

SPINOZA, JOSEPHISM AND THE CRITIQUE OF THE HEBREW REPUBLIC

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Abstract: This paper attempts to treat Spinoza's *Tractatus Theologico Politicus* in the context of recent work on 'political Hebraism'. First it examines the role of the ancient historian Flavius Josephus in the general context of political Hebraism, and then it discusses his place in Spinoza's writings more specifically. The argument attempts to show that a particular mode of reading Josephus ('Josephism') emerged in the political Hebraist tradition, and that Spinoza may be seen as both the end of this tradition and a sophisticated critic of it. The conclusion reached suggests that Spinoza's radical ideas about the method of political inquiry and the role of reason therein made him a natural and necessary opponent even of such relatively liberal thinkers as the 'Josephists'.

Ever more frequently, accounts of the history of political thought are actively searching out the role of 'theology' and 'religion' in their explorations of thinkers, thoughts and epochs once held to be stolidly 'secular' (or at least 'secularizing'). One such recent example is the revival in interest in the study of early modern theorists who attempted to describe the political structure of the divinely ordered 'Hebrew republic'.³ This worthy project has, of course, had to address in some fashion the work of Baruch de Spinoza. Spinoza is author of perhaps the most widely read work dealing with the Hebrew republic, and indeed is the modern thinker who most closely intertwined his

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³ For an introduction to the field, see the works collected in G. Schochet, F. Oz-Salzberger and M. Jones, *Political Hebraism: Judaic Sources in Early Modern Political Thought* (Jerusalem, 2008), particularly Jones's introduction pp. viii–xix; F. Laplanche, 'Christian Erudition in the Sixteenth and Seventeenth Centuries and the Hebrew State', *Hebraic Political Studies*, III (2008), pp. 5–18 (originally in French as F. Laplanche, 'L'Érudition Chrétienne Aux XV^e et XV^e Siècles et l'État des Hébreux', in Groupe de Recherches Spinozistes, *L'Écriture Sainte au temps de Spinoza et dans le système spinoziste* (Paris, 1992), pp. 133–47); C.R. Ligota, 'L'histoire à fondement théologique: la République des Hébreux', in Groupe de Recherches Spinozistes, *L'Écriture Sainte au temps de Spinoza et dans le système spinoziste*, pp. 149–67; K. Neuman, 'Political Hebraism and the Early Modern "Respublica Hebraeorum": On Defining the Field', *Hebraic Political Studies*, I (2005), pp. 57–70. Perhaps most pertinent to the aims of this study is E. Nelson, *The Hebrew Republic: Jewish Sources and the Transformation of European Political Thought* (Cambridge, 2010).

thoughts about the civil and religious orders.⁴ It may be high time, in that case, to ask ‘in what way is Spinoza part — or would he have wanted to be considered a part — of the Hebrew revival?’⁵ and in what way did his work as a rational philosopher of ‘civil religion’ affect his place in that revival? This paper will attempt to treat Spinoza’s work in both contexts, first by examining the role of the ancient historian Flavius Josephus in the general context of political Hebraism, and in Spinoza’s writings more specifically. This will situate Spinoza at the end of what I call the ‘Josephist’ tradition of political Hebraism. Next, the account of the Hebrew polity in the *Tractatus Theologico-Politicus* will be examined more closely in the hope of understanding how and why that tradition came to an end in the work of Spinoza. So doing, this paper hopes to provide a new perspective on a crucial moment in the interaction between the ‘New Philosophy’ and the Old Testament.

I

‘Josephism’ and the Dutch Context of Political Hebraism

Before treating Spinoza’s explicit engagement with the ‘Hebrew republic’ in the *Tractatus Theologico-Politicus*, it is necessary to understand the intellectual and historical context of his work, bound up as it was in the gradual growth of ‘political Hebraism’ and the reception of its central author, Josephus. Indeed, Josephus played a natural role in the wider phenomenon of ‘Christian Hebraism’, non-Jewish scholars in early modern Europe studying Judaism, its languages and textual sources.⁶ ‘Political Hebraism’, the recent coinage for a subset of this trend particularly concerned with the ancient political organization of the Jews, has received special attention. The key goal for political Hebraists was a reconciliation of classical categories of government (monarchy, aristocracy, democracy, mixed) with biblical proof texts (an area in which Josephus offered much guidance).⁷ For early modern theorists of the Hebrew republic, the first-century Jewish historian was an unofficial *lieblingsautor*. His ‘Jewish’ outlook was recorded in the style and language of

⁴ In this respect, Spinoza’s particular brand of rational civil religion anchors a certain tradition, as discussed by R. Beiner, *Civil Religion: A Dialogue in the History of Political Philosophy* (Cambridge, 2011).

⁵ Asked by S. Smith in his review ‘The Hebrew Republic: Jewish Sources and the Transformation of European Political Thought. By Eric Nelson. Cambridge, MA: Harvard University Press, 2010. 240p. \$27.95.’, *Perspectives on Politics*, VIII (2010), pp. 1217–19, p. 1218.

⁶ Among the most important studies are F. Manuel, *The Broken Staff: Judaism Through Christian Eyes* (Cambridge MA, 1992), and for the Dutch context, A. Katchen, *Christian Hebraists and Dutch Rabbis: Seventeenth Century Apologetics and the Study of Maimonides’ Mishneh Torah* (Cambridge MA, 1984).

⁷ See T. Rajak, ‘Josephus’, in *The Cambridge History of Greek and Roman Political Thought*, ed. Christopher Rowe, Malcolm Schofield, Simon Harrison and Melissa Lane (Cambridge, 2005), pp. 585–96, p. 589 *et passim*.

classical historians, and this served as an ideal *'trait d'union* between Biblical writings and classical authors'.⁸ Josephus' popularity makes a great deal of sense given the way in which [he] presented the history of the Jewish Commonwealth attractively in the language of classical political philosophy'.⁹

One of the first such authors, Carlo Sigonio, called the original Hebrew state an 'aristocracy' where 'God himself was in command' or at least where the state was 'ruled by the law of God'.¹⁰ This state, however, later turned into a monarchy, where law was 'the whim of the ruler' and God was a more uncertain presence.¹¹ This reading was challenged by a Papal censor, who seemed to see in this account of decline, and perhaps in the very model of the Hebrew state, the threat of Protestant political thought.¹² This was not an unreasonable suspicion. Several elements of Sigonio's argument, the critical view of monarchy (with particular reference to Josephus and 1 Samuel 8), the attempt to identify divine authority with *law* rather than with any single human figure or political body, appeared in part or in whole in Protestant texts on the same topic, texts that were put to very clear anti-monarchical and anti-papal uses.¹³ It should therefore be no surprise that political Hebraism was welcomed with particular enthusiasm in the Calvinist and republican Netherlands.¹⁴

⁸ Josephus, *The Latin Josephus*, ed. Franz Blatt (Aarhus, 1958), pp. 40–100. This is a tale of loss and recovery parallel in many ways to the familiar one told in P. Burke, 'Tacitism', in *Tacitus* (London, 1969), pp. 149–71. Spinoza's role will come in delineating a crucial *difference* between these two stories.

⁹ L. Campos Boralevi, 'Classical Foundational Myths of European Republicanism: The Jewish Commonwealth', in *Republicanism: Volume 1, Republicanism and Constitutionalism in Early Modern Europe: A Shared European Heritage*, ed. Martin van Gelderen and Quentin Skinner (Cambridge, 2002), I, pp. 247–61, p. 255, quoted approvingly in T. Dunkelgrün, '“Neerlands Israel”: Political Theology, Christian Hebraism, Biblical Antiquarianism, and Historical Myth', in *Myth in History, History in Myth*, ed. Laura Cruz and Willem Frijhoff (Leiden, 2009), pp. 201–36, p. 216.

¹⁰ C. Sigonio, *The Hebrew Republic*, ed. Guido Bartolucci, trans. Peter Wyetzner (Jerusalem, 2010), p. 27, reflecting *Antiquitates Judaicae* (hereafter abbreviated to *AJ*) IV.283, where Josephus seems to gesture at the common concerns of classical political theory. Josephus' meaning there seems to be that the laws *themselves*, insofar as they reflect the rule of God, are in fact the 'aristocracy'. cf. Ligota, 'L'histoire à fondement théologique', pp. 149–67.

¹¹ Sigonio, *The Hebrew Republic*, p. 27.

¹² *Ibid.*, p. xxxi.

¹³ 1 Samuel 8 has the Israelites request a king from Samuel, invoking Divine displeasure. See Nelson, *The Hebrew Republic*, pp. 23–68. It seems clear that Sigonio was at least cognizant of his Huguenot contemporary Cornelius Bertram's efforts. G. Bartolucci, 'Carlo Sigonio and the “Respublica Hebraeorum: A Re-evaluation”', *Hebraic Political Studies*, III (2008), pp. 19–59, pp. 32–3.

¹⁴ Schochet *et al.*, *Political Hebraism*, pp. 105 ff.

The idea of the Netherlands as a ‘new Israel’ manifested itself not only in popular plays and political addresses (both key elements of the culture’s ‘hebraic tint’), but also in the successful Dutch adoption of the genre of political Hebraism.¹⁵ Hugo Grotius’ *De republica emendanda* (c.1601?) was a ‘very practical proposal’ for solving the problems of the factious newborn Dutch republic through imitation of the divine model of the early Hebrew state.¹⁶ The work relied heavily on the classicized interpretation of biblical political history found in Sigonio, and even cited the same passages from Josephus and Samuel to explain the mixed-aristocratic government of the Hebrew state. Besides a more open political agenda, an important difference between *De republica emendanda* and its predecessor was the open use of the word ‘theocracy’, a word coined by Josephus, to describe the Hebrew republic.¹⁷ The attitudes and formulations of *De republica emendanda* can also be found, in less concentrated form, throughout writings Grotius published in his own lifetime, especially *De imperio* (a copy of which Spinoza owned).¹⁸ Grotius’ application of the tools of political Hebraism to a specifically Dutch political context and his particular attention to Josephus’ use of ‘theocracy’ in *Contra Apionem* II.185, may be seen as a move towards the work of the man who *did* in fact ‘form from [theocracy] a theoretical *concept*’ for the first time since

¹⁵ The oft-quoted description is C. Busken Huet’s, as found in Dunkelgrün, ‘Neerlands Israel’, p. 204. See also M. Bodian, ‘The Biblical “Jewish Republic” and the Dutch “New Israel” in Seventeenth-Century Dutch Thought’, *Hebraic Political Studies*, I (2006), pp. 186–202, *passim*; and S. Schama, *The Embarrassment of Riches: An Interpretation of Dutch Culture in the Golden Age* (Berkeley, 1988), pp. 93–126. Schama and others have seen identification with the Israelites as a unificatory political moment, while Bodian and Rosenthal (‘Why Spinoza Chose the Hebrews: The Exemplary Function of Prophecy in the Theological-Political Treatise’, *History of Political Thought*, 18 (1997), pp. 207–42, pp. 231–40) have averred, stressing the multifaceted way in which different political factions and religious groups (including radical strains) approached and appropriated biblical material.

¹⁶ Grotius, ‘De Republica Emendanda’, *Grotiana*, V (1984), pp. 1–120. Although the work’s authorship is not entirely certain, the very good reasons for assigning it to Grotius as well as the work’s political/historical context are provided in Eyffinger’s introduction to the bilingual edition of the text in *Grotiana*, as well as in his article ‘“How Wondrously Moses Goes Along With The House of Orange!” Hugo Grotius’ “De Republica Emendanda” in the Context of the Dutch Revolt’, *Hebraic Political Studies*, I (2005), pp. 71–109, pp. 92 ff.

¹⁷ See G. Bartolucci, ‘The Influence of Carlo Sigonio’s “De Republica Hebraeorum” on Hugo Grotius’ “De Republica Emendanda”’, *Hebraic Political Studies*, II (2007), pp. 193–210, pp. 200–3 *et passim*.

¹⁸ See Eyffinger’s introduction in *Grotiana* and compare Grotius, *De Iure Bellum Ac Pacis*, ed. Richard Tuck (Indianapolis, 2005), I.4.ii: ‘The Israelites were but lately come out of the Theocracy; and though GOD, in Compliance with their imprudent and obstinate Demand, had granted them a Change of that happy Form of Government into a Human Monarchy, he did not thereby divest himself of the Right of making the immediate Choice of their Kings, when he pleased.’

antiquity, Petrus Cunaeus.¹⁹ If Grotius returned Josephus' *word* to the foreground, Cunaeus would think most clearly about precisely what it meant for God to have 'the rule and the power' in terms of institutions, laws and historical innovation.²⁰

Cunaeus studied Greek and Latin at Leiden,²¹ and it is possible, although improbable, that Cunaeus may have known of his friend Grotius' treatise (it is certain that Grotius read Cunaeus). Indeed, Grotius may very well have been an influence on Cunaeus' first major work, his *De republica hebraeorum* (1618).²² Cunaeus was not at all shy about placing himself squarely within the burgeoning tradition of Hebrew Republic texts, writing privately to Grotius that 'in pursuing these studies, my knowledge of Hebrew has been of great help, as compared to Sigonio's ignorance in these matters' while noting that 'two very learned men — Carlo Sigonio and Cornelius Bertram — have dealt at length with this subject'.²³

A great deal of what is new in Cunaeus' text has to do with his innovative use of Hebrew sources, in particular Maimonides' *Mishneh Torah*.²⁴ Also 'regarded by his colleagues as one of the leading contemporary authorities on Josephus', it is unsurprising that Cunaeus made much more extensive and systematic use of Josephus than had heretofore been done.²⁵ For the first time, Josephus' own most theoretical work, *Contra Apionem* II, was at the centre of

¹⁹ An accomplishment mistakenly attributed to Spinoza by E. Balibar (*Spinoza and Politics*, trans. Peter Snowdon (London, 1998), p. 45). See Grotius, *De republica emendanda*, para. 5: 'I think therefore that to this matter [i.e. the Dutch political situation], which was in fact unknown to these men of old, we should rather apply a new term, one which was actually coined most appropriately by Josephus, a man who was as knowledgeable in the history of his native country as he was intimate with the finesses of a foreign language. Josephus was the first to call this form of government "theocracy" . . .'. Cf. also Bk. VI of Sigonio, *The Hebrew Republic*; and Grotius, *De republica emendanda*, paras. 30–4.

²⁰ Cf. the phrase in Josephus' original introduction of the term in *Contra Apionem* (hereafter abbreviated to *CA*) II.165–6: ' . . . θεῶ τὴν ἀρχὴν καὶ τὸ κράτος.

²¹ See A. Eyffinger, 'Introduction', in Cunaeus, *The Hebrew Republic*, trans. P. Wyetzner (Jerusalem, 2006), pp. ix–lxx, pp. xix ff.; and Katchen, *Christian Hebraists*, pp. 37–55.

²² See Eyffinger, 'Introduction', pp. xxix–xxxvii as well as Eyffinger, 'Grotius' "*De Republica Emendanda*" in the Context of the Dutch Revolt', pp. 72–3.

²³ Cunaeus, *The Hebrew Republic*, pp. xxxiii–xxxiv and p. 7. I will refer to the translation of P. Wyetzner (Jerusalem, 2006), but all credit must go to L. Campos Boralevi for her pathbreaking reprint with an introduction and the early English translation (Florence, 1996). See also J. Ziskind, 'Cornelius Bertram and Carlo Sigonio: Christian Hebraism's First Political Scientists', *Journal of Ecumenical Studies*, 37 (2000), pp. 381–400.

²⁴ See Katchen, *Christian Hebraists*, pp. 37–55.

²⁵ J. Ziskind, 'Petrus Cunaeus on Theocracy, Jubilee and the Latifundia', *The Jewish Quarterly Review*, New Series, 68 (1978), pp. 235–54, p. 237. He also 'definitely intended to produce an annotated edition of his beloved Flavius Josephus, the author who was central to his research throughout' (Eyffinger, 'Introduction', p. xxv). He burned the

an understanding of the Hebrew polity. Cunaeus' epigraph came from Josephus' enumeration of that state's good qualities, which Josephus had taken great pains to connect to the unique *theocratic* nature of the constitution.²⁶ This theocracy, for Grotius a rather abstract concept, a state where the 'highest and only authority belonged to God', became, in Cunaeus' hands, a detailed constitutional process.²⁷ 'Because [Moses] wanted to found a republic that would be the most sacred in the world, he handed supreme authority over to God.'²⁸ Theocracy, for the first time, becomes a conscious decision. Moses acted exactly as a Greek lawgiver should, and thus exactly as Josephus portrayed him.²⁹ Cunaeus, like Josephus, made an Aristotelian connection between rule by God and rule of law: 'Moses decreed that everything should be done according to laws' to ensure 'the most important thing of all, i.e. the permanent stability of the laws'.³⁰ His account follows Josephus' phrasing uncannily.³¹

If the 'essence of Moses' laws, their meaning, and the reasons behind them' all point towards a government where God has the power, but invests that power in laws, then *who* should maintain and interpret the word of the divine Executive? This was the central problem of theocracy. Yet, for all his elaboration of the relationship between Moses, God and the Law, Cunaeus never tackled the question head on. He referred to it obliquely, noting that 'the kings . . . were in charge of religious practices' but commented equally on the impressive power of the Levites.³² He also noted that 'once [the Levites] had acquired supreme power . . . they violated the distinction between sacred and profane'.³³ Why are these references, which would seem to point to a preference for secular control over the religious sphere, so scattered and oblique? The answer lies within the political context within which Dutch political Hebraism came of age. As can be seen from his subtly imploring dedication to the 'Mighty States of Holland and West Frisia', Cunaeus wished to present

draft of this edition, it appears, sometime before his death (Ziskind, 'Petrus Cunaeus on Theocracy', p. 237).

²⁶ Cunaeus, *The Hebrew Republic*, p. 8 (CA II.17).

²⁷ Grotius, *De republica emendanda*, paras. 5–6.

²⁸ Cunaeus, *The Hebrew Republic*, p. 12.

²⁹ See, for instance, L. Feldman, 'Parallel Lives of Two Lawgivers: Josephus' Moses and Plutarch's Lycurgus', in *Flavius Josephus and Flavian Rome*, ed. Jonathan Edmondson, Steve Mason and James Rives (Oxford, 2005), pp. 209–43.

³⁰ Cunaeus, *The Hebrew Republic*, p. 13. Cf. CA II.145–6, echoing Aristotle's *Politics* 1326a30: ὁ τε γὰρ νόμος τάξις τις ἔστι, καὶ τὴν εὐνομίαν ἀναγκαῖον εὐταξίαν εἶναι.

³¹ See CA II.149, and, for the importance of Moses' *role*, the use of the word ἀναθεῖς in II.166.

³² Cunaeus, *The Hebrew Republic*, p. 58.

³³ *Ibid.*, p. 64.

ideas to be ‘adopted for their own use’ in solving the constitutional problems of his age.³⁴

Caspar Barlaeus, a humanist in the circle of Grotius and Cunaeus, took this to mean that despite any clear opinion, Cunaeus was taking an ‘Erastian’ position akin to the one that was by that point associated with Grotius. According to this view, secular authority needed to have sovereignty over the priests. The very Josephan abhorrence of *stasis* (civil strife) was another way of suggesting a unified secular authority, governed by law rather than priest.³⁵ Eric Nelson has recently pointed out that Erastus himself had ‘Josephan’ commitments, suggesting that there may have been a detectable ‘Erastian’ valence to the frequent use of Josephus and specific passages in his work.³⁶ Cunaeus denied any such intent, and in fact deleted a draft section of the work that would have discussed the relationship between state and synagogue in detail.³⁷ Both Grotius and Cunaeus did their work on the Hebrew Republic in the troubled years leading up to the Synod of Dort.³⁸ While *De republica emendanda* only gestures as his future position, Grotius became a well known partisan of the Remonstrant cause, as certain attitudes towards the role of the Orthodox Calvinist church’s place in political life grew inseparable from dogmatic positions on matters of predestination and grace.³⁹ It is probably due to the explicitly Arminian implications of the text that it (and others of the period) remained unpublished in Grotius’ lifetime.⁴⁰ Cunaeus, on the other hand, decided to publish, but without the explicit political content he had originally intended. What remained after these redactions could easily be mistaken for an antiquarian document rather than a guide for modern politics, and was for over 350 years.⁴¹

The failure of the Remonstrants effectively ‘halted the flow of republican writing in the tradition of Grotius and Cunaeus’.⁴² Only in the preface of the

³⁴ *Ibid.* p. 6, amended.

³⁵ Eyffinger, ‘Grotius’ “*De Republica Emendanda*” in the Context of the Dutch Revolt’, pp. 73–5 as well as Eyffinger, ‘Introduction’, p. xxv.

³⁶ Nelson, *The Hebrew Republic*, pp. 92–6. This is what will be meant by the term ‘Josephism’ below.

³⁷ Eyffinger, ‘Introduction’, p. xxxv; Nelson, *The Hebrew Republic*, pp. 92–6.

³⁸ For the dating of Grotius’ early works, see Eyffinger in Grotius, *De republica emendanda*, pp. 5–55.

³⁹ See D. Nobbs, *Theocracy and Toleration: A Study of the Disputes in Dutch Calvinism from 1600 to 1650* (Cambridge, 1938).

⁴⁰ See especially paras. 6–27. Eyffinger, ‘Grotius’ “*De Republica Emendanda*” in the Context of the Dutch Revolt’, pp. 99–102.

⁴¹ Eyffinger, ‘Introduction’, pp. xxxvii–xl. Cunaeus has precisely one mention each in such monumental works as Schama’s *Embarrassment of Riches* and J. Israel, *The Dutch Republic: Its Rise, Greatness, and Fall 1477–1806* (Oxford, 1998), both of which detail the political and cultural history of the age.

⁴² Israel, *The Dutch Republic*, p. 700.

first Dutch translation of the *Leviathan* (1667) by Spinoza's friend Abraham Van Berkel did the theoretical strain traced above, the Josephan reading of theocracy as ideal government, reappear.⁴³ Once again, a particular reading of Josephus was adduced to support an anti-monarchical, Republican-minded work of political philosophy which had harsh words for the clergy as a political entity.⁴⁴ The fact that this was a preface to the *Leviathan* is in no way coincidental. Hobbes's influence on Dutch political thought was tremendous, especially on Spinoza, and Hobbes himself shows important similarities with the Josephan tradition of political Hebraism (despite his lack of Hebrew).⁴⁵ In *De cive*, Hobbes separated 'Divine civill Lawes . . . peculiar to the civill government of the Jewes, his peculiar people' from 'naturall [law] . . . which God hath declared to all men'.⁴⁶ He nevertheless found the former to have significance as an example of general political principles, using the 'fourth philosophy' mentioned at *Antiquitates Judaicae* 18.1.6 and, more broadly, covenantal history as described in Josephus, to show that even the divine law must operate by principles of covenant and absolute sovereignty.⁴⁷

Nelson would appear to be right in identifying an abiding tradition of Josephan political Hebraism with a certain set of shared texts and commensurable viewpoints that stretched from Sigonio (and, in a sense, Erastus) to Van Berkel's translation of Hobbes.⁴⁸ One might even be justified in naming this a 'Josephist' tradition, since there is ample documentation to suggest the ways

⁴³ 'For, after the Jews had dismissed θεοκρατία (as Josephus coined their state in praise of his fellow compatriots) or government by God, and in imitation of other peoples had chosen and been given a king . . . damnation and destruction, and the persecution they have suffered from others . . . resulted from this.' Thomas Hobbes, *Leviathan: of van de stoffe, gedaente, ende magt van de kerckelycke ende wereltlycke regeeringe*, trans. A. van Berkel (Amsterdam, 1667), Voor-reden. My great thanks to René Koekkoek for allowing me to use his translation of the passage. For Van Berkel and Spinoza, see C. Schoneveld, *Intertraffic of the Mind: Studies in Seventeenth-Century Anglo-Dutch Translation with a Checklist of Books Translated from English into Dutch, 1600–1700* (Leiden, 1983), p. 40.

⁴⁴ Schoneveld, *Intertraffic of the Mind*, pp. 46–7. Even if this does not strike the reader as Hobbes's goal in the *Leviathan*, it is fairly clear from the context of translation and the preface what Van Berkel's reasons for the translation were.

⁴⁵ Nelson, *The Hebrew Republic*, pp. 122–5. See Letter L to Jarig Jelles, 2 June 1674 (Spinoza, *Correspondence of Spinoza*, ed. Abraham Wolf (London, 2003), p. 269) where it is clear that both Spinoza's close friends and Spinoza himself saw the *Tractus Theologico-Politicus* as a work in close dialogue with Hobbes. See R. McShea, *The Political Philosophy of Spinoza* (New York, 1968), pp. 137–55; and N. Malcolm, *Aspects of Hobbes* (Oxford, 2004), ch. 2, 'Hobbes and Spinoza', pp. 27–52.

⁴⁶ Hobbes, *De cive*, XIV.4 (Hobbes, *De Cive: The English Version*, ed. Howard Warrender (Oxford, 1984), p. 171).

⁴⁷ Hobbes, *De cive*, XVI.1.9 (*The English Version*, ed. Warrender, pp. 200–1, 205) quoting Josephus in Antiquities I.7 and 18.2. Nelson makes the case that this anticipates the lengthy Erastian arguments in part three of *Leviathan*.

⁴⁸ Nelson, *The Hebrew Republic*, pp. 88–138.

in which citing an author like Tacitus could stand in for certain political and intellectual commitments, especially in the Dutch Republic of the seventeenth century.⁴⁹ Like Tacitism, this putative ‘Josephism’ allowed for the creation of national myth, of the Netherlands as a ‘new Israel’ with the potential for a divine government, paralleling the concomitant ‘Batavian myth’, where Dutch political identity was traced back to an ancient Germanic tribe using terms and concepts ‘found’ in Tacitus.⁵⁰ Even if one remains sceptical about the possibility of ‘Josephism’, it should be clear that by the time Baruch Spinoza came of age, Josephus and the constitutional problem of theocracy, far from being forgotten, were playing a major role in Dutch intellectual life.⁵¹

II

Spinoza’s Critique of ‘Josephism’

Although one of his school teachers, Menasseh ben Israel, was a correspondent of many of the leading Hebraists of the day, including both Cunaeus and Grotius, the most likely place for Spinoza to have been introduced to political Hebraism was in the house of Franciscus van Enden, his Latin teacher.⁵² Between the cosmopolitan environment of Van Enden’s school and Spinoza’s

⁴⁹ Tacitism is a modern designation (coined by Toffanin in 1921) for a certain politically minded use of Tacitus (often as a stand-in for Machiavelli and a harsh ‘reason of state’ position) in the early modern period. See Burke’s two articles, ‘Tacitism’ and ‘Tacitism, Scepticism, and Reason of State’, in *The Cambridge History of Political Thought 1450–1700*, ed. H.J. Burns and Mark Goldie (Cambridge, 1991). Also, A. Momigliano, ‘The First Political Commentary on Tacitus’, *The Journal of Roman Studies*, 37 (1947), pp. 91–101; and, for a particularly Dutch context, E.O.G. Haitsma Mulier, *The Myth of Venice and Dutch Republican Thought in the Seventeenth Century*, trans. Gerard T. Moran (Assen, 1980).

⁵⁰ Of course, not all those who subscribed to the Batavian myth were what contemporary historians would call ‘Tacitist’, just as not every Tacitist in the Netherlands wrote on the Batavian myth. Both Campos Boralevi and Dunkelgrün note the parallel, but without making the equation between Tacitus and Josephus. The literature on the Batavian myth is just as legion (so to speak) as that on ‘Neerlands Israel’. The classic study is I. Schöffer, ‘The Batavian Myth During the Sixteenth and Seventeenth Centuries’, in *Some Political Mythologies: Papers Delivered to the Fifth Anglo-Dutch Historical Conference*, ed. E.H. Kossmann and J.S. Bromley (The Hague, 1975); but see also Schama’s chapter, *Embarrassment of Riches*, pp. 75–82.

⁵¹ This makes rather problematic a common understanding of Spinoza’s critique of religion, that Spinoza ‘was the first writer to make systematic use’ of theocracy, adapting Josephus’ term as a way of linking his political system to his unique ‘god-intoxicated’ metaphysics. The wording is Balibar’s (*Spinoza and Politics*, p. 45), but the claim is also found in L. Feuer, *Spinoza and the Rise of Liberalism* (Boston, 1958), p. 120 (where he calls Josephus ‘forgotten’) and elsewhere in the political theory literature.

⁵² C. Roth, *A Life of Menasseh Ben Israel, Rabbi, Printer, and Diplomat* (Philadelphia, 1934), p. 168. For Van Enden’s role in Spinoza’s political education see M. Gullan-Whur, *Within Reason: A Life of Spinoza* (London, 1998), pp. 129–35; and S. Nadler, *Spinoza: A Life* (Cambridge, 1999), pp. 107–11.

subsequent semi-attendance at Leiden, it is virtually inconceivable that he did not pick up some familiarity with the published political writings of Grotius and the biblico-political writings of Cunaeus, the foremost Hebraist of his day. Some have even seen traces of those writings more or less clearly in the *Tractatus Theologico-Politicus*.⁵³ Frustratingly, while Spinoza's modest library contained a complete set of Josephus, books by other Leiden Hebraists, and *theological* Erastian works of Grotius', no 'Hebrew Republic' books are to be found to back up such assertions with any certainty.⁵⁴

As for Josephus, he was certainly not a forbidden author in the cosmopolitan Amsterdam community, and he may even have been one of the first classical sources to which Spinoza was exposed.⁵⁵ There was every reason for an Amsterdam Jew (or, as has been shown above, Christian) to feel comfortable with Josephus. The apologetic fireworks of *Contra Apionem* were devoted expressly to maintaining the historicity, antiquity and reliability of the biblical texts and attempting to show the compatibility of Jewish *religious law and custom* with Greek conceptions of political life, all the while combining

⁵³ See L. Strauss, *Spinoza's Critique of Religion*, trans. E.M. Sinclair (New York, 1965), pp. 324–5; R. Tuck, *Natural Rights Theories: Their Origin and Development* (Cambridge, 1981), p. 142; and R. Popkin, *The Third Force in Seventeenth-Century Thought* (Leiden, 1992). Strauss suggests a connection between Cunaeus and two passages in Books XVII and XVIII of the *Tractatus Theologico-Politicus*. Frustratingly, he only lists the passages in an appendix and does not treat them at length. Tuck raises the possibility of Spinoza's familiarity with political Hebraism through Selden, but acknowledges that this is impossible to prove. Popkin connects the Hebraic focus of the *Tractatus Theologico-Politicus* to Cunaeus, but, as noted above, doesn't make a serious case.

⁵⁴ With the exception, perhaps, of Hobbes's *De cive*. Spinoza had reference works by the Vossii, L'Empereur and Buxtorf as well as Grotius' *De satisfactione* and *De imperio*. There are also two works of the brothers de la Court, famed polemicists who used Hebrew Republic arguments when useful, such as their justification for republicanism in *Fables, Moral and Political*, where an allegory about the people of Israel ends with the pertinent lesson ' . . . nor indeed can there be any other Lord or King than God Almighty . . . ' (R. De la Court, *Fables Moral and Political* (London, 1703) pp. 22–3, 100–1). All references to Spinoza's library have been taken from the inventory in M. Walther, M. Czeliński and J. Freudenthal, *Die Lebensgeschichte Spinozas: Mit Einer Bibliographie* (Stuttgart-Bad Cannstatt, 2006), pp. 120–200. Preus also makes the important point that there are arguments in the *Tractatus Theologico-Politicus* addressed to writers *not* found in his personal library. J. Preus, 'A Hidden Opponent in Spinoza's "Tractatus"', *The Harvard Theological Review*, 88 (1995), pp. 361–88, pp. 363–4.

⁵⁵ For the evidence of Josephus in the writings of Rabbis Menassah ben Israel and Isaac Aboab da Fonseca, see R. Schatz, 'Menasseh Ben Israel's Approach to Messianism in the Jewish-Christian Context', in *Menasseh Ben Israel and His World*, ed. Yosef Kaplan, Richard Henry Popkin, Henry Méchoulan and Rivka Schatz, pp. 244–61, p. 246; and Katchen, *Christian Hebraists*, p. 117. Klever muses that he may have been introduced by one of his first 'corrupters', Uriel da Costa. W. Klever, *Spinoza Classicus: Antieke Bronnen Van Een Moderne Denker* (Budel, 2005), pp. 253–4.

biblical and classical citations to both ends.⁵⁶ Given the tension between this orthodoxy and the heterodox views for which Spinoza is known, it should come as no surprise that the only major study of Spinoza and Josephus concludes that Josephus ‘is a central author and implicit focal point for Spinoza’s denial [of sacred history and election]’.⁵⁷ The methodological grounding of constitutions and their study, an area where Josephus was so important to earlier scholars, represents the point where Spinoza simultaneously enters and exits the tradition of political Hebraism.⁵⁸

To understand this paradox, Spinoza’s method must itself be understood. ‘By “God’s direction”’, he innocently notes, ‘I mean the fixed and unalterable order of nature or the interconnectedness of [all] natural things’.⁵⁹ The significance of his ensuing definition of fortune (‘nothing other than the direction of God inasmuch as he governs human affairs through external and unforeseen causes’)⁶⁰ hinges on whether the reader has caught on to the way in which language in the *Tractatus Theologico-Politicus* will not behave as it might in ordinary writing. From these two sentences, the alert reader must remember that all references to divine governance or even influence must be taken as facets of an inalterable natural order. This sets the stage for Spinoza’s particular approach to the interpretation of human (and more specifically Jewish) history: ‘. . . [The] Hebrews excelled other peoples in merely one thing: they conducted the affairs that affected their security of life successfully and overcame great dangers . . . Their election and vocation therefore lay only in the success and the prosperity at the time of their commonwealth’.⁶¹

Spinoza’s vocabulary, in which every term of general causality or intentionality (including the divine instantiations of those concepts) must be traced back to nature, demands an interpretation of history where material measures are the only metrics, and where endurance against the contingency of nature is

⁵⁶ On the first point see *CA* 1.1–7 (referencing *AJ* 1.3), on the second see *AJ* 4.184 and especially *CA* 2.188. It is no wonder that Josephus was so beloved by early modern Christian writers, indeed, he sounds like one of them!

⁵⁷ O. Proietti, *La Città Divisa: Flavio Giuseppe, Spinoza e i Farisei* (Rome, 2003), p. 15.

⁵⁸ L. Campos Boralevi acknowledges the unique, liminal position of Spinoza *vis-à-vis* political hebraism in her ‘La Respublica Hebraeorum nella tradizione olandese’, *Il Pensiero Politico*, 35 (3) (2002), pp. 431–63. Spinoza ‘intended to close a question that had engaged the protagonists of European political debate for over a century’ (p. 431) but concludes that ultimately Spinoza’s work must be viewed as ‘a foreign body’ with respect to the tradition.

⁵⁹ *Tractatus Theologico-Politicus* (hereafter abbreviated to *TTP*), III, p. 45. Citations to the *TTP* are to work, book and page in the edition of *Spinoza Opera*, ed. Carl Gebhardt (Heidelberg, 1925), Vol. III, with translations from Baruch de Spinoza, *Theological-Political Treatise*, ed. Jonathan Israel, trans. Michael Silverthorne (Cambridge, 2007). All other translations are my own unless otherwise noted.

⁶⁰ *Ibid.*, p. 46.

⁶¹ *Ibid.*, pp. 47–8.

the only form that political flourishing can take.⁶² A proper historical attitude was not unrelated to Spinoza's innovative approach to biblical hermeneutics.⁶³ This method was also the perfect means by which Spinoza might appear to be 'friends' with a traditional source (Josephus), while actually meaning the opposite from him.⁶⁴ At the end of Book Six, Josephus' statement that a miracle may have happened 'by itself' (*kata tautomaton*) and yet still in accordance with the will of God, is taken as a support for Spinoza's own critique of miracles. Josephus was using Stoic terminology to make an explicitly *theistic* point, that all appearances in nature represent the hidden action of the divine will. Only someone paying careful attention to the difference between his 'divine will' and Spinoza's would recognize the radical disagreement between source and critic.⁶⁵

The initial *lesson* which emerges from Spinoza's subtle method is the discovery of the entirely *political* character of the virtues that engender material welfare (in common parlance, divine election). 'In fact nothing else is promised in the Bible in return for [the Israelites'] obedience but the continued prosperity of their state and the other good things of this life; while, conversely . . . they are threatened with the ruin of their polity and severe hardship.'⁶⁶ If one reads the Biblical narrative in accordance with this materialist, proto-historicist hermeneutic, it will be clear that the lessons of land theology concern the freedom and political state of a people, 'the manner and means by which they acquired it', and the human laws [*leges*] through which a society is made 'more stable and less vulnerable to fortune'.⁶⁷ If the laws were able to

⁶² Compare the famous twenty-fifth chapter of *The Prince* to Spinoza's elucidation of how careful planning might overcome fortune in *TTP* III, p. 47: '. . . et idcirco illa societas securior erit, et magis constans, minusque fortunae obnoxia, quae maxime ab hominibus prudentibus, et vigilantibus fundatur, et dirigitur . . .'. Spinoza could not have expected even the best educated among his readership to have known the actual metaphysical positions concomitant with this line of reasoning, but he does expect the reader to understand which statements, in light of the hermeneutic principles set out above, must be reinterpreted and re-understood. For the view of causality behind these principles, see Spinoza, *Ethica* IV, ed. C. Gebhardt (Heidelberg, 1926), Vol. II, p. 208.

⁶³ Spinoza himself makes this clear in *TTP* VII. See J. Preus, *Spinoza and the Irrelevance of Biblical Authority* (Cambridge, 2001), pp. 203–30 (and pp. 55–60 for an interesting comparison with the 'heterodox limits' of some of the political Hebraists).

⁶⁴ It is important to note that Josephus can only be seen as 'traditional' in the context of the very cosmopolitan Amsterdam Jewish community (cf. n. 56, above), as well as, of course, in his role as model for the Josephist tradition. In the wider history of Jewish thought, Josephus was always stigmatized to a greater or lesser extent. See A. Momigliano, 'An Apology of Judaism: The *Against Apion* by Flavius Josephus', in *Essays on Ancient and Modern Judaism*, ed. Silvia Berti (Chicago, 1994), pp. 58–66.

⁶⁵ *AJ* II.347 (*TTP* VI, p. 96). On this point see H. Attridge, *The Interpretation of Biblical History in the Antiquitates Judaicae of Flavius Josephus* (Missoula, 1976), p. 98.

⁶⁶ *TTP* III, p. 48.

⁶⁷ *Ibid.*, p. 49. Again, cf. *The Prince* XXV.

keep the people free and in the land, they were successful (i.e. God was satisfied). God's favour extends only as far as Israel's political stability. This may be contrasted with Josephus' well-known avoidance of the political implications found in biblical 'land theology', an avoidance paralleled by developments in Rabbinic thought, and later picked up and absorbed into the Josephist tradition.⁶⁸ Josephus explains away the loss and gain of the land as another stage in a *moral* cycle of reward and punishment, with each event involving a direct instance of divine intervention in the *religious* election of Israel.⁶⁹

If divine favour, which is to say natural success, consists in political virtue, then any nation might master the forms of excellent laws and government. 'No individual Jew considered apart from his society and state [i.e. political forms] possesses any gift from God beyond what other men have . . . the true gentile prophets . . . also promised the same election to the faithful of their peoples.'⁷⁰ Keeping in mind the special meaning of election, the stakes of political life for all peoples at all times thus becomes perfectly clear. Election, 'regards only [a nation's] polity and [its] material interests (since this is all that can distinguish one nation from another)'.⁷¹ A crucial element for Spinoza's argument (and one that he may have borrowed from Hobbes or Bodin) is that all the Mosaic laws that are *not* discernible by universal reason 'are the public laws of the country'.⁷² The language that Spinoza uses for this, '*leges Mosis, quia publica jura patriae erant*' is close to a favourite formulation of Josephus, the *patrioi nomoi* ('ancestral laws') of the Jews. Josephus' use, however, is explicitly meant to have a non-political, religious meaning, invoking the ancestral religious traditions recognized across the ancient

⁶⁸ See Nelson's chapter on agricultural laws and political Hebraism, which focuses on the way the biblical account of the land was 'seen through the prism of rabbinic commentaries' as well as Josephus, Nelson, *The Hebrew Republic*, pp. 57–87.

⁶⁹ Established in B. Amaru, 'Land Theology in Josephus' "Jewish Antiquities"', *The Jewish Quarterly Review*, New Series, 71 (1981), pp. 201–29. For a deeper treatment of Josephus' reinterpretation of the political constitution as a 'religious' constitution, see J. Abolafia, 'A Reappraisal of *Contra Apionem* 2.145 as an Original Contribution to Political Thought', *Scripta Classica Israelica*, 32 (2013).

⁷⁰ *TTP* III, pp. 50, 56.

⁷¹ *Ibid.*, p. 57.

⁷² See also similar language in Book XVII (p. 206). Nelson is sure this language must come from Hobbes (see Nelson, *The Hebrew Republic*, pp. 128–35), while Pines makes an interesting case that it may be found in Bodin, who poses the same 'historical' framework of pre/post-polity laws that Spinoza uses (see S. Pines, 'The Jewish Religion after the Destruction of Temple and State: The Views of Bodin and Spinoza', in *Studies in Jewish Religious and Intellectual History Presented to Alexander Altmann*, ed. Siegfried Stein and Raphael Loewe (London, 1978), pp. 215–34, pp. 222–6). For Bodin as Political Hebraist, see also A.M. Del Grosso, 'The Respublica Hebraeorum as a Scientific Political Model in Jean Bodin's "Methodus"', *Hebraic Political Studies*, I (2006), pp. 549–67.

world (and especially in Rome).⁷³ Once again, seemingly apposite similarities between Spinoza and Josephus conceal essentially opposite intentions.

Spinoza's materialist interpretation of history is entirely incommensurate with the mix of ancient historiographical technique and proto-rabbinic sacred history found in Josephus. This may seem strange given that Josephus is the second most frequently cited author in the *Tractatus Theologico-Politicus*, but when counted up and analysed, those citations are usually matters of factual corroboration, most often to prove a biblical inconsistency or provide historical evidence.⁷⁴ In the two places a contemporary Dutch reader would most expect to find Josephus, the treatment of theocracy and the history of the decline of the Hebrew state, he is completely absent from Spinoza's work. This is highly significant given that one of the crucial elements of the 'Josephism' posited above is the reliance on Josephus in constitutional discussions and for theoretical innovations. To this end, Spinoza references neither *Antiquitates Judaicae* IV nor *Contra Apionem* II, the canonical texts for political Hebraism. There is not even a reference to the stand-in biblical text relied upon by Hebrew Republic and Remonstrant authors alike, 1 Samuel 8.⁷⁵ Before even reaching the account of the Hebrew republic, Spinoza's strictly *political* interpretation of biblical and Israelite history resting on his *material* hermeneutic distanced him from almost every 'political Hebraist' as well as from their favourite ancient source.⁷⁶

Just as Spinoza uses Josephus as an alternately positive and negative presence, his treatment of theocracy has a similarly ambiguous relationship to the Hebrew Republic tradition as a whole.⁷⁷ Spinoza broadly endorses certain

⁷³ D.R. Schwartz, *Studies in the Jewish Background of Christianity* (Tübingen, 1992), pp. 29–43. See also Bernd Schröder, *Die <väterlichen Gesetze>* (Tübingen, 1996).

⁷⁴ Klever, *Spinoza Classicus*, p. 256. He and Proietti (*La Città Divisa*, p. 48) list four major uses of Josephus: (1) As a historical source (*TTP*, pp. 140, 146); (2) as a witness for contradictions in Scripture (*TTP* pp. 133, 135, 143, ann. 22); (3) To contribute evidence to the materialist interpretation of Scripture and historical events (*TTP*, pp. 42, 96, 223).

⁷⁵ See Nelson on 'Republican exclusivism', Nelson, *The Hebrew Republic*, pp. 23–56.

⁷⁶ The notable exception to this is Bodin. See Pines, 'The Jewish Religion after the Destruction', p. 224 *et passim*.

⁷⁷ This may explain the bifurcation in the secondary literature between those who see Spinoza's treatment as exemplary (e.g. S. Smith, *Spinoza, Liberalism, and the Question of Jewish Identity* (New Haven, 1997), pp. 149–51; N. Levene, *Spinoza's Revelation: Religion, Democracy, and Reason* (Cambridge, 2004); and Rosenthal, 'Why Spinoza Chose the Hebrews') and those who see it mainly as a critique, either political or philosophical (Feuer, *Spinoza and the Rise of Liberalism*, pp. 115–20; L. Ward, 'Benedict Spinoza and the Problem of Theocracy' (presented at the Annual Meeting of the Canadian Political Science Association, Montreal, 2010), pp. 1–15; and Strauss, *Spinoza's Critique of Religion*, pp. 243–55). There is an excellent treatment of this tension in Beiner, *Civil Religion*, ch. 11.

positions and terms that were familiar tropes of political Hebraism, but his argument taken as a whole sharply undermines the ground of such earlier studies. The opening pages of the seventeenth chapter of the *Tractatus Theologico-Politicus* set the tone for this subtle project, as Spinoza tilts at political ‘stratagems’ involving divine assistance devised by other rulers before proceeding to discuss the ‘stratagems divine revelation formerly taught Moses’.⁷⁸ Through juxtaposition of Moses with the moral assiduity of Greek civilization and the perceptive apothegms of Latin historians, Spinoza has gestured at a trope of political Hebraism, and then reversed it, effectively throwing the exceptional value and uniqueness of Mosaic ‘stratagems’ into doubt before they have even been addressed.

The way in which Spinoza chooses to characterize the development of the Jewish polity is almost equal parts social contract theory and political Hebraism. The beginning of Israelite political history sounds similar to the ‘state of nature’ account of the origins of society described in the previous book of the *Tractatus Theologico-Politicus*. ‘After the Hebrews departed from Egypt . . . they were not bound by compact to anyone; rather they regained the natural right to all that they could get, and everyone was once again free to decide whether [he] wanted to retain this right or give it up . . .’⁷⁹ Many have noted this connection, as well as the follow up, that, out of this ‘natural state’, the Hebrews decided ‘to transfer their right to no mortal man but rather to God alone’. Spinoza is explicit that ‘this undertaking . . . was made in the same way that we conceived above it is made in an ordinary society’.⁸⁰ This can now be understood in two ways, first is the way in which the Hebrew contract with ‘God’ is indeed a political moment of the clearest sort, second is the way in which this contract is *ordinary*, that is to say, the careful reader should be aware that a contract with God is an impossible contract, a contract with *nature*. Who the actual partner may be in terms of a naturalistic/critical understanding is as yet unclear, for Spinoza makes his crucial clarification, ‘that God has no special kingdom among men except through those who hold power’⁸¹ only some two chapters later.

Spinoza designates this form of political organization with a special name — *theocracy*, ‘since its citizens were bound by no law but the Law revealed by

⁷⁸ The Latin does not have the word ‘stratagem’, but the sense of the juxtaposition is served well by Silverthorne and Israel’s translation. Cf. *TTP XVII*, p. 205: ‘Et ad hunc modum Monarchae ad sui imperii securitatem alia excogitaverunt . . . in hunc finem olim divina revelatio Mosen docuit.’

⁷⁹ *TTP XVII*, p. 205.

⁸⁰ *Ibid.*

⁸¹ *TTP XIX*, p. 228 (emphasized and repeated with identical wording at p. 231, though Israel and Silverthorne translate *imperium* the first time as ‘sovereignty’ and the second time as ‘power’).

God'.⁸² This is a key word in Dutch 'Josephism' and a crucial moment in any Hebrew Republic account, the moment of constitutional description. The most immediately striking thing about this use of the word is the absence of any external reference. Spinoza acts as if the word were his own invention. In other cases where he disagrees with his source text, Spinoza has no difficulty using the ambiguities built into his hermeneutic language to work out an acceptably ambiguous compromise. Theocracy would seem to be an ideal candidate for this. 'Handing power over to God' would mean one thing in Josephus' language and quite another in Spinoza's (where, as he will describe, it can approximate the way in which democracies orient themselves correctly towards nature and natural right). Certainly this double meaning is the reason Spinoza chooses to use the term in the first place. A possible explanation for Spinoza's avoidance of any citation may be that the intellectual context for the term would be all too clear in a reader's mind — Josephus' theocracy is Cunaeus' Hebrew Republic.

The significance of this passage to the argument itself may be found in the sentence immediately following: 'These things were more opinion than reality . . . for in reality the Hebrews retained absolutely the right of the government . . .'.⁸³ Spinoza is being obscure. On the one hand, he clearly wishes to show how the biblical founding moment of the Israelites might be reconciled with and exemplify an account of founding moments he has posited in theory, the account of transferal of right. On the other, he flatly denies that this actually took place, placing it in the realm of 'opinion', a term of fundamental opposition to philosophical truth. As with the 'foundation of the state', so too with its form. In the *next* consecutive sentence, Spinoza seemingly ignores his own admission that the transfer of right was fictitious and proclaims that the Hebrews 'all gave up their right, equally, as in a democracy'. A parallel is clearly implied between democracy, Spinoza's favoured regime, and the original state of Hebrew politics, only to be undermined by subtle hints of profound disapproval for that 'highly problematic concept', theocracy.⁸⁴ Gershon Weiler similarly makes a philosophical argument that Spinoza's 'theocracy' is different from Josephus' in the way that the term is exposed to the principles of real political life, and it proves, even in its best form, inferior to the rational state.⁸⁵

⁸² *TTP XVII*, p. 206.

⁸³ *Ibid.*

⁸⁴ For a careful analysis of this see Ward, 'Spinoza's Critique', p. 7 *et passim*. For Spinoza's favourable attitude towards democracy, see *TTP XVI*, esp. pp. 199–200, as well as treatment in McShea, *Spinoza's Political Philosophy*, pp. 68 ff.

⁸⁵ G. Weiler, *Jewish Theocracy* (Leiden, 1988), pp. 86–110. Weiler's readings of both Spinoza and Josephus (as well as others) are both particularly sharp, though largely (and unfortunately) neglected.

It is not entirely fair to speak of a unitary ‘theocracy’ for (Polybius-like) Spinoza presents his Hebrew republic as a changing series of governments. After the pseudo-democratic founding comes the first *real* transfer of right, with the creation of Moses as Sovereign.⁸⁶ The third distinct stage in the development of the Hebrew theocracy (after Moses’ death) might usefully be called the ‘Erastian theocratic moment’, a paradoxical title Spinoza himself might have enjoyed, as it denotes a structure of rule that separates the sovereign power from religious authority (a crucial difference from the unitary model above, where legitimacy derives from divinity) while still maintaining the putative primacy of God in the State. Spinoza is at pains to maintain that this form is indeed still neither ‘democratic, aristocratic or monarchical, but rather theocratic’.⁸⁷ Crucially it is this *second* theocracy that Spinoza compares to the ‘situation of the States General of the United Netherlands’.⁸⁸ It is certainly no coincidence that this ‘Erastian theocracy’ is the one linked to the Netherlands, for Erastianism in its mature form is the attitude towards the relationship of Church and State most famously advocated by Dutch Josephists, including the Collegiants of Spinoza’s circle.⁸⁹

The introduction of the ‘Erastian’ theocracy may lend some support to the reading given above.⁹⁰ This theocracy has none of the positive similarities to a theoretical democracy that were assigned to it above, and consequently Spinoza has no problem hinting at its connection to the concept of theocracy commonly compared with the Dutch republic. After the lengthy description of the workings of the state, Spinoza casually suggests that the litany of positive qualities he has described, the loyalty of troops, the courage of the populous, are all factors ‘whose impact stemmed from opinion alone’.⁹¹ There is only one factor in the ‘Erastian state’ that Spinoza endorses unabashedly, and that is the attitude towards property and possession, all else in the state, far

⁸⁶ ‘By proceeding thus, they plainly abolished the first covenant and absolutely transferred their right . . . to Moses.’ *TTP XVII*, p. 207.

⁸⁷ This depiction of theocracy and the entire Hebrew political project as requiring *new* constitutional terminology, is precisely the move made by political Hebraists who either modified existing Greek terms or, like Spinoza, used Josephus’ neologism. *TTP XVII*, p. 208.

⁸⁸ For an example of a reading too eager in its attempt to map this account on to an approval of contemporary Dutch politics, see Feuer, *Spinoza and the Rise of Liberalism*, pp. 117–20.

⁸⁹ i.e. Meijer, Van Berkel and others committed to the Erastian republican position in a sense either Josephist or otherwise. See Nadler, *Spinoza*, pp. 171–4.

⁹⁰ This is not the only schema of ‘multiple Hebrew Republics’ in Josephus. Klever counts three, while Ward also notes similar shifts. The most intriguing account of these shifts may be in Beiner, *Civil Religion*, ch. 11. Beiner does an excellent job of making the necessary comparisons (and *differentiations*) between Spinoza’s ‘civil religion’ and Hobbes’s.

⁹¹ *TTP XVII*, p. 215.

from being fit for emulation, only ‘appeared to be freedom rather than slavery’⁹² in the eyes (and opinions) of its subjects. In placing this imperfect, yet ostensibly republican and ‘Erastian’ state immediately before the collapse of the Israelite commonwealth, it is hard not to view this emphasis on theocracy as a rebuke to the putative theocratic models of earlier political Hebraists and a warning about their relevance for contemporary Dutch politics.

When Spinoza’s account of the Hebrew polity is read as a whole, the founding act of the Hebrew republic, the unified and egalitarian surrender of right to ‘God’, only *apes* the way the best regime might envision its founding. It is the gap between the actuality of democratic equality and the inability of the Israelites not to revert to the more familiar vision of sovereignty found in Mosaic leadership that makes the Hebrew republic tragic rather than exemplary, and it is this gap that makes the project of recovering such a republic and its laws (or ideals) confused and perhaps dangerous. There was indeed a brief moment of proto-democracy that ‘might have lasted forever’, but its failure, traceable to its very ‘theocratic’ structure, means that ‘no one can now imitate it, and it would not be wise to try to do so’.⁹³ This is a subtle coda to the ongoing critique of the traditional Hebrew republic narrative. An annotation meant by Spinoza to clarify the text only drives home this point. ‘Those who do not pay attention to the different political arrangements of the Hebrews, at different times, but rather imagine them all to be one, thus become entangled in all sorts of difficulties.’⁹⁴ It is possible to read this as both a condemnation of those who would make a new theocracy *and* as criticism of those who would view the theocracy of the past as a model for the toleration of the present.⁹⁵

III

Governance and Method

If Spinoza was not a ‘Josephist’, why did he write in the idiom of the Hebrew republic? After all, close at hand was the language of Tacitism with which to engage both contemporary Dutch politics and broader problems. Surely Spinoza’s own sympathies would seem to lie with the sceptical rationalism of Tacitus and Machiavelli.⁹⁶ One popular solution to this question is to say the

⁹² *Ibid.*, p. 216. The approbation of ‘theocratic’ land laws may in fact be another reference to the Cunean overtones of this stage in the constitution. The virtue of biblical land laws were an important theme of political Hebraism. See Ziskind, ‘Petrus Cunaeus on Theocracy’; and Nelson, *The Hebrew Republic*, pp. 57–87.

⁹³ *TTP* XVIII, p. 221. In Weiler’s words theocracy ‘is not only impossible “at the present day”, but it is also undesirable’ *of itself* (Weiler, *Jewish Theocracy*, pp. 98–9).

⁹⁴ *TTP* Annotation 38 (p. 267), to be inserted precisely in the middle of the discussion on the ‘Erastian theocracy’, p. 210.

⁹⁵ Cf. Weiler, *Jewish Theocracy*, pp. 3–23 and 86–110.

⁹⁶ On Spinoza’s Tacitism, see C. Wirszubski, ‘Spinoza’s Debt to Tacitus’, *Scripta Hierosolymitana*, II (1955), pp. 176–86; O. Proietti, ‘Adulescens Luxu Perditus: Classici

exemplary use of the Hebrew Republic and theocracy must be read within the story of Dutch political history, the battles between Remonstrants, Orthodox Calvinists, Statists and Orangists who so often made recourse to Hebraist terminology.⁹⁷ This approach has some truth to it, but does no justice to the unique philosophical complexity of the 'Hebrew Republic' sections of the *Tractatus Theologico-Politicus* among the many contemporary liberal critiques of the *predikanten*.⁹⁸ If Spinoza had wanted to write a critique of a political position, he need not have been so philosophically and intellectually involved.⁹⁹ There is something deeper at stake than merely demonstrating why the simple comparison between the Netherlands and the Israelite state might not work.¹⁰⁰ The intellectual and, more importantly, methodological thrust of the *Tractatus Theologico-Politicus* suggest that Spinoza was writing not only for his enemies, but also for his political allies who had made their own use of Hebraic imagery, the Remonstrant political Hebraists and their tradition.¹⁰¹ One recent semi-acknowledgement of this has been to treat Spinoza as odd man out in political Hebraism.¹⁰² Eric Nelson calls Spinoza's vision of Hebrew politics 'deflationary' while simultaneously claiming Spinoza for the 'conventional Erastians', though failing to reconcile this with

Latini Nell'opera Di Spinoza', *Rivista Di Filosofia Neo-Scolastica Milano*, 77 (1985), pp. 210–57; Strauss, *Spinoza's Critique of Religion*, Appendix 2; and W. Klever, 'Imperium Aeternum: Spinoza's Critique of Machiavelli and Its Source in Van Den Enden', *Foglio Spinoziana*, 14 (2002).

⁹⁷ Feuer, *Spinoza and the Rise of Liberalism*, pp. 117–20. cf. Popkin, *The Third Force in Seventeenth-Century Thought*, pp. 165–6.

⁹⁸ It is obvious that Spinoza's work must be seen in opposition to the Calvinists. (Schama, *Embarrassment of Riches*, p. 381). It is only when one compares Spinoza's work to contemporary efforts by his own 'republican' friends (e.g. Lodewijk Meijer's *De jure ecclesiasticorum*) that one understands how different in type his work is from theirs.

⁹⁹ Also mediating against this position is the famous fact of Spinoza's stated opposition to translating the *TTP* into the vernacular in Letter XLIV to Jarig Jelles, 17 February 1671 (*Correspondence of Spinoza*, p. 260), a fact that may not only represent his political caution in the wake of the affair of the Koerbagh brothers but also, followed as it is by the comparison to the philosopher Thales (*ibid.*, p. 261), may suggest the *philosophical* nature of Spinoza's project.

¹⁰⁰ Rosenthal, 'Why Spinoza Chose the Hebrews', p. 210.

¹⁰¹ Cf. Menachem Lorberbaum's acute phrasing of the general principle of the *TTP*: 'The problem of political theology as Spinoza conceives of it is therefore conflictual, seeking to retrieve as much as possible from the historical religions for the very purpose of undoing the institutions their beliefs traditionally supported.' M. Lorberbaum, 'Spinoza's Theological Political Problem', in *Political Hebraism*, ed. Schochet *et al.*, p. 170. Campos Boralevi once again anticipates this in her article on 'La Repubblica Hebraeorum nella tradizione olandese', where she claims Spinoza 'contests the method and content' of the Dutch political hebraists (p. 462).

¹⁰² Neuman, 'Political Hebraism', pp. 69–70; and Nelson, *The Hebrew Republic*, pp. 54–5, 125–37. For a cogent critique of Nelson, see Smith, 'Review of The Hebrew Republic', pp. 1217–19.

Spinoza's own radical views on God (or indeed government). If there have been some attempts to strike a balance between Spinoza's clear philosophical use for the Hebrew Republic and the obvious significance of the uniquely 'Hebraic' context of his time and place, even the most successful of these have more or less avoided the particular aspect of Josephus and his theocratic legacy.

A more satisfying, if still provisional answer to this question may be reached by examining the way in which theocracy is grounded on *opinion* rather than reason. 'Instability does not spring from reason' Spinoza begins the *Tractatus Theologico-Politicus* by saying, 'but from passion alone'.¹⁰³ Every time a form of government, a law or a rule fails, by this reasoning, it can be traced back to the passions.¹⁰⁴ Theocracy *seems* like a democracy, but where the latter is formed by an agreement of men 'compelled as they were by necessity and guided by reason',¹⁰⁵ the former, grounded on demonstrations of 'God's astounding power'¹⁰⁶ even in the best of cases would still be relying on the exercise of prophetic imagination that is 'capricious and changeable' and therefore derived from the passions.¹⁰⁷ The same basic schema holds true for the 'Erastian theocracy'. Both Josephus and the authors who so faithfully follow him may support causes that Spinoza agrees with, such as toleration or secular sovereignty, but if the reasoning behind these concepts is fundamentally based on a system grounded in 'inspiration', Spinoza cannot, it would appear, endorse it.¹⁰⁸ Just as Spinoza was found to disagree with Josephus' method of interpretation, he points out, in the guise of a commentary on the 'Hebrew Republic', the insurmountable problems in using that 'Republic' (which Spinoza views as having been more legend than fact in any case) as a model for ideal or actual politics. The opposite of this passionate theocracy is the 'rational state', which 'proves to be the most natural, and also the most powerful'.¹⁰⁹ This should come as no surprise when placed in the context of Spinoza's method, grounded as it was in a system of *natural* explanation. This state matches what Spinoza calls 'the supreme law of nature', namely for each

¹⁰³ *TTP* Preface (p. 6).

¹⁰⁴ For instance the fall of the original 'democratic' theocracy, which fails because of the 'terror' and 'astonishment' of the masses (*TTP* XVII, p. 206).

¹⁰⁵ *TTP* XVI, p. 193.

¹⁰⁶ *TTP* XVII, p. 205.

¹⁰⁷ *TTP* I, p. 29. As Strauss points out, 'Theocracy is thus the form of state that best corresponds to imaginative-emotive life' (Strauss, *Spinoza's Critique of Religion*, p. 237), i.e. it may be the best of governments not founded on a rational understanding of natural right.

¹⁰⁸ See Cunaeus, *The Hebrew Republic*, p. 163. 'Since it is my goal that everything I do should be dictated by reason . . . I think we ought to look for the kind of evidence that is beyond dispute . . . unless they have been pointed out elsewhere under the inspiration of the Messiah.' Hobbes might have agreed with Spinoza, but he does not say so outright.

¹⁰⁹ Strauss, *Spinoza's Critique of Religion*, p. 243.

thing ‘to persist in its own state so far as it can’.¹¹⁰ The rational thing persists, because it has the closest relationship to the ‘eternal order of the whole of nature’ (in vulgar language, substance or the divine).¹¹¹ This rational government will be a democracy, which ‘aims at living for its own ends’.¹¹² The individual natural right to act out one’s desires is magnified on the societal level. Yet the law of nature is preserved, because in a democracy one not only gives up power, but receives it back, and is therefore not ‘alienated’ from it.¹¹³ One state works through rational action, the other through obedience grounded on mystification.

Spinoza’s ends may be read as more or less compatible with others in his circle or others who sought to use the Hebrew republic to Erastian or Republican ends (the subjects of Nelson’s book and the ‘Josephists’ of this study’s first section). What is undeniable and important in Spinoza’s treatment of the Hebrew Republic is his application of a rational, critical methodology to the study of the historical Hebrew polity. Spinoza wrote as a political Hebraist precisely to point out the tenuous ground underpinning any state that idealized a form of government tied to the passions, while still speaking within a comfortable, religious idiom, similar to that used by more conventional liberal thinkers like Grotius to combat extreme versions of the theocratic message. Perhaps the best example of how Spinoza differs from even his closest predecessors may be found in a juxtaposition of his Hebrew theocracy with that of Hobbes. Spinoza shares a number of crucial philosophical assumptions with Hobbes. His account of the original contract has even been described as ‘what [Hobbes] should have said had he been consistent’.¹¹⁴ Yet even if he agrees with Hobbes that a Hebrew theocracy would have God as the Sovereign, and even if he clearly found much to like in the Erastian sections of *De cive* (and, if he read it, the longer treatment in *Leviathan*), by repeating the arguments, acknowledging their excellent points, and *still* rejecting them, Spinoza goes beyond a marginal attempt at ‘deflation’. The audacity of his insistence on the necessity of *how* the argument is expressed and on the method that grounded it, over and above particular political/theoretical positions, may even have reached Hobbes himself.¹¹⁵ The boldness of Spinoza’s departure from previous ‘liberal’ writing was certainly not lost on the Dutch

¹¹⁰ *TTP XVI*, p. 189.

¹¹¹ *Ibid.*, p. 191.

¹¹² *Tractatus Politicus V.6*.

¹¹³ The word is the translators’. Cf. *TTP XVI*, p. 193: ‘. . . sine ulla naturalis juris repugnantia’.

¹¹⁴ McShea, *The Political Philosophy of Spinoza*, p. 138.

¹¹⁵ A view supported by the famous story in Aubrey’s *Brief Lives*: ‘When Spinoza’s *Tractatus Theologico-Politicus* first came out, Mr. Edmund Waller sent it to my lord of Devonshire . . . [Hobbes] told me [Spinoza] had outthrown him a bar’s length, for he durst not write so boldly.’ See the careful analysis of this passage and their relationship as heterodox thinkers in E. Curley, ‘“I Durst Not Write So Boldly” or, How to Read

Hobbesians. True 'conventional Erastians' like Lambert van Velthuysen, who might have otherwise been expected to embrace the *Tractatus Theologico-Politicus*, feared the text precisely for its method, perhaps in its own way as radical as the Euclidian system of the *Ethics*.¹¹⁶

To provide a tentative answer to the question that inspired this project, it seems that there is evidence, textual and historical, to suggest that Spinoza *did* play a part in the story of political Hebraism. He was singularly sceptical towards political reform when in religious guise; and he alone among 'political Hebraists' insisted on methodological consistency, using a secular analytic even in the realm of religious history. It was precisely this rigour that later came to characterize radical forms of modern political thought.¹¹⁷ For Spinoza, the only way to ensure the safety of the state is to ensure not only the form of government, but also the abstract principles of reason behind that government. It must be left to further research to determine more directly how Spinoza's critique might have contributed to the end of 'Hebrew Republic' arguments by the early eighteenth century. In any case, Spinoza's project may be said to be wonderfully Janus-faced in the way it looks back on (and dismantles) the intellectual categories of an old era while simultaneously preparing the way for a radically new one.

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Hobbes's Theological-Political Treatise', in *Hobbes e Spinoza, Scienza e Politica*, ed. D. Bostrenghi (Naples, 1992), pp. 497–593.

¹¹⁶ See Velthuysen's letter (Letter XLII, 24 January 1671, in *Spinoza's Correspondence*, pp. 239–53) where he notes Spinoza has 'laboured to free his mind from every superstition . . . he has gone too far in the opposite direction . . .' (p. 239). Throughout the letter Velthuysen makes continuous reference to the way arguments derive from Spinoza's 'adherence to his [philosophical] principles' (pp. 241, 244). Spinoza particularly liked this critique and even asked Velthuysen to reprint it publicly given his 'love of truth' and the 'singular fairness of his mind' (Letter LXIX, August 1675, *Spinoza's Correspondence*, pp. 335–6).

¹¹⁷ Jonathan Israel is the most well known proponent of this position, but in a sense it is also the view held by Balibar and, more widely, Althusserian interpretations of Spinoza (e.g. those in *The New Spinoza*, ed. W. Montag and T. Stolze (Minneapolis, 1997)), who trace a radical 'critical' legacy from the methodology of Spinoza, through Kant to Marx.