyre, Alisdair, 13, 21, 297  
 Mackie, John L., 21, 297  
 Malcolm, Noel, 159, 297  
 Mandeville, Bernard, 184, 277-280, 284  
 Maronier, J.H., 124, 297  
 Marti, Hanspeter, 102, 110, 297  
 Matheron, Alexandre, 184, 197, 213,  
     221, 230, 297  
 Matuschka, Michael von, 102, 106, 297  
 Maxwell, John, 143, 283  
 Maurits, prince of Orange, 42, 56, 92  
 Meinecke, Friedrich, 166, 168, 297  
 Meinsma, K.O., 102, 186, 297  
 Melchior, Johannes, 244-5, 284  
 Meyboom, L.S.P., 283  
 Meijer, Lodewijk, 106, 201  
 Milbrath, Lester W., 14  
 Millar, John, 284  
 Mitchell, Joshua, 15-6, 297  
 Molinaeus, Ludovicus, 105  
 Montesquieu, Charles de, 54-5, 60,  
     227, 284  
 Moreau, Pierre-François, 221, 297  
 Mornay, Philippe du Plessis, 50, 283  
 Mout, N.E.H.N., 67, 188, 218, 224, 297  
 Mozes, 209  
 Muelen, Willem van der, 31, 104,  
     251-260, 283-5  
 Mugnier-Pollet, Lucien, 220, 297  
 Musaeus, Simon H., 104, 285  
 Mijnhard, Wijnand W., 33, 36, 298  
 Negri, Antonio, 187, 221-2, 237, 298  
 Nelson, William N., 14, 298  
 Nemesius of Emesa, 81, 285  
 Neu, Jerome, 16, 298  
 Nievelt, A. van, 284  
 Nieuwentyt, Bernard, 246  
 Nijenhuis, Ida J.L., 54, 298  
 Noodt, Gerard, 60, 285  
 Oestreich, Gerhard, 68, 73, 298  
 Oldenbarneveldt, Johan van, 42, 56, 92,  
     162  
 Ortony, Andrew, 15, 298  
 Ostens, Jacob, 106  
 Paets, Adriaan, 200  
 Pagden, Anthony, 218  
 Pahnke, E., 90, 298  
 Paine, Thomas, 56  
 Parker, Samuel, 129, 140-7, 254-5, 285  
 Parker, G., 46, 298  
 Parkinson, G.H.R., 185, 298  
 Pateman, Carole, 14, 298  
 Paulus, Pieter, 285  
 Perez, J., 47  
 Perizonius, Jacob, 259, 285  
 Pestel, F.W., 64  
 Philaethium, Ireneum, see Teellinck

## Index of Names

Philip II, king of Spain, 50, 64  
Pinto, Isaac de, 54  
Placette, Jean de la, 285  
Plato, 97, 153, 186, 253, 285  
Plutarchus van Chaironeia, 74-77, 82, 285  
Pocock, J.G.A., 13-4, 24, 219  
Poelenburg, Arnold, 124  
Popkin, Richard H., 18-19, 298  
Price, J.L., 37, 265  
Price, Richard, 56, 60  
Pufendorf, Samuel, 17, 63, 103-4, 108, 118-120, 149, 285  
Putnam, Hilary, 21, 298  
Quellien, Artus, 243  
Rademaker, C.S.M., 74, 299  
Rappard, W.A. van, 261, 285  
Regius, Henricus, 112, 122, 168  
Rice, Lee C., 16, 299  
Richelieu, cardinal, 192  
Richter, Melvin, 61, 299  
Riemersma, Jelle C., 87, 299  
Rivo Ursino, G. de, 226, 285  
Roorda, D.J., 265, 299  
Rorty, Richard, 21, 299  
Rosendaal, J.G.M.M., 60, 299  
Rousseau, Jean-Jacques, 56, 273, 275  
Rowen, Herbert H., 182, 299  
Sassen, Ferd., 69, 299  
Satris, Stephen, 19, 299  
Schama, Simon, 36-7, 64, 299  
Schele, Rabold, 51, 227, 285  
Schepper, H. de, 47, 289  
Scherbius, Philip, 75  
Schian, R., 85, 299  
Schilling, Heinz, 220, 299  
Schmitt, Charles, 11, 299  
Schneewind, J.B., 131, 299  
Schneiders, Werner, 111, 299  
Schöffner, Ivo, 49, 299  
Schoeman, Ferdinand, 15, 299  
Schröder, Winfried, 247, 300  
Scott, Jonathan, 219, 300  
Scotus, Duns, 78  
Scribano, Maria Emanuela, 139, 300  
Seneca, Lucius Annaeus, 30, 167  
Sharrock, Robert, 104, 130-9, 285  
Shirley, Samuel, 194, 286  
Sidney, Algernon, 130, 160, 218-9, 285  
Siegenbeek, Matthijs, 261, 300  
Simmons, A. John, 150, 300  
Simpson, Evan, 23, 290  
Singer, Peter, 18, 300  
Skinner, Quentin, 15, 24, 45, 219, 229, 300  
Slingelandt, Simon van, 31, 53-4, 61, 215-6, 250, 260-6, 272, 285  
Smit, J.W., 36, 300  
Smith, Adam, 30, 103, 184, 211, 285  
Spinoza, Benedictus, 15-7, 23, 28-9, 31-2, 35, 51, 55, 61-2, 64, 68, 102-3, 105-108, 123, 128, 132, 159-160, 162, 183-239, 243-250, 262-6, 276-7, 285-6  
Stout, Jeffrey, 12, 21  
Strauss, Leo, 221, 300  
Strawson, Peter F., 18-19, 300  
Suárez, Franciscus, 81, 92, 286  
Tacitus, P. Cornelius, 97, 157-8, 160, 166-172, 187-8, 286  
Taylor, Charles, 12, 21, 300  
Teellinck, Eewout, 93, 286  
Thomas Aquinas, 28, 73, 77, 84, 286  
Thomasius, Christian, 104, 109-110, 124, 286  
Thompson, I.A.A., 47, 290  
Tindal, John, 286  
Thijssen-Schoute, C. Louise, 68, 102, 122, 201, 301  
Tosel, André, 187, 221-2, 230  
Trigland, Jacob, 93  
Tschirnhaus, E.W. von, 246  
Tuck, Richard, 102, 135, 301  
Tuinman, Carolus, 247-8, 286  
Tully, James, 12, 102, 130, 301  
Tijn, Theo van, 159, 301  
Tyrrell, James, 104, 129, 133, 150, 286  
Ulpian, 85  
Uytenbogaert, Johannes, 93, 200, 286  
Val, Guillaume de, 75  
Valckenier, Petrus, 163-6, 181, 286  
Vattel, Emer de, 57  
Veen, T.J., 57, 64, 118, 301  
Velema, Wyger R.E., 59, 61, 301  
Velthuysen, Lambert van, 17, 31, 101-155, 190-1, 194-5, 200, 204, 244-5, 253-5, 286  
Venturi, Franco, 45, 301  
Verbeek, Theo, 74, 122, 139, 201, 244, 301  
Voetius, Gisbertus, 93  
Vossius, Gerardus Joannes, 74  
Vreede, G.W., 261, 301  
Waelwyk, Alb. G., 261, 287

## Index of Names

Waeyen, Johannes vander, 287  
Wagenaar, Jan, 63, 287  
Walaetus, Antonius, 93, 287  
Walten, Ericus, 52, 201, 277  
Walther, Manfred, 247  
Wansink, Hans, 69, 72-3, 98  
Wassenaer, Gerard van, 167-172, 176, 287  
Weber, Max, 22-3  
Wernham, A.G., 199, 221, 286  
Wesembeke, Jacob van, 50  
White, Morton, 21, 302  
Wielema, Michiel, 247  
Wildenberg, Ivo W., 51, 99, 159, 163-5, 173, 186, 219-220, 237  
William I, prince of Orange, 41, 49  
William II, prince of Orange, 48, 250  
William III, prince of Orange and king of England, 53, 161-3, 200, 251-2, 259, 262, 265, 277-8  
William V, prince of Orange-Nassau, 55, 267-272  
Witt, John de, 56, 58, 159, 163-5, 173, 186, 219-220, 237, 250, 265  
Wolff, Christian, 30  
Wolzogen, Ludovicus, 105  
Wood, Neil, 257, 302  
Woolgar, Steve, 23, 302  
Worden, Blair, 219, 302  
Zac, Sylvain, 230  
Zee, Th.S.M. van der, 60, 302  
Ziegler, K., 76, 302  
Zuylen, Belle van, 55

## Index of Names