



WRITINGS ON
POLITICAL
PHILOSOPHY

BY *sp*
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CONTENTS

	PAGE
INTRODUCTION: NATURE, THE STATE OF NATURE, AND THE STATE	xiii

SELECTIONS FROM THE TRACTATUS THEOLOGICO-POLITICUS

A. PREFACE	3
B. CHAPTER IV: OF THE DIVINE LAW (<i>In part</i>)	17
C. CHAPTER V: OF THE CEREMONIAL LAW (<i>In part</i>)	24
D. CHAPTER XVI: OF THE FOUNDATIONS OF A STATE; OF THE NATURAL AND CIVIL RIGHTS OF INDIVIDUALS; AND OF THE RIGHTS OF THE SOVEREIGN POWER	27
E. CHAPTER XVII: IT IS SHOWN THAT NO ONE CAN, OR NEED, TRANSFER ALL HIS RIGHTS TO THE SOVEREIGN POWER. OF THE HEBREW REPUBLIC, AS IT WAS DURING THE LIFETIME OF MOSES, AND AFTER HIS DEATH, TILL THE FOUNDATION OF THE MONARCHY; AND OF ITS EXCELLENCE. LASTLY, OF THE CAUSES WHY THE THEOCRATIC REPUBLIC FELL, AND WHY IT COULD HARDLY HAVE CONTINUED WITHOUT DISSENSION	43
F. CHAPTER XIX: IT IS SHOWN THAT THE RIGHT OVER MATTERS SPIRITUAL LIES WHOLLY WITH THE SOVEREIGN, AND THAT THE OUTWARD FORMS OF RELIGION SHOULD BE IN ACCORDANCE WITH PUBLIC PEACE, IF WE WOULD OBEY GOD ARIGHT	48
G. CHAPTER XX: THAT IN A FREE STATE EVERY MAN MAY THINK WHAT HE LIKES, AND SAY WHAT HE THINKS	63
H. AUTHOR'S NOTES	74

BENEDICT DE SPINOZA'S POLITICAL TREATISE (TRACTATUS POLITICUS)

A. "LETTER OF THE AUTHOR TO A FRIEND, WHICH MAY PROPERLY BE PREFIXED TO THIS POLITICAL TREATISE, AND SERVE IT FOR A PREFACE"	79
B. A POLITICAL TREATISE (TRACTATUS POLITICUS)	80

CHAPTER I. INTRODUCTION

1-3. Of the theory and practice of political science	80
4. Of the author's design	81

	PAGE
5. Of the force of the passions in men	83
6, 7. That we must not look to proofs of reason for the causes and foundations of dominion, but deduce them from the general nature or condition of mankind	84
CHAPTER II. OF NATURAL RIGHT	
1. Right, natural and civil	85
2. Essence, ideal and real	85
3-5. What natural right is	85
6. The vulgar opinion about liberty. Of the first man's fall	87
7-10. Of liberty and necessity	88
11. He is free, who is led by reason	90
12. Of giving and breaking one's word by natural right	90
13. Of alliances formed between men	91
14. Men naturally enemies	91
15. The more there are that come together, the more right all collectively have	91
16. Every one has so much the less right, the more the rest collectively exceed him in power	92
17. Of dominion and its three kinds	92
18. That in the state of nature one can do no wrong	92
19-21. What wrong-doing and obedience are	93
22. The free man	94
23. The just and unjust man	95
24. Praise and blame	95
CHAPTER III. OF THE RIGHT OF SUPREME AUTHORITIES	
1. A commonwealth, affairs of state, citizens, subjects	96
2. Right of a dominion same as natural right	96
3-4. By the ordinance of the commonwealth a citizen may not live after his own mind	97
5-9. Every citizen is dependent not on himself, but on the commonwealth	98
10. A question about religion	101
11, 12. Of the right of supreme authorities against the world at large	102
13. Two commonwealths naturally hostile	103
14-18. Of the state of treaty, war, and peace	103
CHAPTER IV. OF THE FUNCTIONS OF SUPREME AUTHORITIES	
1-3. What matters are affairs of state	106
4-6. In what sense it can, in what it cannot be said, that a commonwealth does wrong	107
CHAPTER V. OF THE BEST STATE OF A DOMINION	
1. That is best which is ordered according to the dictate of reason	110
2-6. The end of the civil state. The best dominion	110
7. Machiavelli and his design	112

CHAPTER VI. OF MONARCHY		PAGE
1-3. Of the causes of establishing a dominion		114
4. Of conferring the authority on one man		115
5-8. Of the nature of a monarchy. Of the foundations of a monarchical dominion		115
9. Of cities		117
10. Of the militia and its commanders		117
11. Of dividing the citizens into clans		117
12. Of lands and houses		118
13, 14. Of the election of the king and of the nobles		118
15, 16. Of the king's counsellors		118
17-25. Of the supreme council's functions		119
26-29. Of another council for administering justice		123
30. Of other subordinate councils		124
31. Of the payment of the militia		124
32. Of the rights of foreigners		124
33. Of ambassadors		124
34. Of the king's servants and body-guard		124
35. Of waging war		125
36. Of the king's marriage		125
37, 38. Of the heir to the dominion		125
39. Of the obedience of the citizens		125
40. Of religion		126
CHAPTER VII. OF MONARCHY. PROOF OF THE FOUNDATIONS OF A MONARCHICAL DOMINION		
1. The monarch is not chosen unconditionally. The Persian kings. Ulysses		127
2. Nature of our monarchy the best and true one		128
3. It is necessary that the monarch have counsellors		128
4. The counsellors must necessarily be representative		129
5. The king's right is to select one of the opinions offered by the council		130
6-11. The great advantages of this council		131
12. The militia to be composed of citizens only		133
13. How the counsellors are to be chosen		134
14, 15. King's safety. Evidence of history		134
16. Cities to be fortified		136
17. Of mercenaries and military commanders		136
18. Citizens to be divided into clans		137
19. The soil to be the common property of the commonwealth		137
20. None to be noble but the issue of kings		138
21. Judges to be appointed for a term of years		138
22. The militia to be given no pay		139
23. Of foreigners and the king's kinsmen		139
24. Of the dangers from the king's marriage. Evidence of history		140
25. Of the right of succession to the kingdom		140

	PAGE
26. Of the right of worshipping God	142
27. All men's nature is one and the same	142
28. Of the most durable dominion of all	143
29. Of hardly concealing the plans of the dominion	144
30. The example of the dominion of the Arragonese	144
31. That the multitude may preserve under a king an ample enough liberty	147
CHAPTER VIII. OF ARISTOCRACY	
1. What aristocracy is. Patricians	148
2. An aristocracy should consist of a large number of patricians	148
3. Difference between monarchy and aristocracy	149
4-6. Aristocracy approaches nearer to absolutism than monarchy	150
7. Is also fitter to maintain liberty. Foundations of an aristocracy where one city is head of a whole dominion	151
8. Of fortifying towns	152
9. Of the military and its leaders	152
10. Of the sale of lands and farms	154
11. Of the supreme council of patricians	154
12. Of the causes of the destruction of an aristocracy	154
13. The primary law of this dominion, to prevent its lapsing into oligarchy	155
14, 15. Patricians to be chosen out of certain families	156
16. Of the place and time of assembling	157
17. Of the supreme council's functions	157
18. Of the ruler or chief of the council	157
19. Equality to be observed among patricians	158
20-25. Of the syndics and their functions	158
26, 27. Of the ministers of the dominion	161
28. Voting to be by ballot	162
29-33. Of the senate or second council	162
34-36. Of the presidents of the senate and their deputies. Consuls	166
37-41. Of the bench or college of judges	169
42. Governors of cities and provinces. Right of the neighbour- ing cities	172
43. Judges to be appointed in every city	173
44. Ministers of dominion to be chosen from the commons	173
45. Of the tribunes of the treasury	174
46. Of freedom of worship and speech	174
47. Of the bearing and state of the patricians	175
48. Of the oath	176
49. Of academies and liberty of teaching	176

CHAPTER IX. OF ARISTOCRACY (*continuation*)

1. Of the aristocratic dominion held by more than one city	177
2. Confederate cities	177
3. Of points common to both kinds of aristocracy	177
4. Of the common bond of the cities by a senate and tribunal	178

	PAGE
5. Supreme council and senate	178
6. Of assembling this council, of choosing generals and am- bassadors, of the presidents of the orders, judges, &c.	179
7. Of commanders of battalions and military tribunes	181
8. Of tributes	181
9. Of the senators' emoluments and place of meeting	181
10. Of the councils and syndics of the separate cities	182
11. Consuls of cities	182
12. Judges of cities	183
13. Of dependent cities	183
14, 15. This kind of aristocracy to be preferred to the other	183

CHAPTER X. OF ARISTOCRACY (*conclusion*)

1. Primary cause, why aristocracies are dissolved. Of a dictator	186
2. Of the supreme council	188
3. Of the tribunes of the commons among the Romans	188
4. Of the authority of the syndics	189
5. Sumptuary laws	189
6, 7. Vices not to be forbidden directly, but indirectly	190
8. Honours and rewards rejected	191
9, 10. An aristocracy may be stable	191

CHAPTER XI. OF DEMOCRACY

1, 2. Difference between democracy and aristocracy	194
3. Of the nature of democracy	195
4. Women to be excluded from government	196

SELECTIONS

FROM THE

TRACTATUS THEOLOGICO-POLITICUS

A THEOLOGICO-POLITICAL TREATISE
CONTAINING CERTAIN DISCUSSIONS *philosophical*
WHEREIN IS SET FORTH THAT FREEDOM OF ~~THOUGHT~~
AND SPEECH NOT ONLY MAY, WITHOUT PREJUDICE
TO PIETY AND THE PUBLIC PEACE, BE GRANTED;
BUT ALSO MAY NOT, WITHOUT DANGER
TO PIETY AND THE PUBLIC
PEACE, BE WITHHELD

"Hereby know we that we dwell in Him, and He in us,
because He hath given us of His Spirit." 1 John iv. 13.

[A]

PREFACE

MEN would never be superstitious, if they could govern all their circumstances by set rules, or if they were always favoured by fortune: but being frequently driven into straits where rules are useless, and being often kept fluctuating pitiably between hope and fear by the uncertainty of fortune's greedily coveted favours, they are consequently, for the most part, very prone to credulity. The human mind is readily swerved this way or that in times of doubt, especially when hope and fear are struggling for the mastery, though usually it is boastful, over-confident, and vain.

This as a general fact I suppose everyone knows, though few, I believe, know their own nature; no one can have lived in the world without observing that most people, when in prosperity, are so over-brimming with wisdom (however inexperienced they may be), that they take every offer of advice as a personal insult, whereas in adversity they know not where to turn, but beg and pray for counsel from every passer-by. No plan is then too futile, too absurd, or too fatuous for their adoption; the most frivolous causes will raise them to hope, or plunge them into despair—if anything happens during their fright which reminds them of some past good or ill, they think it portends a happy or unhappy issue, and therefore (though it may have proved abortive a hundred times before) style it a lucky or unlucky omen. Anything which excites their astonishment they believe to be a portent signifying the anger of the

gods or of the Supreme Being, and, mistaking superstition for religion, account it impious not to avert the evil with prayer and sacrifice. Signs and wonders of this sort they conjure up perpetually, till one might think Nature as mad as themselves, they interpret her so fantastically.

Thus it is brought prominently before us, that superstition's chief victims are those persons who greedily covet temporal advantages; they it is, who (especially when they are in danger, and cannot help themselves) are wont with prayers and womanish tears to implore help from God: upbraiding Reason as blind, because she cannot show a sure path to the shadows they pursue, and rejecting human wisdom as vain; but believing the phantoms of imagination, dreams, and other childish absurdities, to be the very oracles of Heaven. As though God had turned away from the wise, and written His decrees, not in the mind of man but in the entrails of beasts, or left them to be proclaimed by the inspiration and instinct of fools, madmen, and birds. Such is the unreason to which terror can drive mankind!

Superstition, then, is engendered, preserved, and fostered by fear. If anyone desire an example, let him take Alexander, who only began superstitiously to seek guidance from seers, when he first learnt to fear fortune in the passes of Sysis (Curtius, v. 4); whereas after he had conquered Darius he consulted prophets no more, till a second time frightened by reverses. When the Scythians were provoking a battle, the Bactrians had deserted, and he himself was lying sick of his wounds, "he once more turned to superstition, the mockery of human wisdom, and bade Aristander, to whom he confided his credulity, inquire the issue of affairs with sacrificed victims." Very numerous examples of a like nature might be cited, clearly showing the fact, that only while under the dominion of fear do men fall a prey to superstition; that all the portents ever invested with the

reverence of misguided religion are mere phantoms of dejected and fearful minds; and lastly, that prophets have most power among the people, and are most formidable to rulers, precisely at those times when the state is in most peril. I think this is sufficiently plain to all, and will therefore say no more on the subject.

The origin of superstition above given affords us a clear reason for the fact, that it comes to all men naturally, though some refer its rise to a dim notion of God, universal to mankind, and also tends to show, that it is no less inconsistent and variable than other mental hallucinations and emotional impulses, and further that it can only be maintained by hope, hatred, anger, and deceit; since it springs, not from reason, but solely from the more powerful phases of emotion. Furthermore, we may readily understand how difficult it is, to maintain in the same course men prone to every form of credulity. For, as the mass of mankind remains always at about the same pitch of misery, it never assents long to any one remedy, but is always best pleased by a novelty which has not yet proved illusive.

This element of inconsistency has been the cause of many terrible wars and revolutions; for, as Curtius well says (lib. iv. chap. 10): "The mob has no ruler more potent than superstition," and is easily led, on the plea of religion, at one moment to adore its kings as gods, and anon to execrate and abjure them as humanity's common bane. Immense pains have therefore been taken to counteract this evil by investing religion, whether true or false, with such pomp and ceremony, that it may rise superior to every shock, and be always observed with studious reverence by the whole people—a system which has been brought to great perfection by the Turks, for they consider even controversy impious, and so clog men's minds with dogmatic formulas, that they leave no room for sound reason, not even enough to doubt with.

But if, in despotic statecraft, the supreme and essential mystery be to hoodwink the subjects, and to mask the fear, which keeps them down, with the specious garb of religion, so that men may fight as bravely for slavery as for safety, and count it not shame but highest honour to risk their blood and their lives for the vainglory of a tyrant; yet in a free state no more mischievous expedient could be planned or attempted. Wholly repugnant to the general freedom are such devices as enthraling men's minds with prejudices, forcing their judgment, or employing any of the weapons of quasi-religious sedition; indeed, such seditious only spring up, when law enters the domain of speculative thought, and opinions are put on trial and condemned on the same footing as crimes, while those who defend and follow them are sacrificed, not to public safety, but to their opponents' hatred and cruelty. If deeds only could be made the grounds of criminal charges, and words were always allowed to pass free, such seditious would be divested of every semblance of justification, and would be separated from mere controversies by a hard and fast line.

Now, seeing that we have the rare happiness of living in a republic, where everyone's judgment is free and unshackled, where each may worship God as his conscience dictates, and where freedom is esteemed before all things dear and precious, I have believed that I should be undertaking no ungrateful or unprofitable task, in demonstrating that not only can such freedom be granted without prejudice to the public peace, but also, that without such freedom, piety cannot flourish nor the public peace be secure.

Such is the chief conclusion I seek to establish in this treatise; but, in order to reach it, I must first point out the misconceptions which, like scars of our former bondage, still disfigure our notion of religion, and must expose the false views about the civil authority which many have most impudently advocated,

endeavouring to turn the mind of the people, still prone to heathen superstition, away from its legitimate rulers, and so bring us again into slavery. As to the order of my treatise I will speak presently, but first I will recount the causes which led me to write.

I have often wondered, that persons who make a boast of professing the Christian religion, namely, love, joy, peace, temperance, and charity to all men, should quarrel with such rancorous animosity, and display daily towards one another such bitter hatred, that this, rather than the virtues they claim, is the readiest criterion of their faith. Matters have long since come to such a pass, that one can only pronounce a man Christian, Turk, Jew, or Heathen, by his general appearance and attire, by his frequenting this or that place of worship, or employing the phraseology of a particular sect—as for manner of life, it is in all cases the same. Inquiry into the cause of this anomaly leads me unhesitatingly to ascribe it to the fact, that the ministries of the Church are regarded by the masses merely as dignities, her offices as posts of emolument—in short, popular religion may be summed up as respect for ecclesiastics. The spread of this misconception inflamed every worthless fellow with an intense desire to enter holy orders, and thus the love of diffusing God's religion degenerated into sordid avarice and ambition. Every church became a theatre, where orators, instead of church teachers, harangued, caring not to instruct the people, but striving to attract admiration, to bring opponents to public scorn, and to preach only novelties and paradoxes, such as would tickle the ears of their congregation. This state of things necessarily stirred up an amount of controversy, envy, and hatred, which no lapse of time could appease; so that we can scarcely wonder that of the old religion nothing survives but its outward forms (even these, in the mouth of the multitude, seem rather adulation than adoration of the Deity), and that

faith has become a mere compound of credulity and prejudices—aye, prejudices too, which degrade man from rational being to beast, which completely stifle the power of judgment between true and false, which seem, in fact, carefully fostered for the purpose of extinguishing the last spark of reason! Piety, great God! and religion are become a tissue of ridiculous mysteries; men, who flatly despise reason, who reject and turn away from understanding as naturally corrupt, these, I say, these of all men, are thought, O lie most horrible! to possess light from on High. Verily, if they had but one spark of light from on High, they would not insolently rave, but would learn to worship God more wisely, and would be as marked among their fellows for mercy as they now are for malice; if they were concerned for their opponents' souls, instead of for their own reputations, they would no longer fiercely persecute, but rather be filled with pity and compassion.

Furthermore, if any Divine light were in them, it would appear from their doctrine. I grant that they are never tired of professing their wonder at the profound mysteries of Holy Writ; still I cannot discover that they teach anything but speculations of Platonists and Aristotelians, to which (in order to save their credit for Christianity) they have made Holy Writ conform; not content to rave with the Greeks themselves, they want to make the prophets rave also; showing conclusively, that never even in sleep have they caught a glimpse of Scripture's Divine nature. The very vehemence of their admiration for the mysteries plainly attests, that their belief in the Bible is a formal assent rather than a living faith: and the fact is made still more apparent by their laying down beforehand, as a foundation for the study and true interpretation of Scripture, the principle that it is in every passage true and divine. Such a doctrine should be reached only after strict scrutiny and thorough comprehension of the Sacred Books (which would teach it much better,

for they stand in need of no human fictions), and not be set up on the threshold, as it were, of inquiry.

As I pondered over the facts that the light of reason is not only despised, but by many even execrated as a source of impiety, that human commentaries are accepted as divine records, and that credulity is extolled as faith; as I marked the fierce controversies of philosophers raging in Church and State, the source of bitter hatred and dissension, the ready instruments of sedition and other ills innumerable, I determined to examine the Bible afresh in a careful, impartial, and unfettered spirit, making no assumptions concerning it, and attributing to it no doctrines, which I do not find clearly therein set down. With these precautions I constructed a method of Scriptural interpretation, and thus equipped proceeded to inquire—What is prophecy? in what sense did God reveal Himself to the prophets, and why were these particular men chosen by Him? Was it on account of the sublimity of their thoughts about the Deity and nature, or was it solely on account of their piety? These questions being answered, I was easily able to conclude, that the authority of the prophets has weight only in matters of morality, and that their speculative doctrines affect us little.

Next I inquired, why the Hebrews were called God's chosen people, and discovering that it was only because God had chosen for them a certain strip of territory, where they might live peaceably and at ease, I learnt that the Law revealed by God to Moses was merely the law of the individual Hebrew state, therefore that it was binding on none but Hebrews, and not even on Hebrews after the downfall of their nation. Further, in order to ascertain, whether it could be concluded from Scripture, that the human understanding is naturally corrupt, I inquired whether the Universal Religion, the Divine Law revealed through the Prophets and Apostles to the whole human race, differs from that which is taught by the light of natural

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reason, whether miracles can take place in violation of the laws of nature, and if so, whether they imply the existence of God more surely and clearly than events, which we understand plainly and distinctly through their immediate natural causes.

Now, as in the whole course of my investigation I found nothing taught expressly by Scripture, which does not agree with our understanding, or which is repugnant thereto, and as I saw that the prophets taught nothing, which is not very simple and easily to be grasped by all, and further, that they clothed their teaching in the style, and confirmed it with the reasons, which would most deeply move the mind of the masses to devotion towards God, I became thoroughly convinced, that the Bible leaves reason absolutely free, that it has nothing in common with philosophy, in fact, that Revelation and Philosophy stand on totally different footings. In order to set this forth categorically and exhaust the whole question, I point out the way in which the Bible should be interpreted, and show that all knowledge of spiritual questions should be sought from it alone, and not from the objects of ordinary knowledge. Thence I pass on to indicate the false notions, which have arisen from the fact that the multitude—ever prone to superstition, and caring more for the shreds of antiquity than for eternal truths—pays homage to the Books of the Bible, rather than to the Word of God. I show that the Word of God has not been revealed as a certain number of books, but was displayed to the prophets as a simple idea of the Divine mind, namely, obedience to God in singleness of heart, and in the practice of justice and charity; and I further point out, that this doctrine is set forth in Scripture in accordance with the opinions and understandings of those, among whom the Apostles and Prophets preached, to the end that men might receive it willingly, and with their whole heart.

Having thus laid bare the bases of belief, I draw the con-

clusion that Revelation has obedience for its sole object, and therefore, in purpose no less than in foundation and method, stands entirely aloof from ordinary knowledge; each has its separate province, neither can be called the handmaid of the other.

Furthermore, as men's habits of mind differ, so that some more readily embrace one form of faith, some another, for what moves one to pray may move another only to scoff, I conclude, in accordance with what has gone before, that everyone should be free to choose for himself the foundations of his creed, and that faith should be judged only by its fruits; each would then obey God freely with his whole heart, while nothing would be publicly honoured save justice and charity.

Having thus drawn attention to the liberty conceded to everyone by the revealed law of God, I pass on to another part of my subject, and prove that this same liberty can and should be accorded with safety to the state and the magisterial authority—in fact, that it cannot be withheld without great danger to peace and detriment to the community.

In order to establish my point, I start from the natural rights of the individual, which are co-extensive with his desires and power, and from the fact that no one is bound to live as another pleases, but is the guardian of his own liberty. I show that these rights can only be transferred to those whom we depute to defend us, who acquire with the duties of defence the power of ordering our lives, and I thence infer that rulers possess rights only limited by their power, that they are the sole guardians of justice and liberty, and that their subjects should act in all things as they dictate: nevertheless, since no one can so utterly abdicate his own power of self-defence as to cease to be a man, I conclude that no one can be deprived of his natural rights absolutely, but that subjects, either by tacit agreement, or by social contract, retain a certain number, which

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cannot be taken from them without great danger to the state.

From these considerations I pass on to the Hebrew State, which I describe at some length, in order to trace the manner in which Religion acquired the force of law, and to touch on other noteworthy points. I then prove, that the holders of sovereign power are the depositaries and interpreters of religious no less than of civil ordinances, and that they alone have the right to decide what is just or unjust, pious or impious; lastly, I conclude by showing, that they best retain this right and secure safety to their state by allowing every man to think what he likes, and say what he thinks.

Such, Philosophical Reader, are the questions I submit to your notice, counting on your approval, for the subject matter of the whole book and of the several chapters is important, profitable. I would say more, but I do not want my preface to extend to a volume, especially as I know that its leading propositions are to Philosophers but commonplaces. To the rest of mankind I care not to commend my treatise, for I cannot expect that it contains anything to please them: I know how deeply rooted are the prejudices embraced under the name of religion; I am aware that in the mind of the masses superstition is no less deeply rooted than fear; I recognize that their constancy is here obstinacy, and that they are led to praise or blame by impulse rather than reason. Therefore the multitude, and those of like passions with the multitude, I ask not to read my book; nay, I would rather that they should utterly neglect it, than that they should misinterpret it after their wont. They would gain no good themselves, and might prove a stumbling-block to others, whose philosophy is hampered by the belief that Reason is a mere handmaid to Theology, and whom I seek in this work especially to benefit. But as there will be many who have neither the leisure, nor, perhaps, the inclination to read through all I have written, I feel bound here, as at the end of

my treatise, to declare that I have written nothing, which I do not most willingly submit to the examination and judgment of my country's rulers, and that I am ready to retract anything, which they shall decide to be repugnant to the laws or prejudicial to the public good. I know that I am a man and, as a man, liable to error, but against error I have taken scrupulous care, and striven to keep in entire accordance with the laws of my country, with loyalty, and with morality.¹

¹ Spinoza's position will be clarified for the reader by consideration of the following paragraphs taken from Chapter XIV (not re-printed in the present volume). Chapter XIV has the following title: "Definitions of Faith, the True Faith, and the Foundations of Faith, which is once for all separated from Philosophy." In this chapter we are told that "to separate faith from philosophy" is the "chief aim of the whole Treatise." The nature of Faith and Spinoza's notion of the content of the Universal Religion are conveyed in the following paragraphs:

"Faith consists in a knowledge of God, without which obedience to Him would be impossible, and which the mere fact of obedience to Him implies. This definition is so clear, and follows so plainly from what we have already proved, that it needs no explanation. The consequences involved therein I will now briefly show. (I.) Faith is not salutary in itself, but only in respect to the obedience it implies, or as James puts it in his Epistle, ii. 17, 'Faith without works is dead' (see the whole of the chapter quoted). (II.) He who is truly obedient necessarily possesses true and saving faith; for if obedience be granted, faith must be granted also, as the same Apostle expressly says in these words (ii. 18), 'Show me thy faith without thy works, and I will show thee my faith by my works.' So also John, 1 Ep. iv. 7: 'Everyone that loveth is born of God, and knoweth God: he that loveth not, knoweth not God; for God is love.' From these texts, I repeat, it follows that we can only judge a man faithful or unfaithful by his works. If his works be good, he is faithful, however much his doctrines may differ from those of the rest of the faithful; if his works be evil, though he may verbally conform, he is unfaithful. For obedience implies faith, and faith without works is dead."

"Lastly, it follows that faith does not demand that dogmas should be true as that they should be pious—that is, such as will stir up the heart to obey; though there be many such which contain not a shadow of truth, so long as they be held in good faith, otherwise their adherents are disobedient, for how can anyone, desirous of loving justice and obeying God, adore as Divine what he knows to be alien from the Divine nature? How-

have been well brought up, has passed away. Nevertheless, they are in the meanwhile bound to live and preserve themselves as far as they can by the unaided impulses of desire. Nature has given them no other guide, and has denied them the present power of living according to sound reason; so that they are no more bound to live by the dictates of an enlightened mind, than a cat is bound to live by the laws of the nature of a lion.

Whatsoever, therefore, an individual (considered as under the sway [*imperium*] of nature) thinks useful for himself, whether led by sound reason or impelled by the passions, that he has a sovereign right to seek and to take for himself as he best can, whether by force, cunning, entreaty, or any other means; consequently he may regard as an enemy anyone who hinders the accomplishment of his purpose.

It follows from what we have said that the right and ordinance of nature, under which all men are born, and under which they mostly live, only prohibits such things as no one desires, and no one can attain: it does not forbid strife, nor hatred, nor anger, nor deceit, nor, indeed, any of the means suggested by desire.

This we need not wonder at, for nature is not bounded by the laws of human reason, which aims only at man's true benefit and preservation; her limits are infinitely wider, and have reference to the eternal order of nature, wherein man is but a speck; it is by the necessity of this alone that all individuals are conditioned for living and acting in a particular way. If anything, therefore, in nature seems to us ridiculous, absurd, or evil, it is because we only know in part, and are almost entirely ignorant of the order and interdependence of nature as a whole, and also because we want everything to be arranged according to the dictates of our human reason; in reality that which reason considers evil, is not evil in

respect to the order and laws of nature as a whole, but only in respect to the laws of our reason.

Nevertheless, no one can doubt that it is much better for us to live according to the laws and assured dictates of reason, for, as we said, they have men's true good for their object. Moreover, everyone wishes to live as far as possible securely beyond the reach of fear, and this would be quite impossible so long as everyone did everything he liked, and reason's claim was lowered to a par with those of hatred and anger; there is no one who is not ill at ease in the midst of enmity, hatred, anger, and deceit, and who does not seek to avoid them as much as he can. When we reflect that men without mutual help, or the aid of reason, must needs live most miserably, as we clearly proved in Chap. V., we shall plainly see that men must necessarily come to an agreement to live together as securely and well as possible if they are to enjoy as a whole the rights which naturally belong to them as individuals, and their life should be no more conditioned by the force and desire of individuals, but by the power and will of the whole body. This end they will be unable to attain if desire be their only guide (for by the laws of desire each man is drawn in a different direction); they must, therefore, most firmly decree and establish that they will be guided in everything by reason (which nobody will dare openly to repudiate lest he should be taken for a madman), and will restrain any desire which is injurious to a man's fellows, that they will do to all as they would be done by, and that they will defend their neighbour's rights as their own.

How such a compact as this should be entered into, how ratified and established, we will now inquire.

Now it is a universal law of human nature that no one ever neglects anything which he judges to be good, except with the hope of gaining a greater good, or from the fear of a

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CHAPTER XX

THAT IN A FREE STATE EVERY MAN MAY THINK WHAT
HE LIKES, AND SAY WHAT HE THINKS

IF men's minds were as easily controlled as their tongues, every king would sit safely on his throne, and government by compulsion would cease; for every subject would shape his life according to the intentions of his rulers, and would esteem a thing true or false, good or evil, just or unjust, in obedience to their dictates. However, we have shown already (Chapter XVII.) that no man's mind can possibly lie wholly at the disposition of another, for no one can willingly transfer his natural right of free reason and judgment, or be compelled so to do. For this reason government which attempts to control minds is accounted tyrannical, and it is considered an abuse of sovereignty and a usurpation of the rights of subjects, to seek to prescribe what shall be accepted as true, or rejected as false, or what opinions should actuate men in their worship of God. All these questions fall within a man's natural right, which he cannot abdicate even with his own consent.

I admit that the judgment can be biassed in many ways, and to an almost incredible degree, so that while exempt from direct external control it may be so dependent on another man's words, that it may fitly be said to be ruled by him; but although this influence is carried to great lengths, it has never gone so far as to invalidate the statement, that every man's understanding is his own, and that brains are as diverse as palates.

Moses, not by fraud, but by Divine virtue, gained such a hold over the popular judgment that he was accounted superhuman, and believed to speak and act through the inspiration of the Deity; nevertheless, even he could not escape murmurs and evil interpretations. How much less then can other monarchs avoid them! Yet such unlimited power, if it exists at all, must belong to a monarch, and least of all to a democracy, where the whole or a great part of the people wield authority collectively. This is a fact which I think everyone can explain for himself.

However unlimited, therefore, the power of a sovereign may be, however implicitly it is trusted as the exponent of law and religion, it can never prevent men from forming judgments according to their intellect, or being influenced by any given emotion. It is true that it has the right to treat as enemies all men whose opinions do not, on all subjects, entirely coincide with its own; but we are not discussing its strict rights, but its proper course of action. I grant that it has the right to rule in the most violent manner, and to put citizens to death for very trivial causes, but no one supposes it can do this with the approval of sound judgment. Nay, inasmuch as such things cannot be done without extreme peril to itself, we may even deny that it has the absolute power to do them, or, consequently, the absolute right; for the rights of the sovereign are limited by his power.

Since, therefore, no one can abdicate his freedom of judgment and feeling; since every man is by indefeasible natural right the master of his own thoughts, it follows that men thinking in diverse and contradictory fashions, cannot, without disastrous results, be compelled to speak only according to the dictates of the supreme power. Not even the most experienced, to say nothing of the multitude, know how to keep silence. Men's common failing is to confide their plans to others, though there be need for secrecy, so that a government would

Hobbes
Secret
Thought

be most harsh which deprived the individual of his freedom of saying and teaching what he thought; and would be moderate if such freedom were granted. Still we cannot deny that authority may be as much injured by words as by actions; hence, although the freedom we are discussing cannot be entirely denied to subjects, its unlimited concession would be most baneful; we must, therefore, now inquire, how far such freedom can and ought to be conceded without danger to the peace of the state, or the power of the rulers; and this, as I said at the beginning of Chapter XVI., is my principal object. 112

It follows, plainly, from the explanation given above, of the foundations of a state, that the ultimate aim of government is not to rule, or restrain, by fear, nor to exact obedience, but contrariwise, to free every man from fear, that he may live in all possible security; in other words, to strengthen his natural right to exist and work without injury to himself or others.

No, the object of government is not to change men from rational beings into beasts or puppets, but to enable them to develop their minds and bodies in security, and to employ their reason unshackled; neither showing hatred, anger, or deceit, nor watched with the eyes of jealousy and injustice. In fact, the true aim of government is liberty.

Now we have seen that in forming a state the power of making laws must either be vested in the body of the citizens, or in a portion of them, or in one man. For, although men's free judgments are very diverse, each one thinking that he alone knows everything, and although complete unanimity of feeling and speech is out of the question, it is impossible to preserve peace, unless individuals abdicate their right of acting entirely on their own judgment. Therefore, the individual justly cedes the right of free action, though not of free reason and judgment; no one can act against the authorities without danger to the state, though his feelings and judgment may be at variance

of Ch. 14: where principal object is: separate: belief & reason.

therewith; he may even speak against them, provided that he does so from rational conviction, not from fraud, anger, or hatred, and provided that he does not attempt to introduce any change on his private authority.

X For instance, supposing a man shows that a law is repugnant to sound reason, and should therefore be repealed; if he submits his opinion to the judgment of the authorities (who, alone, have the right of making and repealing laws), and meanwhile acts in nowise contrary to that law, he has deserved well of the state, and has behaved as a good citizen should; but if he accuses the authorities of injustice, and stirs up the people against them, or if he seditiously strives to abrogate the law without their consent, he is a mere agitator and rebel.

X Thus we see how an individual may declare and teach what he believes, without injury to the authority of his rulers, or to the public peace; namely, by leaving in their hands the entire power of legislation as it affects action, and by doing nothing against their laws, though he be compelled often to act in contradiction to what he believes, and openly feels, to be best.

Such a course can be taken without detriment to justice and dutifulness, nay, it is the one which a just and dutiful man would adopt. We have shown that justice is dependent on the laws of the authorities, so that no one who contravenes their accepted decrees can be just, while the highest regard for duty, as we have pointed out in the preceding chapter, is exercised in maintaining public peace and tranquillity; these could not be preserved if every man were to live as he pleased; therefore it is no less than undutiful for a man to act contrary to his country's laws, for if the practice became universal the ruin of states would necessarily follow.

Hence, so long as a man acts in obedience to the laws of his rulers, he in nowise contravenes his reason, for in obedience to reason he transferred the right of controlling his actions

of philosophical speculation no less than of religious belief. I confess that from such freedom inconveniences may sometimes arise, but what question was ever settled so wisely that no abuses could possibly spring therefrom? He who seeks to regulate everything by law, is more likely to arouse vices than to reform them. It is best to grant what cannot be abolished, even though it be in itself harmful. How many evils spring from luxury, envy, avarice, drunkenness, and the like, yet these are tolerated—vices as they are—because they cannot be prevented by legal enactments. How much more then should free thought be granted, seeing that it is in itself a virtue and that it cannot be crushed! Besides, the evil results can easily be checked, as I will show, by the secular authorities, not to mention that such freedom is absolutely necessary for progress in science and the liberal arts: for no man follows such pursuits to advantage unless his judgment be entirely free and unhampered.

X [But let it be granted that freedom may be crushed, and men be so bound down, that they do not dare to utter a whisper, save at the bidding of their rulers; nevertheless this can never be carried to the pitch of making them think according to authority, so that the necessary consequences would be that men would daily be thinking one thing and saying another, to the corruption of good faith, that mainstay of government, and to the fostering of hateful flattery and perfidy, whence spring stratagems, and the corruption of every good art.

It is far from possible to impose uniformity of speech, for the more rulers strive to curtail freedom of speech, the more obstinately are they resisted; not indeed by the avaricious, the flatterers, and other numskulls, who think supreme salvation consists in filling their stomachs and gloating over their moneybags, but by those whom good education, sound morality, and virtue have rendered more free. Men, as generally constituted, are most prone to resent the branding as criminal of opinions

are those who condemn other men's writings, and seditiously stir up the quarrelsome masses against their authors, rather than those authors themselves, who generally write only for the learned, and appeal solely to reason. In fact, the real disturbers of the peace are those who, in a free state, seek to curtail the liberty of judgment which they are unable to tyrannize over.

I have thus shown:—I. That it is impossible to deprive men of the liberty of saying what they think. II. That such liberty can be conceded to every man without injury to the rights and authority of the sovereign power, and that every man may retain it without injury to such rights, provided that he does not presume upon it to the extent of introducing any new rights into the state, or acting in any way contrary to the existing laws. III. That every man may enjoy this liberty without detriment to the public peace, and that no inconveniences arise therefrom which cannot easily be checked. IV. That every man may enjoy it without injury to his allegiance. V. That laws dealing with speculative problems are entirely useless. VI. Lastly, that not only may such liberty be granted without prejudice to the public peace, to loyalty, and to the rights of rulers, but that it is even necessary for their preservation. For when people try to take it away, and bring to trial, not only the acts which alone are capable of offending, but also the opinions of mankind, they only succeed in surrounding their victims with an appearance of martyrdom, and raise feelings of pity and revenge rather than of terror. Uprightness and good faith are thus corrupted, flatterers and traitors are encouraged, and sectarians triumph, inasmuch as concessions have been made to their animosity, and they have gained the state sanction for the doctrines of which they are the interpreters. Hence they arrogate to themselves the state authority and rights, and do not scruple to assert that they have been directly chosen by God, and that their laws are Divine, whereas the laws of the

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AUTHOR'S NOTES

CHAPTER XVI

1. In the state of social life, where general right determines what is good or evil, stratagem is rightly distinguished as of two kinds, good and evil. But in the state of Nature, where every man is his own judge, possessing the absolute right to lay down laws for himself, to interpret them as he pleases, or to abrogate them if he thinks it convenient, it is not conceivable that stratagem should be evil.

x 2. Whatever be the social state a man finds himself in, he may be free. For certainly a man is free, in so far as he is led by reason. Now reason (though Hobbes thinks otherwise) is always on the side of peace, which cannot be attained unless the general laws of the state be respected. Therefore the more a man is led by reason—in other words, the more he is free, the more constantly will he respect the laws of his country, and obey the commands of the sovereign power to which he is subject.

3. When Paul says that men have in themselves no refuge, he speaks as a man: for in the ninth chapter of the same epistle he expressly teaches that God has mercy on whom He will, and that men are without excuse, only because they are in God's power like clay in the hands of a potter, who out of the same lump makes vessels, some for honour and some for dishonour, not because they have been forewarned. As regards the Divine natural law whereof the chief commandment is, as we have said, to love God, I have called it a law in the same sense, as philosophers style laws those general rules of nature, according to which everything happens. For the love of God is not a state of obedience: it is a virtue which necessarily exists in a man who knows God rightly. Obedience has regard to the will of a

BENEDICT DE SPINOZA'S POLITICAL
TREATISE

WHEREIN IS DEMONSTRATED, HOW THE SOCIETY IN
WHICH MONARCHICAL DOMINION FINDS PLACE,
AS ALSO THAT IN WHICH THE DOMINION
IS ARISTOCRATIC, SHOULD BE ORDERED,
SO AS NOT TO LAPSE INTO A
TYRANNY, BUT TO PRESERVE
INVIOULATE THE PEACE
AND FREEDOM OF
THE CITIZENS

(TRACTATUS POLITICUS)

esteemed more crafty than learned. No doubt nature has taught them, that vices will exist, while men do. And so, while they study to anticipate human wickedness, and that by arts, which experience and long practice have taught, and which men generally use under the guidance more of fear than of reason, they are thought to be enemies of religion, especially by divines, who believe that supreme authorities should handle public affairs in accordance with the same rules of piety, as bind a private individual. Yet there can be no doubt, that statesmen have written about politics far more happily than philosophers. For, as they had experience for their mistress, they taught nothing that was inconsistent with practice.

3. And, certainly, I am fully persuaded that experience has revealed all conceivable sorts of commonwealth (*civitas*), which are consistent with men's living in unity, and likewise the means by which the multitude may be guided or kept within fixed bounds. So that I do not believe that we can by meditation discover in this matter anything not yet tried and ascertained, which shall be consistent with experience or practice. For men are so situated, that they cannot live without some general law. But general laws and public affairs are ordained and managed by men of the utmost acuteness, or, if you like, of great cunning or craft. And so it is hardly credible, that we should be able to conceive of anything serviceable to a general society (*Societas communis*), that occasion or chance has not offered, or that men, intent upon their common affairs, and seeking their own safety, have not seen for themselves.

4. Therefore, on applying my mind to politics, 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

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A POLITICAL TREATISE
(TRACTATUS POLITICUS)

CHAPTER I

INTRODUCTION

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. And so they think they are doing something wonderful, and reaching the pinnacle of learning, when they are clever enough to bestow manifold praise on such human nature, as is nowhere to be found, and to make verbal attacks on that which, in fact, exists. For they conceive of men, not as they are, but as they themselves would like them to be. Whence it has come to pass that, instead of ethics, they have generally written satire, and that they have never conceived a theory of politics, which could be turned to use, but such as might be taken for a chimera, or might have been formed in Utopia, or in that golden age of the poets when, to be sure, there was least need of it. Accordingly, as in all sciences, which have a useful application, so especially in that of politics, theory is supposed to be at variance with practice; and no men are esteemed less fit to direct public affairs than theorists or philosophers.

2. But statesmen, on the other hand, are suspected of plotting against mankind, rather than consulting their interests, and are

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.¹

¹ With this, and the opening paragraph above, compare the following passage from the famous introductory paragraph of the Ethics, Book III.

"Most writers on the emotions and on human conduct seem to be treating rather of matters outside nature than of natural phenomena following nature's general laws. They appear to conceive man to be situated in nature as a kingdom within a kingdom: for they believe that he disturbs rather than follows nature's order, that he has absolute control over his actions, and that he is determined solely by himself. They attribute human infirmities and fickleness, not to the power of nature in general, but to some mysterious flaw in the nature of man, which accordingly they bemoan, deride, despise, or, as usually happens, abuse: he, who succeeds in hitting off the weakness of the human mind more eloquently or more acutely than his fellows, is looked upon as a seer. Still there has been no lack of very excellent men (to whose toil and industry I confess myself much indebted), who have written many noteworthy things concerning the right way of life, and have given much sage advice to mankind. But no one, so far as I know, has defined the nature and strength of the emotions, and the power of the mind against them for their restraint.

"I do not forget, that the illustrious Descartes, though he believed, that the mind has absolute power over its actions, strove to explain human emotions by their primary causes, and, at the same time, to point out a way, by which the mind might attain to absolute dominion over them. However, in my opinion, he accomplishes nothing beyond a display of the acuteness of his own great intellect, as I will show in the proper place. For the present I wish to revert to those, who would rather abuse or deride human emotions than understand them. Such persons will, doubtless, think it strange that I should attempt to treat of human vice and

5. For this is certain, and we have proved its truth in our Ethics,² that men are of necessity liable to passions, and so constituted as to pity those who are ill, and envy those who are well off; and to be prone to vengeance more than to mercy: and moreover, that every individual wishes the rest to live after his own mind, and to approve what he approves, and reject what he rejects. And so it comes to pass, that, as all are equally eager to be first, they fall to strife, and do their utmost mutually to oppress one another; and he who comes out conqueror is more proud of the harm he has done to the other, than of the good he has done to himself. And although all are persuaded, that religion, on the contrary, teaches every man to love his neighbour as himself, that is to defend another's right just as much as his own, yet we showed that this persuasion has too little power over the passions. It avails, indeed, in the hour of death, when disease has subdued the very passions,

fully geometrically, and should wish to set forth with rigid reasoning those matters which they cry out against as repugnant to reason, frivolous, absurd, and dreadful. However, such is my plan. Nothing comes to pass in nature, which can be set down to a flaw therein; for nature is always the same, and everywhere one and the same in her efficacy and power of action; that is, nature's laws and ordinances, whereby all things come to pass and change from one form to another, are everywhere and always the same; so that there should be one and the same method of understanding the nature of all things whatsoever, namely, through nature's universal laws and rules. Thus the passions of hatred, anger, envy, and so on, considered in themselves, follow from this same necessity and efficacy of nature; they answer to certain definite causes, through which they are understood, and possess certain properties as worthy of being known as the properties of anything else, whereof the contemplation in itself affords us delight. I shall, therefore, treat of the nature and strength of the emotions according to the same method, as I employed heretofore in my investigations concerning God and the mind. I shall consider human actions and desires in exactly the same manner, as though I were concerned with lines, planes, and solids."

² Ethics, III, 1; IV, 4, Coroll.; III. 31, note; 32, note; IV. App. 4, 13; IV. 58, note, 15.

and man lies inert, or in temples, where men hold no traffic, but least of all, where it is most needed, in the law-court or the palace. We showed too, that reason can, indeed, do much to restrain and moderate the passions, but we saw at the same time, that the road, which reason herself points out, is very steep; so that such as persuade themselves, that the multitude or men distracted by politics can ever be induced to live according to the bare dictate of reason, must be dreaming of the poetic golden age, or of a stage-play.

6. A dominion (*Imperium*)³ then, whose well-being depends on any man's good faith, and whose affairs cannot be properly administered, unless those who are engaged in them will act honestly, will be very unstable. On the contrary, to insure its permanence, its public affairs should be so ordered, that those who administer them, whether guided by reason or passion, cannot be led to act treacherously or basely. Nor does it matter to the security of a dominion, in what spirit men are led to rightly administer its affairs. For liberality of spirit, or courage, is a private virtue; but the virtue of a state is its security.

7. Lastly, inasmuch as all men, whether barbarous or civilized, everywhere frame customs, and form some kind of civil state, we must not, therefore, look to proofs of reason for the causes and natural bases of dominion, but derive them from the general nature or condition of mankind, as I mean to do in the next chapter.

³ Elwes's translation of *imperium*, "dominion" has been retained. Spinoza means by the term the fact of social organization with its principle of authority. "The state" or "government" would be a suitable translation in some cases, but not in all.

X natural things exist and operate is the very power of God itself, we easily understand what natural right (*jus naturae*) is. For as God has a right to everything, and God's right is nothing else, but his very power, as far as the latter is considered to be absolutely free; it follows from this, that every natural thing has by nature as much right, as it has power to exist and operate; since the natural power of every natural thing, whereby it exists and operates, is nothing else but the power of God, which is absolutely free.

+ 4. And so by natural right I understand the very laws or rules of nature, in accordance with which everything takes place, in other words, the power of nature itself. And so the natural right of universal nature, and consequently of every individual thing, extends as far as its power: and accordingly, whatever any man does after the laws of his nature, he does by the highest natural right, and he has as much right according to nature as he has power.⁴

5. If then human nature had been so constituted, that men should live according to the mere dictate of reason, and attempt nothing inconsistent therewith, in that case natural right, considered as special to mankind, would be determined by the power of reason only. But men are more led by blind desire, than by reason: and therefore the natural power or right of human beings should be limited, not by reason, but by every appetite, whereby they are determined to action, or seek their own preservation. I, for my part, admit, that those desires, which arise not from reason, are not so much actions as passive affections (*passiones*) of man. But as we are treating here of the universal power or right of nature, we cannot here recognize any distinction between desires, which are engendered in us by reason, and those which are engendered by other causes; since the latter, as much as the former, are effects of nature,

⁴ Cf. the selection from Ch. IV of the *T. T.-P.*, above, pp. 17-23.

and display the natural impulse, by which man strives to continue in existence. For man, be he learned or ignorant, is part of nature, and everything, by which any man is determined to action, ought to be referred to the power of nature, that is, to that power, as it is limited by the nature of this or that man. For man, whether guided by reason or desire alone, does nothing save in accordance with the laws and rules of nature, that is, by natural right. (Section 4.)

6. But most people believe, that the ignorant rather disturb than follow the course of nature, and conceive of mankind in nature as of one dominion within another. For they maintain, that the human mind is produced by no natural causes, but created directly by God, and is so independent of other things, that it has an absolute power to determine itself, and make a right use of reason. Experience, however, teaches us but too well, that it is no more in our power to have a sound mind, than a sound body. Next, inasmuch as everything whatever, as far as in it lies, strives to preserve its own existence, we cannot at all doubt, that, were it as much in our power to live after the dictate of reason, as to be led by blind desire, all would be led by reason, and order their lives wisely; which is very far from being the case, for everyone is led by his own pleasure. Nor do divines remove this difficulty, at least not by deciding, that the cause of this want of power is a vice or sin in human nature, deriving its origin from our first parents' fall. For if it was even in the first man's power as much to stand as to fall, and he was in possession of his senses, and had his nature unimpaired, how could it be, that he fell in spite of his knowledge and foresight? But they say, that he was deceived by the devil. Who then was it, that deceived the devil himself? Who, I say, so maddened the very being that excelled all other created intelligences, that he wished to be greater than God? For was not *his* effort too, supposing him of sound mind, to

Confusion of nature = essence with nature = existence

preserve himself and his existence, as far as in him lay? Besides, how could it happen, that the first man himself, being in his senses, and master of his own will, should be led astray, and suffer himself to be taken mentally captive? For if he had the power to make a right use of reason, it was not possible for him to be deceived, for as far as in him lay, he of necessity strove to preserve his existence and his soundness of mind. But the hypothesis is, that he had this in his power; therefore he of necessity maintained his soundness of mind, and could not be deceived. But this from his history, is known to be false. And, accordingly, it must be admitted, that it was not in the first man's power to make a right use of reason, but that, like us, he was subject to passions.

7. But that man, like other beings, as far as in him lies, strives to preserve his existence, no one can deny. For if any distinction could be conceived on this point, it must arise from man's having a free will. But the freer we conceived man to be, the more we should be forced to maintain, that he must of necessity preserve his existence and be in possession of his senses; as anyone will easily grant me, that does not confound liberty with contingency. For liberty is a virtue, or excellence. Whatever, therefore, convicts a man of weakness cannot be ascribed to his liberty. And so man can by no means be called free, because he is able not to exist or not to use his reason, but only in so far as he preserves the power of existing and operating according to the laws of human nature. The more, therefore, we consider man to be free, the less we can say, that he can neglect to use reason, or choose evil in preference to good; and, therefore, God, who exists in absolute liberty, also understands and operates of necessity, that is, exists, understands, and operates according to the necessity of his own nature. For there is no doubt, that God operates by the same liberty whereby he exists. As then he exists by the necessity

Conflict between part & whole

of his own nature, by the necessity of his own nature also he acts, that is, he acts with absolute liberty.

8. So we conclude, that it is not in the power of any man always to use his reason, and be at the highest pitch of human liberty, and yet that everyone always, as far as in him lies, strives to preserve his own existence; and that (since each has as much right as he has power) whatever anyone, be he learned or ignorant, attempts and does, he attempts and does by supreme natural right. From which it follows that the law and ordinance of nature, under which all men are born, and for the most part live, forbids nothing but what no one wishes or is able to do, and is not opposed to strifes, hatred, anger, treachery, or, in general, anything that appetite suggests. No wonder in this, for nature is not bound by the laws of human reason, which do but pursue the true interest and preservation of mankind, but by other infinite laws, which regard the eternal order of universal nature, whereof man is an atom; and according to the necessity of this order only are all individual beings determined in a fixed manner to exist and operate. Whenever, then, anything in nature seems to us ridiculous, absurd, or evil, it is because we have but a partial knowledge of things, and are in the main ignorant of the order and coherence of nature as a whole, and because we want everything to be arranged according to the dictate of our own reason; although, in fact, what our reason pronounces bad, is not bad as regards the order and laws of universal nature, but only as regards the laws of our own nature taken separately.

9. Besides, it follows that everyone is so far rightfully dependent on another, as he is under that other's power, and so far independent, as he is able to repel all violence, and avenge to his heart's content all damage done to him, and in general to live after his own mind.

10. He has another under his power, who holds him bound, or has taken from him arms and means of defence or escape, or inspired him with fear, or so attached him to himself by past favour, that the man obliged would rather please his benefactor than himself, and live after his mind than after his own. He that has another under his power in the first or second of these ways, holds but his body, not his mind. But in the third or fourth way he has made dependent on himself as well the mind as the body of the other; yet only as long as the fear or hope lasts, for upon the removal of the feeling the other is left independent.

11. The faculty of judgment can be dependent on another, only as far as that other can deceive the mind; whence it follows that the mind is so far independent, as it uses reason aright. Nay, inasmuch as human power is to be reckoned less by physical vigour than by mental strength, it follows that those men are most independent whose reason is strongest, and who are most guided thereby. And so I am altogether for calling a man so far free, as he is led by reason; because so far he is determined to action by such causes, as can be adequately understood by his own nature, although by these causes he be necessarily determined to action. For liberty, as we showed above (Sec. 7), does not take away the necessity of acting, but supposes it.

12. The pledging of faith to any man, where one has but verbally promised to do this or that, which one might rightfully leave undone, or vice versâ, remains so long valid as the will of him that gave his word remains unchanged. For he that has power to break faith has, in fact, bated nothing of his own right, but only made a present of words. If, then, he, being by natural right judge in his own case, comes to the conclusion, rightly or wrongly (for "to err is human"), that more harm than profit will come of his promise, by the judgment of his

own mind he decides that the promise should be broken, and by natural right (Sec. 9) he will break the same.

13. If two come together and unite their strength, they have jointly more power, and consequently more right according to nature than both of them separately, and the more there are that have so joined in alliance, the more right they all collectively will possess.

14. In so far as men are tormented by anger, envy, or any passion implying hatred, they are drawn asunder and made contrary one to another, and therefore are so much the more to be feared, as they are more powerful, crafty, and cunning than the other animals. And because men are in the highest degree liable to these passions (Chap. I, Sec. 5), therefore men are naturally enemies. For he is my greatest enemy, whom I must most fear and be on my guard against.

15. But inasmuch as (Sec. 6) in the state of nature each is so long independent, as he can guard against oppression by another, and it is in vain for one man alone to try and guard against all, it follows hence that so long as the natural right of man is determined by the power of every individual, and belongs to everyone, so long it is a nonentity, existing in opinion rather than fact, as there is no assurance of making it good. And it is certain that the greater cause of fear every individual has, the less power, and consequently the less right, he possesses. To this must be added, that without mutual help men can hardly support life and cultivate the mind. And so our conclusion is, that that natural right, which is special to the human race, can hardly be conceived, except where men have general rights (jura communia), and combine to defend the possession of the lands they inhabit and cultivate, to protect themselves, to repel all violence, and to live according to the general judgment of all. For (Sec. 13) the more there are that combine together, the more right they collectively possess. And if this is

one of all: Foundation of justice

x

x

one
of all

x

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.⁵

16. Where men have general rights, and are all guided, as it were, by one mind, it is certain (Sec. 13), that every individual has the less right the more the rest collectively exceed him in power; that is, he has, in fact, no right by nature but that which the common law allows him. But whatever he is ordered by the general consent, he is bound to execute, or may rightfully be compelled thereto (Sec. 4).

17. This right, which is determined by the power of a multitude, is generally called Dominion (*Imperium*). And, speaking generally, he holds dominion absolutely, to whom are entrusted by common consent affairs of state—such as the laying down, interpretation, and abrogation of laws, the fortification of cities, deciding on war and peace, &c. But if this charge belong to a council, composed of the general multitude, then the dominion is called a democracy (*Democratia*);⁶ if the council be composed of certain chosen persons, then it is an aristocracy (*Aristocratia*); and if, lastly, the care of affairs of state and, consequently, the dominion rest with one man, then it has the name of monarchy (*Monarchia*).

18. From what we have proved in this chapter, it becomes clear to us that, in the state of nature, wrong-doing is impossible; or, if anyone does wrong, it is to himself, not to another.⁷ For no one by the law of nature is bound to please another, unless he chooses, nor to hold anything to be good or evil, but what he himself, according to his own temperament, pronounces to be so; and, to speak generally, nothing is forbidden by the law of nature, except what is beyond everyone's power

⁵ Cf. the selection from Ch. V of the *T. T.-P.*, above, pp. 24-26.

⁶ Cf. Ch. XVI of the *T. T.-P.*, above, pp. 32-35.

⁷ Cf. Ch. XVI of the *T. T.-P.*, above, pp. 27-32.

(Secs. 5 and 8). But wrongdoing is action, which cannot lawfully be committed. But if men by the ordinance of nature were bound to be led by reason, then all of necessity would be so led. For the ordinances (*instituta*) of nature are the ordinances of God (Secs. 2, 3), which God has instituted by the liberty, whereby he exists, and they follow, therefore, from the necessity of the divine nature (Sec. 7), and, consequently, are eternal, and cannot be broken. But men are chiefly guided by appetite, without reason; yet for all this they do not disturb the course of nature, but follow it of necessity. And, therefore, a man ignorant and weak of mind, is no more bound by natural law to order his life wisely, than a sick man is bound to be sound of body.

19. Therefore wrong-doing cannot be conceived of, but under dominion—that is, where, by the general right of the whole dominion (*Ex communi totius imperii jure*), it is decided what is good and what evil, and where no one does anything rightfully, save what he does in accordance with the general decree or consent (Sec. 16). For that, as we said in the last section, is wrong-doing, which cannot lawfully be committed, or is by law forbidden. But obedience is the constant will to execute that, which by law is good, and by the general decree ought to be done.⁸

20. Yet we are accustomed to call that also wrong, which is done against the sentence of sound reason, and to give the name of obedience to the constant will to moderate the appetite according to the dictate of reason: a manner of speech which I should quite approve, did human liberty consist in the licence of appetite, and slavery in the dominion of reason. But as human liberty is the greater, the more man can be guided by reason, and moderate his appetite, we cannot without great

⁸ Cf. Ch. XVI of the *T. T.-P.*, above, pp. 34-35, and Ch. XIX, pp. 50-53.

Reason = passion; something which empowers
itself.

impropriety call a rational life obedience, and give the name of wrong-doing to that which is, in fact, a weakness of the mind, not a licence of the mind directed against itself, and for which a man may be called a slave, rather than free (Secs. 7 and 11).

21. However, as reason teaches one to practise piety, and be of a calm and gentle spirit, which cannot be done save under dominion; and, further, as it is impossible for a multitude to be guided, as it were, by one mind, as under dominion is required, unless it has laws ordained according to the dictate of reason; men who are accustomed to live under dominion are not, therefore, using words so improperly, when they call that wrong-doing which is done against the sentence of reason, because the laws of the best dominion ought to be framed according to that dictate (Sec. 18). But, as for my saying (Sec. 18) that man in a state of nature, if he does wrong at all, does it against himself, see, on this point, Chap. IV., Secs. 4, 5, where is shown, in what sense we can say, that he who holds dominion and possesses natural right, is bound by laws and can do wrong.

22. As far as religion is concerned, it is further clear, that a man is most free and most obedient to himself when he most loves God, and worships him in sincerity. But so far as we regard, not the course of nature, which we do not understand, but the dictates of reason only, which respect religion, and likewise reflect that these dictates are revealed to us by God, speaking, as it were, within ourselves, or else were revealed to prophets as laws; so far, speaking in human fashion, we say that man obeys God when he worships him in sincerity, and, on the contrary, does wrong when he is led by blind desire. But, at the same time, we should remember that we are subject to God's power, as clay to that of the potter, who of the same lump makes some vessels unto honour, and others unto dishonour. And thus man can, indeed, act contrarily to the

Wrong begins with property!

decrees of God, as far as they have been written like laws in the minds of ourselves or the prophets, but against that eternal decree of God, which is written in universal nature, and has regard to the course of nature as a whole, he can do nothing.

23. As, then, wrong-doing and obedience, in their strict sense, so also justice and injustice cannot be conceived of, except under dominion. Nature offers nothing that can be called this man's rather than another's; but under nature everything belongs to all—that is, they have authority to claim it for themselves. But under dominion, where it is by common law determined what belongs to this man, and what to that, he is called just who has a constant will to render to every man his own, but he unjust who strives, on the contrary, to make his own that which belongs to another.

24. But that praise and blame are emotions of joy and sadness, accompanied by an idea of human excellence or weakness as their cause, we have explained in our Ethics.

Proper-
ty

CHAPTER III

OF THE RIGHT OF SUPREME AUTHORITIES¹

UNDER every dominion the state is said to be Civil; but the entire body subject to a dominion is called a Commonwealth (*Civitas*) and the general business of the dominion, subject to the direction of him that holds it, has the name of Affairs of State (*Respublica*). Next we call men Citizens, as far as they enjoy by the civil law all the advantages of the commonwealth, and Subjects, as far as they are bound to obey its ordinances or laws. Lastly, we have already said that, of the civil state, there are three kinds—democracy, aristocracy, and monarchy (Chap. II. Sec. 17). Now, before I begin to treat of each kind separately, I will first deduce all the properties of the civil state (*status civilis*) in general. And of these, first of all comes to be considered the supreme right of the commonwealth, or the right of the supreme authorities.

2. From Chap. II. Sec. 15, it is clear that the right of the supreme authorities is nothing else than natural right itself, limited, indeed, by the power, not of every individual, but of the multitude, which is guided, as it were, by one mind—that is, as each individual in the state of nature, so the body and mind of a dominion have as much right as they have power. And thus each single citizen or subject has the less right, the more the commonwealth exceeds him in power (Chap. II. Sec. 16), and each citizen consequently does and has nothing, but what he may by the general decree of the commonwealth defend.

¹ Cf. Ch. XVI of the *T.T.-P.*, above.

of the dominion: then Division of power = destroying power

3. If the commonwealth grant to any man the right, and therewith the authority (for else it is but a gift of words, Chap. II. Sec. 12) to live after his own mind, by that very act it abandons its own right, and transfers the same to him, to whom it has given such authority. But if it has given this authority to two or more, I mean authority to live each after his own mind, by that very act it has divided the dominion, and if, lastly, it has given this same authority to every citizen, it has thereby destroyed itself, and there remains no more a commonwealth, but everything returns to the state of nature; all of which is very manifest from what goes before. And thus it follows, that it can by no means be conceived, that every citizen should by the ordinance of the commonwealth live after his own mind, and accordingly this natural right of being one's own judge ceases in the civil state. I say expressly "by the ordinance of the commonwealth," for, if we weigh the matter aright, the natural right of every man does not cease in the civil state. For man, alike in the natural and in the civil state, acts according to the laws of his own nature, and consults his own interest. Man, I say, in each state is led by fear or hope to do or leave undone this or that; but the main difference between the two states is this, that in the civil state all fear the same things, and all have the same ground of security, and manner of life; and this certainly does not do away with the individual's faculty of judgment. For he that is minded to obey all the commonwealth's orders, whether through fear of its power or through love of quiet, certainly consults after his own heart his own safety and interest.

4. Moreover, we cannot even conceive, that every citizen should be allowed to interpret the commonwealth's decrees or laws. For were every citizen allowed this, he would thereby be his own judge, because each would easily be able to give a

Human nature = nature in man = hope & fear & own interest

faculty of judgment is of no avail

colour of right to his own deeds, which by the last section is absurd.

5. We see then, that every citizen depends not on himself, but on the commonwealth, all whose commands he is bound to execute, and has no right to decide, what is equitable or iniquitous, just or unjust. But, on the contrary, as the body of the dominion should, so to speak, be guided by one mind, and consequently the will of the commonwealth must be taken to be the will of all; what the state decides to be just and good must be held to be so decided by every individual. And so, however iniquitous the subject may think the commonwealth's decisions, he is none the less bound to execute them.²

6. But (it may be objected) is it not contrary to the dictate of reason to subject one's self wholly to the judgment of another, and consequently, is not the civil state repugnant to reason? Whence it would follow, that the civil state is irrational, and could only be created by men destitute of reason, not at all by such as are led by it. But since reason teaches nothing contrary to nature, sound reason cannot therefore dictate, that every one should remain independent, so long as men are liable to passions (Chap. II. Sec. 15), that is, reason pronounces against such independence (Chap. I. Sec. 5). Besides, reason altogether teaches to seek peace, and peace cannot be maintained, unless the commonwealth's general laws be kept unbroken. And so, the more a man is guided by reason, that is (Chap. II. Sec. 11), the more he is free, the more constantly he will keep the laws of the commonwealth, and execute the commands of the supreme authority, whose subject he is. Furthermore, the civil state is naturally ordained to remove general fear, and prevent general sufferings, and therefore pursues above everything the very end, after which everyone, who is led by reason, strives, but in the natural state strives vainly (Chap.

² Cf. the selection from Ch. XVII of the T.T.-P., above, pp. 43-47.

This part
merits

cf. 92

Passions = Nature in Man
Reason = not contrary to nature = faculty of
judging = intellectual

II. Sec. 15). Wherefore, if a man who is led by reason, has sometimes to do by the commonwealth's order what he knows to be repugnant to reason, that harm is far compensated by the good, which he derives from the existence of a civil state. For it is reason's own law, to choose the less of two evils; and accordingly we may conclude, that no one is acting against the dictate of his own reason, so far as he does what by the law of the commonwealth is to be done. And this anyone will more easily grant us, after we have explained, how far the power and consequently the right of the commonwealth extends.

7. For, first of all, it must be considered, that, as in the state of nature the man who is led by reason is most powerful and most independent, so too that commonwealth will be most powerful and most independent, which is founded and guided by reason (Chapter II. Sec. 11). For the right of the commonwealth is determined by the power of the multitude, which is led, as it were, by one mind. But this unity of mind can in no wise be conceived, unless the commonwealth pursues chiefly the very end, which sound reason teaches is to the interest of all men.

8. In the second place it comes to be considered, that subjects are so far dependent not on themselves, but on the commonwealth, as they fear its power or threats, or as they love the civil state (Chap. II. Sec. 10). Whence it follows, that such things, as no one can be induced to do by rewards or threats, do not fall within the rights of the commonwealth. For instance, by reason of his faculty of judgment, it is in no man's power to believe.³ For by what rewards or threats can a man be brought to believe, that the whole is not greater than its part, or that God does not exist, or that that is an infinite being, which he sees to be finite, or generally anything con-

³ Cf. Ch. XX of the T.T.-P., above.

The standard of reason: reward & threats, not persuasion or insight etc. A seeming Hobbesian. (Brook)

trary to his sense or thought? So, too, by what rewards or threats can a man be brought to love one, whom he hates, or to hate one, whom he loves? And to this head must likewise be referred such things as are so abhorrent to human nature, that it regards them as actually worse than any evil, as that a man should be witness against himself, or torture himself, or kill his parents, or not strive to avoid death, and the like, to which no one can be induced by rewards or threats. But if we still choose to say, that the commonwealth has the right or authority to order such things, we can conceive of it in no other sense, than that in which one might say, that a man has the right to be mad or delirious. For what but a delirious fancy would such a right be, as could bind no one? And here I am speaking expressly of such things as cannot be subject to the right of a commonwealth and are abhorrent to human nature in general. For the fact, that a fool or madman can by no rewards or threats be induced to execute orders, or that this or that person, because he is attached to this or that religion, judges the laws of a dominion worse than any possible evil, in no wise makes void the laws of the commonwealth, since by them most of the citizens are restrained. And so, as those who are without fear or hope are so far independent (Chap. II. Sec. 10), they are, therefore, enemies of the dominion (Chap. II. Sec. 14), and may lawfully be coerced by force.

9. Thirdly and lastly, it comes to be considered, that those things are not so much within the commonwealth's right, which cause indignation in the majority. For it is certain, that by the guidance of nature men conspire together, either through common fear, or with the desire to avenge some common hurt; and as the right of the commonwealth is determined by the common power of the multitude, it is certain that the power and right of the commonwealth are so far diminished, as it gives occasion for many to conspire together. There are cer-

tainly some subjects of fear for a commonwealth, and as every separate citizen or in the state of nature every man, so a commonwealth is the less independent, the greater reason it has to fear. So much for the right of supreme authorities over subjects. Now before I treat of the right of the said authorities as against others, we had better resolve a question commonly mooted about religion.

10. For it may be objected to us, Do not the civil state, and the obedience of subjects, such as we have shown is required in the civil state, do away with religion, whereby we are bound to worship God? But if we consider the matter, as it really is, we shall find nothing that can suggest a scruple. For the mind, so far as it makes use of reason, is dependent, not on the supreme authorities, but on itself (Chap. II. Sec. 11). And so the true knowledge and the love of God cannot be subject to the dominion of any, nor yet can charity towards one's neighbour (Sec. 8). And if we further reflect, that the highest exercise of charity is that which aims at keeping peace and joining in unity, we shall not doubt that he does his duty, who helps everyone, so far as the commonwealth's laws, that is so far as unity and quiet allow. As for external rites, it is certain, that they can do no good or harm at all in respect of the true knowledge of God, and the love which necessarily results from it; and so they ought not to be held of such importance, that it should be thought worth while on their account to disturb public peace and quiet.⁴ Moreover it is certain,

⁴ Spinoza everywhere maintains a fundamental distinction between the "outward observances of piety and the external rites of religion" on the one hand, and piety itself, "the inward worship of God" or "the means by which the mind is inwardly led to do homage to God in singleness of heart" on the other hand. Over the latter the sovereign can have no power and therefore no right. The following citation, from Ch. XIV of the *T. T.-P.*, may be collated with relevant passages in Chs. XVI, XIX, and XX printed above in this volume:

"As, then, each man's faith must be judged pious or impious only in

*But: neither a few nor a Christian man
worship put outside all commonwealths /*

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x x x
Philosophy
philosophy

The world is made for a commonwealth is
a Man who needs no sleep, is not subject to
slippage,
102 can the TRACTATUS POLITICUS with etc.

that I am not a champion of religion by the law of nature, that is (Chap. II. Sec. 3), by the divine decree. For I have no authority, as once the disciples of Christ had, to cast out unclean spirits and work miracles; which authority is yet so necessary to the propagating of religion in places where it is forbidden, that without it one not only, as they say, wastes one's time⁵ and trouble, but causes besides very many inconveniences, whereof all ages have seen most mournful examples. Everyone therefore, wherever he may be, can worship God with true religion, and mind his own business, which is the duty of a private man. But the care of propagating religion should be left to God, or the supreme authorities, upon whom alone falls the charge of affairs of state. But I return to my subject.

11. After explaining the right of supreme authorities over citizens and the duty of subjects, it remains to consider the right of such authorities against the world at large, which is now easily intelligible from what has been said. For since (Sec. 2) the right of the supreme authorities is nothing else but natural right itself, it follows that two dominions stand towards each other in the same relation as do two men in the state of nature, with this exception, that a commonwealth can provide against being oppressed by another; which a man in the state of nature cannot do, seeing that he is overcome daily by sleep, often by disease or mental infirmity, and in the end

respect of its producing obedience or obstinacy, and not in respect of its truth; and as no one will dispute that men's dispositions are exceedingly varied, that all do not acquiesce in the same things... it follows that there can be no doctrines in the catholic, or universal, religion, which can give rise to controversy among good men... To the universal religion, then, belong only such dogmas as are absolutely required in order to attain obedience to God, and without which such obedience would be impossible; as for the rest, each man... should adopt whatever he thinks best adapted to strengthen his love of justice."

⁵ Literally, "oil and trouble"—a common proverbial expression in Latin.

↑
Commonwealth's
Serpentine

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Treaty does not enter into politics.

by old age, and is besides liable to other inconveniences, from which a commonwealth can secure itself.

12. A commonwealth then is so far independent, as it can plan and provide against oppression by another (Chap. II. Secs. 9, 15), and so far dependent on another commonwealth, as it fears that other's power, or is hindered by it from executing its own wishes, or lastly, as it needs its help for its own preservation or increase (Chap. II. Secs. 10, 15). For we cannot at all doubt, that if two commonwealths are willing to offer each other mutual help, both together are more powerful, and therefore have more right, than either alone (Chap. II. Sec. 13).

13. But this will be more clearly intelligible, if we reflect, that two commonwealths are naturally enemies. For men in the state of nature are enemies (Chap. II. Sec. 14). Those, then, who stand outside a commonwealth, and retain their natural rights, continue enemies. Accordingly, if one commonwealth wishes to make war on another and employ extreme measures to make that other dependent on itself, it may lawfully make the attempt, since it needs but the bare will of the commonwealth for war to be waged. But concerning peace it can decide nothing, save with the concurrence of another commonwealth's will. Whence it follows, that laws of war regard every commonwealth by itself, but laws of peace regard not one, but at the least two commonwealths, which are therefore called "contracting powers."

14. This "contract" (*fœdus*) remains so long unmoved as the motive for entering into it, that is, fear of hurt or hope of gain, subsists. But take away from either commonwealth this hope or fear, and it is left independent (Chap. II. Sec. 10), and the link, whereby the commonwealths were mutually bound, breaks of itself. And therefore every commonwealth has the right to break its contract, whenever it chooses, and

*Each speaks still of man (prin) & there they speak
of "shakes". But morally the same. Justification: Success
= Famine in war. Fear & Hope = Power in the other & Sp. of
of. the will.*

cannot be said to act treacherously or perfidiously in breaking its word, as soon as the motive of hope or fear is removed. For every contracting party was on equal terms in this respect, that whichever could first free itself of fear should be independent, and make use of its independence after its own mind; and, besides, no one makes a contract respecting the future, but on the hypothesis of certain precedent circumstances. But when these circumstances change, the reason of policy applicable to the whole position changes with them; and therefore every one of the contracting commonwealths retains the right of consulting its own interest, and consequently endeavours, as far as possible, to be free from fear and thereby independent, and to prevent another from coming out of the contract with greater power. If then a commonwealth complains that it has been deceived, it cannot properly blame the bad faith of another contracting commonwealth, but only its own folly in having entrusted its own welfare to another party, that was independent, and had for its highest law the welfare of its own dominion.

15. To commonwealths, which have contracted a treaty of peace, it belongs to decide the questions, which may be mooted about the terms or rules of peace, whereby they have mutually bound themselves, inasmuch as laws of peace regard not one commonwealth, but the commonwealths which contract taken together (Sec. 13). But if they cannot agree together about the conditions, they by that very fact return to a state of war.

16. The more commonwealths there are, that have contracted a joint treaty of peace, the less each of them by itself is an object of fear to the remainder, or the less it has the authority to make war. But it is so much the more bound to observe the conditions of peace; that is (Sec. 13), the less independent, and the more bound to accommodate itself to the general will of the contracting parties.

17. But the good faith, inculcated by sound reason and religion, is not hereby made void; for neither reason nor Scripture teaches one to keep one's word in every case. For if I have promised a man, for instance, to keep safe a sum of money he has secretly deposited with me, I am not bound to keep my word, from the time that I know or believe the deposit to have been stolen, but I shall act more rightly in endeavouring to restore it to its owners. So likewise, if the supreme authority has promised another to do something, which subsequently occasion or reason shows or seems to show is contrary to the welfare of its subjects, it is surely bound to break its word. As then Scripture only teaches us to keep our word in general, and leaves to every individual's judgment the special cases of exception, it teaches nothing repugnant to what we have just proved.

18. But that I may not have so often to break the thread of my discourse, and to resolve hereafter similar objections, I would have it known that all this demonstration of mine proceeds from the necessity of human nature, considered in what light you will—I mean, from the universal effort of all men after self-preservation, an effort inherent in all men, whether learned or unlearned. And therefore, however one considers men are led, whether by passion or by reason, it will be the same thing; for the demonstration, as we have said, is of universal application.

done, and, with a view to peace, to send and give audience to ambassadors; and, finally, to levy the costs of all this.

3. Since, then, it is the right of the supreme authority alone to handle public matters, or choose officials to do so, it follows, that that subject is a pretender to the dominion, who, by his own decision and without the supreme council's knowledge, enters upon any public matter, although he believe that his design will be to the best interest of the commonwealth.

4. But it is often asked, whether the supreme authority is bound by laws, and, consequently, whether it can do wrong. Now as the words "law" and "wrong-doing" often refer not merely to the laws of a commonwealth, but also to the general rules which concern all natural things, and especially to the general rules of reason, we cannot, without qualification, say that the commonwealth is bound by no laws, or can do no wrong. For were the commonwealth bound by no laws or rules, which removed, the commonwealth were no commonwealth, we should have to regard it not as a natural thing (*res naturalis*), but as a chimera. A commonwealth then does wrong, when it does, or suffers to be done, things which may be the cause of its own ruin; and we can say that it then does wrong, in the sense in which philosophers or doctors say that nature does wrong; and in this sense we can say, that a commonwealth does wrong, when it acts against the dictate of reason. For a commonwealth is most independent when it acts according to the dictate of reason (Chap. III. Sec. 7); so far, then, as it acts against reason, it fails itself, or does wrong. And we shall be able more easily to understand this if we reflect, that when we say, that a man can do what he will with his own, this authority must be limited not only by the power of the agent, but by the capacity of the object. If, for instance, I say that I can rightfully do what I will with this table, I do not certainly mean, that I have the right to make

The Commonwealth bound to observe law of nature & dictate of reason and is therefore closer to the philosopher than the "multitude". It is bound only by the civil law.

it eat grass. So, too, though we say, that men depend not on themselves, but on the commonwealth, we do not mean, that men lose their human nature and put on another; nor yet that the commonwealth has the right to make men wish for this or that, or (what is just as impossible) regard with honour things which excite ridicule or disgust. But it is implied, that there are certain intervening circumstances, which supposed, one likewise supposes the reverence and fear of the subjects towards the commonwealth, and which abstracted, one makes abstraction likewise of that fear and reverence, and therewith of the commonwealth itself. The commonwealth, then, to maintain its independence, is bound to preserve the causes of fear and reverence, otherwise it ceases to be a commonwealth. For the person or persons that hold dominion, can no more combine with the keeping up of majesty the running with harlots drunk or naked about the streets, or the performances of a stage-player, or the open violation or contempt of laws passed by themselves, than they can combine existence with non-existence. But to proceed to slay and rob subjects, ravish maidens, and the like, turns fear into indignation and the civil state into a state of enmity.

5. We see, then, in what sense we may say, that a commonwealth is bound by laws and can do wrong. But if by "law" we understand civil law, and by "wrong" that which, by civil law, is forbidden to be done, that is, if these words be taken in their proper sense, we cannot at all say, that a commonwealth is bound by laws, or can do wrong. For the maxims and motives of fear and reverence, which a commonwealth is bound to observe in its own interest, pertain not to civil jurisprudence, but to the law of nature, since (Sec. 4) they cannot be vindicated by the civil law, but by the law of war. And a commonwealth is bound by them in no other sense than that in which in the state of nature a man is bound to

take heed, that he preserve his independence and be not his own enemy, lest he should destroy himself; and in this taking heed lies not the subjection, but the liberty of human nature. But civil jurisprudence depends on the mere decree of the commonwealth, which is not bound to please any but itself, nor to hold anything to be good or bad, but what it judges to be such for itself. And, accordingly, it has not merely the right to avenge itself, or to lay down and interpret laws, but also to abolish the same, and to pardon any guilty person out of the fulness of its power.

6. Contracts or laws, whereby the multitude transfers its right to one council or man, should without doubt be broken, when it is expedient for the general welfare to do so. But to decide this point, whether, that is, it be expedient for the general welfare to break them or not, is within the right of no private person, but of him only who holds dominion (Sec. 3); therefore of these laws he who holds dominion remains sole interpreter. Moreover, no private person can by right vindicate these laws, and so they do not really bind him who holds dominion. Notwithstanding, if they are of such a nature that they cannot be broken, without at the same time weakening the commonwealth's strength, that is, without at the same time changing to indignation the common fear of most of the citizens, by this very fact the commonwealth is dissolved, and the contract comes to an end; and therefore such contract is vindicated not by the civil law, but by the law of war. And so he who holds dominion is not bound to observe the terms of the contract by any other cause than that, which bids a man in the state of nature to beware of being his own enemy, lest he should destroy himself, as we said in the last section.

the quite abstraction of power

CHAPTER V

OF THE BEST STATE OF A DOMINION

IN Chap. II. Sec. 2, we showed, that man is then most independent, when he is most led by reason, and, in consequence (Chap. III. Sec. 7), that that commonwealth is most powerful and most independent, which is founded and guided by reason. But, as the best plan of living, so as to assure to the utmost self-preservation, is that which is framed according to the dictate of reason, therefore it follows, that that in every kind is best done, which a man or commonwealth does, so far as he or it is in the highest degree independent. For it is one thing to till a field by right, and another to till it in the best way. One thing, I say, to defend or preserve one's self, and to pass judgment by right, and another to defend or preserve one's self in the best way, and to pass the best judgment; and, consequently, it is one thing to have dominion and care of affairs of state by right, and another to exercise dominion and direct affairs of state in the best way. And so, as we have treated of the right of every commonwealth in general, it is time to treat of the best state of every dominion.¹

2. Now the quality of the state of any dominion is easily perceived from the end of the civil state, which end is nothing else but peace and security of life. And therefore that dominion is the best, where men pass their lives in unity, and the laws are kept unbroken. For it is certain, that seditions, wars, and contempt or breach of the laws are not so much

¹ Cf. the selection from Ch. XVII of the *T. T.-P.*, above, pp. 43-47.

to be imputed to the wickedness of the subjects, as to the bad state of a dominion. For men are not born fit for citizenship, but must be made so. Besides, men's natural passions are everywhere the same; and if wickedness more prevails, and more offences are committed in one commonwealth than in another, it is certain that the former has not enough pursued the end of unity, nor framed its laws with sufficient forethought; and that, therefore, it has failed in making quite good its right as a commonwealth. For a civil state, which has not done away with the causes of seditions, where war is a perpetual object of fear, and where, lastly, the laws are often broken, differs but little from the mere state of nature, in which everyone lives after his own mind at the great risk of his life.

3. But as the vices and inordinate licence and contumacy of subjects must be imputed to the commonwealth, so, on the other hand, their virtue and constant obedience to the laws are to be ascribed in the main to the virtue and perfect right of the commonwealth, as is clear from Chap. II. Sec. 15. And so it is deservedly reckoned to Hannibal as an extraordinary virtue, that in his army there never arose a sedition.

4. Of a commonwealth, whose subjects are but hindered by terror from taking arms, it should rather be said, that it is free from war, than that it has peace. For peace is not mere absence of war, but is a virtue that springs from force of character: for obedience (Chap. II. Sec. 19) is the constant will to execute what, by the general decree of the commonwealth, ought to be done. Besides, that commonwealth, whose peace depends on the sluggishness of its subjects, that are led about like sheep, to learn but slavery, may more properly be called a desert than a commonwealth.

5. When, then, we call that dominion best, where men pass their lives in unity, I understand a human life, defined not by mere circulation of the blood, and other qualities common to

all animals, but above all by reason, the true excellence and life of the mind.

6. But be it remarked that, by the dominion which I have said is established for this end, I intend that which has been established by a free multitude, not that which is acquired over a multitude by right of war. For a free multitude is guided more by hope than fear; a conquered one, more by fear than hope: inasmuch as the former aims at making use of life, the latter but at escaping death. The former, I say, aims at living for its own ends, the latter is forced to belong to the conqueror; and so we say that this is enslaved, but that free. And, therefore, the end of a dominion, which one gets by right of war, is to be master, and have rather slaves than subjects. And although between the dominion created by a free multitude, and that gained by right of war, if we regard generally the right of each, we can make no essential distinction; yet their ends, as we have already shown, and further the means to the preservation of each are very different.

7. But what means a prince, whose sole motive is lust of mastery, should use to establish and maintain his dominion, the most ingenious Machiavelli has set forth at large, but with what design one can hardly be sure. If, however, he had some good design, as one should believe of a learned man, it seems to have been to show, with how little foresight many attempt to remove a tyrant, though thereby the causes which make the prince a tyrant can in no wise be removed, but, on the contrary, are so much the more established, as the prince is given more cause to fear, which happens when the multitude has made an example of its prince, and glories in the parricide as in a thing well done. Moreover, he perhaps wished to show how cautious a free multitude should be of entrusting its welfare absolutely to one man, who, unless in his vanity he thinks he can please everybody, must be in daily fear of plots, and

so is forced to look chiefly after his own interest, and, as for the multitude, rather to plot against it than consult its good. And I am the more led to this opinion concerning that most far-seeing man, because it is known that he was favourable to liberty, for the maintenance of which he has besides given the most wholesome advice.

Three political passions: hope
fear
Desire to avenge
or punish - 131

CHAPTER VI

OF MONARCHY

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 of some common passion—that is (Chap. III. Sec. 9), 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 necessaries of life, it follows that men naturally aspire to the civil state; nor can it happen that men should ever utterly dissolve it.

2. Accordingly, from the quarrels and seditions which are often stirred up in a commonwealth, it never results that the citizens dissolve it, as often happens in the case of other associations; but only that they change its form into some other—that is, of course, if the disputes cannot be settled, and the features of the commonwealth at the same time preserved. Wherefore, by means necessary to preserve a dominion, I intend such things as are necessary to preserve the existing form of the dominion, without any notable change.

3. But if human nature were so constituted, that men most desired what is most useful, no art would be needed to produce unity and confidence. But, as it is admittedly far otherwise with human nature, a dominion must of necessity be so ordered, 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

The compulsion of reason -

OF MONARCHY

115

necessity, shall be compelled to live according to the dictate of reason. And this is the case, if the affairs of the dominion be so managed, that nothing which affects the general welfare is entirely entrusted to the good faith of any one. For no man is so watchful, that he never falls asleep; and no man ever had a character so vigorous and honest, but he sometimes, and that just when strength of character was most wanted, was diverted from his purpose and let himself be overcome. And it is surely folly to require of another what one can never obtain from one's self; I mean, that he should be more watchful for another's interest than his own, that he should be free from avarice, envy, and ambition, and so on; especially when he is one, who is subject daily to the strongest temptations of every passion.

4. But, on the other hand, experience is thought to teach, that it makes for peace and concord, to confer the whole authority upon one man. For no dominion has stood so long without any notable change, as that of the Turks, and on the other hand there were none so little lasting, as those, which were popular or democratic, nor any in which so many seditions arose. 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 housekeeping, to change a father's right into a right of property, and count children but as slaves. Slavery then, not peace, is furthered by handing over to one man the whole authority. For peace, as we said before, consists not in mere absence of war, but in a union or agreement of minds.

5. And in fact they are much mistaken, who suppose that one man can by himself hold the supreme right of a commonwealth. For the only limit of right, as we showed (Chap. II.), is power. But the power of one man is very inadequate to

support so great a load. And hence it arises, that the man, whom the multitude has chosen king, looks out for himself generals, or counsellors, or friends, to whom he entrusts his own and the common welfare; so that the dominion, which is thought to be a perfect monarchy, is in actual working an aristocracy, not, indeed, an open but a hidden one, and therefore the worst of all. Besides which, a king, who is a boy, or ill, or overcome by age, is but king on sufferance; and those in this case have the supreme authority, who administer the highest business of the dominion, or are near the king's person; not to mention, that a lascivious king often manages everything at the caprice of this or that mistress or minion. "I had heard," says Orsines, "that women once reigned in Asia, but for a eunuch to reign is something new."

6. It is also certain, that a commonwealth is always in greater danger from its citizens than from its enemies; for the good are few. Whence it follows, that he, upon whom the whole right of the dominion has been conferred, will always be more afraid of citizens than of enemies, and therefore will look to his own safety, and not try to consult his subjects' interests, but to plot against them, especially against those who are renowned for learning, or have influence through wealth.

7. It must besides be added, that kings fear their sons also more than they love them, and so much the more as the latter are skilled in the arts of war and peace, and endeared to the subjects by their virtues. Whence it comes, that kings try so to educate their sons, that they may have no reason to fear them. Wherein ministers very readily obey the king, and will be at the utmost pains, that the successor may be an inexperienced king, whom they can hold tightly in hand.

8. From all which it follows, that the more absolutely the commonwealth's right is transferred to the king, the less independent he is, and the more unhappy is the condition of his

subjects. And so, that a monarchical dominion may be duly established, it is necessary to lay solid foundations, to build it on; from which may result to the monarch safety, and to the multitude peace; and, therefore, to lay them in such a way, that the monarch may then be most independent, when he most consults the multitude's welfare. But I will first briefly state, what these foundations of a monarchical dominion are, and afterwards prove them in order. 7. 133

9. One or more cities must be founded and fortified, whose citizens, whether they live within the walls, or outside for purposes of agriculture, are all to enjoy the same right in the commonwealth; yet on this condition, that every city provide an ascertained number of citizens for its own and the general defence. But a city, which cannot supply this, must be held in subjection on other terms.

10. The militia must be formed out of citizens alone, none being exempt, and of no others. And, therefore, all are to be bound to have arms, and no one to be admitted into the number of the citizens, till he has learnt his drill, and promised to practise it at stated times in the year. Next, the militia of each clan is to be divided into battalions and regiments, and no captain of a battalion chosen, that is not acquainted with military engineering. Moreover, though the commanders of battalions and regiments are to be chosen for life, yet the commander of the militia of a whole clan is to be chosen only in time of war, to hold command for a year at most, without power of being continued or afterwards re-appointed. And these last are to be selected out of the king's counsellors, of whom we shall speak in the fifteenth and following sections, or out of those who have filled the post of counsellor.

11. The townsmen and countrymen of every city, that is, the whole of the citizens, are to be divided into clans, distinguished by some name and badge, and all persons born of

any of these clans are to be received into the number of citizens, and their names inscribed on the roll of their clan, as soon as they have reached the age, when they can carry arms and know their duty; with the exception of those, who are infamous from some crime, or dumb, or mad, or menials supporting life by some servile office.

12. The fields, and the whole soil, and, if it can be managed, the houses should be public property, that is, the property of him, who holds the right of the commonwealth: and let him let them at a yearly rent to the citizens, whether townsmen or countrymen, and with this exception let them all be free or exempt from every kind of taxation in time of peace. And of this rent a part is to be applied to the defences of the state, a part to the king's private use. For it is necessary in time of peace to fortify cities against war, and also to have ready ships and other munitions of war.

13. After the selection of the king from one of the clans, none are to be held noble, but his descendants, who are therefore to be distinguished by royal insignia from their own and the other clans.

14. Those male nobles, who are the reigning king's collaterals, and stand to him in the third or fourth degree of consanguinity, must not marry, and any children they may have had, are to be accounted bastards, and unworthy of any dignity, nor may they be recognized as heirs to their parents, whose goods must revert to the king.

15. Moreover the king's counsellors, who are next to him in dignity, must be numerous, and chosen out of the citizens only; that is (supposing there to be no more than six hundred clans) from every clan three or four or five, who will form together one section of this council; and not for life, but for three, four, or five years, so that every year a third, fourth, or fifth part may be replaced by selection, in which selection it must be

observed as a first condition, that out of every clan at least one counsellor chosen be a jurist.

16. The selection must be made by the king himself, who should fix a time of year for the choice of fresh counsellors. Each clan must then submit to the king the names of all its citizens, who have reached their fiftieth year, and have been duly put forward as candidates for this office, and out of these the king will choose whom he pleases. But in that year, when the jurist of any clan is to be replaced, only the names of jurists are to be submitted to the king. Those who have filled this office of counsellor for the appointed time, are not to be continued therein, nor to be replaced on the list of candidates for five years or more. But the reason why one is to be chosen every year out of every clan is, that the council may not be composed alternately of untried novices, and of veterans versed in affairs, which must necessarily be the case, were all to retire at once, and new men to succeed them. But if every year one be chosen out of every family, then only a fifth, fourth, or at most a third part of the council will consist of novices. Further, if the king be prevented by other business, or for any other reason, from being able to spare time for this choice, then let the counsellors themselves choose others for a time, until the king either chooses different ones, or confirms the choice of the council.

17. Let the primary function of this council be to defend the fundamental laws of the dominion, and to give advice about administration, that the king may know, what for the public good ought to be decreed: and that on the understanding, that the king may not decide in any matter, without first hearing the opinion of this council. But if, as will generally happen, the council is not of one mind, but is divided in opinion, even after discussing the same subject two or three times, there must be no further delay, but the different opinions are

to be submitted to the king, as in the twenty-fifth section of this chapter we shall show.

18. Let it be also the duty of this council to publish the king's orders or decrees, and to see to the execution of any decree concerning affairs of state, and to supervise the administration of the whole dominion, as the king's deputies.

19. The citizens should have no access to the king, save through this council, to which are to be handed all demands or petitions, that they may be presented to the king. Nor should the envoys of other commonwealths be allowed to obtain permission to address the king, but through the council. Letters, too, sent from elsewhere to the king, must be handed to him by the council. And in general the king is to be accounted as the mind of the commonwealth, but the council as the senses outside the mind, or the commonwealth's body, through whose intervention the mind understands the state of the commonwealth, and acts as it judges best for itself.

20. The care of the education of the king's sons should also fall on this council, and the guardianship, where a king has died, leaving as his successor an infant or boy. Yet lest meanwhile the council should be left without a king, one of the elder nobles of the commonwealth should be chosen to fill the king's place, till the legitimate heir has reached the age at which he can support the weight of government.

21. Let the candidates for election to this council be such as know the system of government, and the foundations, and state or condition of the commonwealth, whose subjects they are. But he that would fill the place of a jurist must, besides the government and condition of the commonwealth, whose subject he is, be likewise acquainted with those of the other commonwealths, with which it has any intercourse. But none are to be placed upon the list of candidates, unless they have reached their fiftieth year without being convicted of crime.

22. In this council no decision is to be taken about the affairs of the dominion, but in the presence of all the members. But if anyone be unable through illness or other cause to attend, he must send in his stead one of the same clan, who has filled the office of counsellor or been put on the list of candidates. Which if he neglect to do, and the council through his absence be forced to adjourn any matter, let him be fined a considerable sum. But this must be understood to mean, when the question is of a matter affecting the whole dominion, as of peace or war, of abrogating or establishing a law, of trade, &c. But if the question be one that affects only a particular city or two, as about petitions, &c., it will suffice that a majority of the council attend.

23. To maintain a perfect equality between the clans, and a regular order in sitting, making proposals, and speaking, every clan is to take in turn the presidency at the sittings, a different clan at every sitting, and that which was first at one sitting is to be last at the next. But among members of the same clan, let precedence go by priority of election.

24. This council should be summoned at least four times a year, to demand of the ministers account of their administration of the dominion, to ascertain the state of affairs, and see if anything else needs deciding. For it seems impossible for so large a number of citizens to have constant leisure for public business. But as in the meantime public business must none the less be carried on, therefore fifty or more are to be chosen out of this council to supply its place after its dismissal; and these should meet daily in a chamber next the king's, and so have daily care of the treasury, the cities, the fortifications, the education of the king's son, and in general of all those duties of the great council, which we have just enumerated, except that they cannot take counsel about new matters, concerning which no decision has been taken.

25. On the meeting of the council, before anything is proposed in it, let five, six, or more jurists of the clans, which stand first in order of place at that session, attend on the king, to deliver to him petitions or letters, if they have any, to declare to him the state of affairs, and, lastly, to understand from him what he bids them propose in his council; and when they have heard this, let them return to the council, and let the first in precedence open the matter of debate. But, in matters which seem to any of them to be of some moment, let not the votes be taken at once, but let the voting be adjourned to such a date as the urgency of the matter allows. When, then, the council stands adjourned till the appointed time, the counsellors of every clan will meanwhile be able to debate the matter separately, and, if they think it of great moment, to consult others that have been counsellors, or are candidates for the council. And if within the appointed time the counsellors of any clan cannot agree among themselves, that clan shall lose its vote, for every clan can give but one vote. But, otherwise, let the jurist of the clan lay before the council the opinion they have decided to be best; and so with the rest. And if the majority of the council think fit, after hearing the grounds of every opinion, to consider the matter again, let the council be again adjourned to a date, at which every clan shall pronounce its final opinion; and then, at last, before the entire council, let the votes be taken, and that opinion be invalidated which has not at least a hundred votes. But let the other opinions be submitted to the king by all the jurists present at the council, that, after hearing every party's arguments, he may select which opinion he pleases. And then let the jurists leave him, and return to the council; and there let all await the king at the time fixed by himself, that all may hear which opinion of those proposed he thinks fit to adopt, and what he decides should be done.

26. For the administration of justice, another council is to be formed of jurists, whose business should be to decide suits, and punish criminals, but so that all the judgments they deliver be tested by those who are for the time members of the great council—that is, as to their having been delivered according to the due process of justice, and without partiality. But if the losing party can prove, that any judge has been bribed by the adversary, or that there is some mutual cause of friendship between the judge and the adversary, or of hatred between the judge and himself, or, lastly, that the usual process of justice has not been observed, let such party be restored to his original position. But this would, perhaps, not be observed by such as love to convict the accused in a criminal case, rather by torture than proofs. But, for all that, I can conceive on this point of no other process of justice than the above, that befits the best system of governing the commonwealth.

27. Of these judges, there should be a large and odd number—for instance, sixty-one, or at least forty-one,—and not more than one is to be chosen of one clan, and that not for life, but every year a certain portion are to retire, and be replaced by as many others out of different clans, that have reached their fortieth year.

28. In this council, let no judgment be pronounced save in the presence of all the judges. But if any judge, from disease or other cause, shall for a long time be unable to attend the council, let another be chosen for that time to fill his place. But in giving their votes, they are all not to utter their opinions aloud, but to signify them by ballot.

29. Let those who supply others' places in this and the first-mentioned council first be paid out of the goods of those whom they have condemned to death, and also out of the fines of which any are mulcted. Next, after every judgment they pro-

nounce in a civil suit, let them receive a certain proportion of the whole sum at stake for the benefit of both councils.

30. Let there be in every city other subordinate councils, whose members likewise must not be chosen for life, but must be partially renewed every year, out of the clans who live there only. But there is no need to pursue this further.

31. No military pay is to be granted in time of peace; but, in time of war, military pay is to be allowed to those only, who support their lives by daily labour. But the commanders and other officers of the battalions are to expect no other advantage from war but the spoil of the enemy.

32. If a foreigner takes to wife the daughter of a citizen, his children are to be counted citizens, and put on the roll of their mother's clan. But those who are born and bred within the dominion of foreign parents should be allowed to purchase at a fixed price the right of citizenship from the captains of thousands of any clan, and to be enrolled in that clan. For no harm can arise thence to the dominion, even though the captains of thousands, for a bribe, admit a foreigner into the number of their citizens for less than the fixed price; but, on the contrary, means should be devised for more easily increasing the number of citizens, and producing a large confluence of men. As for those who are not enrolled as citizens, it is but fair that, at least in war-time, they should pay for their exemption from service by some forced labour or tax.

33. The envoys to be sent in time of peace to other commonwealths must be chosen out of the nobles only, and their expenses met by the state treasury, and not the king's privy purse.

34. Those that attend the court, and are the king's servants, and are paid out of his privy purse, must be excluded from every appointment and office in the commonwealth. I say expressly, "and are paid out of the king's privy purse," to

and not of privy!
hamb?

except the body-guard. For there should be no other body-guard, but the citizens of the king's city, who should take turns to keep guard at court before the king's door.

35. War is only to be made for the sake of peace, so that, at its end, one may be rid of arms. And so, when cities have been taken by right of war, and terms of peace are to be made after the enemies are subdued, the captured cities must not be garrisoned and kept; but either the enemy, on accepting the terms of peace, should be allowed to redeem them at a price, or, if by following that policy, there would, by reason of the danger of the position, remain a constant lurking anxiety, they must be utterly destroyed, and the inhabitants removed elsewhere.

36. The king must not be allowed to contract a foreign marriage, but only to take to wife one of his kindred, or of the citizens; yet, on condition that, if he marries a citizen, her near relations become incapable of holding office in the commonwealth.

37. The dominion must be indivisible. And so, if the king leaves more than one child, let the eldest one succeed; but by no means be it allowed to divide the dominion between them, or to give it undivided to all or several of them, much less to give a part of it as a daughter's dowry. For that daughters should be admitted to the inheritance of a dominion is in no wise to be allowed.

38. If the king die leaving no male issue, let the next to him in blood be held the heir to the dominion, unless he chance to have married a foreign wife, whom he will not put away.

39. As for the citizens, it is manifest (Chap. III. Sec. 5) that every one of them ought to obey all the commands of the king, and the decrees published by the great council, although he believe them to be most absurd, and otherwise he may rightfully be forced to obey. And these are the founda-

being they permitted for the sake of peace!

CHAPTER VII

OF MONARCHY. PROOF OF THE FOUNDATIONS OF A MONARCHICAL DOMINION

AFTER explaining the foundations of a monarchical dominion, I have taken in hand to prove here in order the fitness of such foundations. And to this end the first point to be noted is, that it is in no way repugnant to experience, for laws to be so firmly fixed, that not the king himself can abolish them. For though the Persians worshipped their kings as gods, yet had not the kings themselves authority to revoke laws once established, as appears from Daniel, and nowhere, as far as I know, is a monarch chosen absolutely without any conditions expressed. Nor yet is it repugnant to reason or the absolute obedience due to a king. For the foundations of the dominion are to be considered as eternal decrees of the king, so that his ministers entirely obey him in refusing to execute his orders, when he commands anything contrary to the same. Which we can make plain by the example of Ulysses. For his comrades were executing his own order, when they would not untie him, when he was bound to the mast and captivated by the Sirens' song, although he gave them manifold orders to do so, and that with threats. And it is ascribed to his forethought, that he afterwards thanked his comrades for obeying him according to his first intention. And, after this example of Ulysses, kings often instruct judges, to administer justice without respect of persons, not even of the king himself, if by some singular accident he order anything contrary to established law. For kings are not gods, but men, who are often led captive by the

Sirens' song. If then everything depended on the inconstant will of one man, nothing would be fixed. 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; as to which see Chap. VI. Sects. 3, 5, 6.

2. It must next be observed, that in laying foundations it is very necessary to study the human passions: and it is not enough to have shown, what ought to be done, but it ought, above all, to be shown how it can be effected, that men, whether led by passion or reason, should yet keep the laws firm and unbroken. For if the constitution of the dominion, or the public liberty depends only on the weak assistance of the laws, not only will the citizens have no security for its maintenance (as we showed in the third section of the last chapter), but it will even turn to their ruin. For this is certain, that no condition of a commonwealth is more wretched than that of the best, when it begins to totter, unless at one blow it falls with a rush into slavery, which seems to be quite impossible. And, therefore, it would be far better for the subjects to transfer their rights absolutely to one man, than to bargain for unascertained and empty, that is unmeaning, terms of liberty, and so prepare for their posterity a way to the most cruel servitude. But if I succeed in showing that the foundations of monarchical dominion, which I stated in the last chapter, are firm and cannot be plucked up, without the indignation of the larger part of an armed multitude, and that from them follow peace and security for king and multitude, and if I deduce this from general human nature, no one will be able to doubt, that these foundations are the best and the true ones (Chap. III. Sec. 9, and Chap. VI. Sects. 3, 8). But that such is their nature, I will show as briefly as possible.

3. That the duty of him, who holds the dominion, is always

right for any but the state, but
not freedom.

contrary, its greatest part must consist of such, since everyone, in that case, tries hard to have dullards for colleagues, that they may hang on his words, for which there is no opportunity in large councils.

5. Furthermore, it is certain, that everyone would rather rule than be ruled. "For no one of his own will yields up dominion to another," as Sallust has it in his first speech to Cæsar. And, therefore, it is clear, that a whole multitude will never transfer its right to a few or to one, if it can come to an agreement with itself, without proceeding from the controversies, which generally arise in large councils, to seditions. And so the multitude does not, if it is free, transfer to the king anything but that, which it cannot itself have absolutely within its authority, namely, the ending of controversies and the using despatch in decisions. For as to the case which often arises, where a king is chosen on account of war, that is, because war is much more happily conducted by kings, it is manifest folly, I say, that men should choose slavery in time of peace for the sake of better fortune in war; if, indeed, peace can be conceived of in a dominion, where merely for the sake of war the highest authority is transferred to one man, who is, therefore, best able to show his worth and the importance to everyone of his single self in time of war; whereas, on the contrary, democracy has this advantage, that its excellence is greater in peace than in war. However, for whatever reason a king is chosen, he cannot by himself, as we said just now, know what will be to the interest of the dominion: but for this purpose, as we showed in the last section, will need many citizens for his counsellors. And as we cannot at all suppose, that any opinion can be conceived about a matter proposed for discussion, which can have escaped the notice of so large a number of men, it follows, that no opinion can be conceived tending to the people's welfare, besides all the opinions of this

council, which are submitted to the king. And so, since the people's welfare is the highest law, or the king's utmost right, it follows, that the king's utmost right is but to choose one of the opinions offered by the council, not to decree anything, or offer any opinion contrary to the mind of all the council at once (Chap. VI. Sec. 25). But if all the opinions offered in the council were to be submitted to the king, then it might happen that the king would always favour the small cities, which have the fewest votes. For though by the constitution of the council it be ordained, that the opinions should be submitted to the king without mention of their supporters, yet they will never be able to take such good care, but that some opinion will get divulged. And, therefore, it must of necessity be provided, that that opinion, which has not gained at least a hundred votes, shall be held void; and this law the larger cities will be sure to defend with all their might.

6. And here, did I not study brevity, I would show other advantages of this council; yet one, which seems of the greatest importance, I will allege. I mean, that there can be given no greater inducement to virtue, than this general hope of the highest honour. For by ambition are we all most led, as in our Ethics we showed to be the case.¹

7. But it cannot be doubted that the majority of this council will never be minded to wage war, but rather always pursue and love peace. For besides that war will always cause them fear of losing their property and liberty, it is to be added, that war requires fresh expenditure, which they must meet, and also that their own children and relatives, though intent on their domestic cares, will be forced to turn their attention to war and go a-soldiering, whence they will never bring back anything but unpaid-for scars. For, as we said (Chap. VI. Sec. 31), no

¹ Ethics, iii. 29, 30; IV. 58.

pay is to be given to the militia, and (Chap. VI. Sec. 10) it is to be formed out of citizens only and no others.

8. There is another accession to the cause of peace and concord, which is also of great weight: I mean, that no citizen can have immovable property (Chap. VI. Sec. 12). Hence all will have nearly an equal risk in war. For all will be obliged, for the sake of gain, to practise trade, or lend money to one another, if, as formerly by the Athenians, a law be passed, forbidding to lend money at interest to any but inhabitants; and thus they will be engaged in business, which either is mutually involved, one man's with another's, or needs the same means for its furtherance. And thus the greatest part of this council will generally have one and the same mind about their common affairs and the arts of peace. For, as we said (Sec. 4), every man defends another's cause, so far as he thinks thereby to establish his own.

9. It cannot be doubted, that it will never occur to anyone to corrupt this council with bribes. For were any man to draw over to his side some one or two out of so great a number of men, he would gain nothing. For, as we said, the opinion, which does not gain at least a hundred votes, is void.

10. We shall also easily see, that, once this council is established its members cannot be reduced to a less number, if we consider the common passions of mankind. For all are guided mostly by ambition, and there is no man who lives in health but hopes to attain extreme old age. If then we calculate the number of those who actually reach their fiftieth or sixtieth year, and further take into account the number that are every year chosen of this great council, we shall see, that there can hardly be a man of those who bear arms, but is under the influence of a great hope of attaining this dignity. And so they will all, to the best of their power, defend this law of the council. For be it noted, that corruption, unless it creep in

gradually, is easily prevented. But as it can be more easily supposed, and would be less invidious, that a less number should be chosen out of every clan, than that a less number should be chosen out of a few clans, or that one or two clans should be altogether excluded; therefore (Chap. VI. Sec. 15) the number of counsellors cannot be reduced, unless a third, fourth, or fifth part be removed simultaneously, which change is a very great one, and therefore quite repugnant to common practice. Nor need one be afraid of delay or negligence in choosing, because this is remedied by the council itself. See Chap. VI. Sec. 16.

11. The king, then, whether he is induced by fear of the multitude, or aims at binding to himself the majority of an armed multitude, or is guided by a generous spirit, a wish that is, to consult the public interest, will always confirm that opinion, which has gained most votes, that is (Sec. 5), which is to the interest of the greater part of the dominion; and will study to reconcile the divergent opinions referred to him, if it can be done, that he may attach all to himself (in which he will exert all his powers), and that alike in peace and war they may find out, what an advantage his single self is to them. And thus he will then be most independent, and most in possession of dominion, when he most consults the general welfare of the multitude. 1154
117

12. For the king by himself cannot restrain all by fear. But his power, as we have said, rests upon the number of his soldiers, and especially on their valour and faith, which will always remain so long enduring between men, as with them is joined need, be that need honourable or disgraceful. And this is why kings usually are fonder of exciting than restraining their soldiery, and shut their eyes more to their vices than to their virtues, and generally, to hold under the best of them, seek out, distinguish, and assist with money or favour the idle,

that a king soon perishes, when his soldiers cease to desire his safety, it is certain that kings are always in the greatest danger from those who are nearest their persons. The fewer counsellors, then, there are, and the more powerful they consequently are, the more the king is in danger of their transferring the dominion to another. Nothing in fact more alarmed David, than that his own counsellor Ahitophel sided with Absalom. Still more is this the case, if the whole authority has been transferred absolutely to one man, because it can then be more easily transferred from one to another. For two private soldiers once took in hand to transfer the Roman empire, and did transfer it. I omit the arts and cunning wiles, whereby counsellors have to assure themselves against falling victims to their unpopularity; for they are but too well known, and no one, who has read history, can be ignorant, that the good faith of counsellors has generally turned to their ruin. And so, for their own safety, it behoves them to be cunning, not faithful. But if the counsellors are too numerous to unite in the same crime, and are all equal, and do not hold their office beyond a period of four years, they cannot be at all objects of fear to the king, except he attempt to take away their liberty, wherein he will offend all the citizens equally. For, as Antonio Perez² excellently observes, an absolute dominion is to the prince very dangerous, to the subjects very hateful, and to the institutes of God and man alike opposed, as innumerable instances show.

15. Besides these we have, in the last chapter, laid other foundations, by which the king is greatly secured in his dominion, and the citizens in their hold of peace and liberty, which foundations we will reason out in their proper places. For I was anxious above everything to reason out all those, which refer to the great council and are of the greatest importance.

² Antonio Perez, a publicist, and professor of law in the University of Louvain in the first part of the seventeenth century.

enslavement of others, and the mastery for themselves. Lastly, I have added this point for the greater safety of the whole dominion, that these commanders of the militia are to be selected from the king's counsellors or ex-counsellors—that is, from men who have reached the age at which mankind generally prefer what is old and safe to what is new and dangerous.³

18. I said that the citizens were to be divided into clans,⁴ and an equal number of counsellors chosen from each, in order that the larger towns might have, in proportion to the number of their citizens, a greater number of counsellors, and be able, as is equitable, to contribute more votes. For the power and, therefore, the right of a dominion is to be estimated by the number of its citizens; and I do not believe that any fitter means can be devised for maintaining this equality between citizens, who are all by nature so constituted, that everyone wishes to be attributed to his own stock, and be distinguished by race from the rest.

19. Furthermore, in the state of nature, there is nothing which any man can less claim for himself, and make his own, than the soil, and whatever so adheres to the soil, that he cannot hide it anywhere, nor carry it whither he pleases. The soil, therefore, and whatever adheres to it in the way we have mentioned, must be quite common property of the commonwealth—that is, of all those who, by their united force, can vindicate their claim to it, or of him to whom all have given authority to vindicate his claim. And therefore the soil, and all that adheres to it, ought to have a value with the citizens proportionate to the necessity there is, that they may be able to set their feet thereon, and defend their common right or liberty. But in the eighth section of this chapter we have shown the

³ Chap. VI. Sec. 10.

⁴ Chap. VI. Secs. 11, 15, 16.

his father by right, or (if there be no issue) the nearest to him in blood, it is clear as well from Chap. VI. Sec. 13, as because the election of the king made by the multitude should, if possible, last for ever. Otherwise it will necessarily happen, that the supreme authority of the dominion will frequently pass to the multitude, which is an extreme and, therefore, exceedingly dangerous change. But those who, from the fact that the king is master of the dominion, and holds it by absolute right, infer that he can hand it over to whom he pleases, and that, therefore, the king's son is by right heir to the dominion, are greatly mistaken. For the king's will has so long the force of law, as he holds the sword of the commonwealth; for the right of dominion is limited by power only. Therefore, a king may indeed abdicate, but cannot hand the dominion over to another, unless with the concurrence of the multitude or its stronger part. And that this may be more clearly understood, we must remark, that children are heirs to their parents, not by natural, but by civil law. For by the power of the commonwealth alone is anyone master of definite property. And, therefore, by the same power or right, whereby the will of any man concerning his property is held good, by the same also his will remains good after his own death, as long as the commonwealth endures. And this is the reason, why everyone in the civil state maintains after death the same right as he had in his lifetime, because, as we said, it is not by his own power, but by that of the commonwealth, which is everlasting, that he can decide anything about his property. But the king's case is quite different. For the king's will is the civil law itself, and the king the commonwealth itself. Therefore, by the death of the king, the commonwealth is in a manner dead, and the civil state naturally returns to the state of nature, and consequently the supreme authority to the multitude, which can, therefore, lawfully lay down new and abolish old laws. And so

it appears that no man succeeds the king by right, but him whom the multitude wills to be successor, or in a theocracy, such as the commonwealth of the Hebrews once was, him whom God has chosen by a prophet. We might likewise infer this from the fact that the king's sword, or right, is in reality the will of the multitude itself, or its stronger part; or else from the fact, that men endowed with reason never so utterly abdicate their right, that they cease to be men, and are accounted as sheep. But to pursue this further is unnecessary.

26. But the right of religion, or of worshipping God, no man can transfer to another. However, we have treated of this point at length in the last chapters of our Theologico-Political Treatise,¹⁰ which it is superfluous to repeat here. And herewith I claim to have reasoned out the foundations of the best monarchy, though briefly, yet with sufficient clearness. But their mutual interdependence, or, in other words, the proportions of my dominion, anyone will easily remark, who will be at the pains to observe them as a whole with some attention. It remains only to warn the reader, that I am here conceiving of that monarchy, which is instituted by a free multitude, for which alone these foundations can serve. For a multitude that has grown used to another form of dominion will not be able without great danger of overthrow to pluck up the accepted foundations of the whole dominion, and change its entire fabric.

27. And what we have written will, perhaps, be received with derision by those who limit to the populace only the vices which are inherent in all mortals; and use such phrases as, "the mob, if it is not frightened, inspires no little fear," and "the populace is either a humble slave, or a haughty master," and "it has no truth or judgment," etc. But all have one common nature. Only we are deceived by power and refinement.

¹⁰ Above, pp. 63-73.

Whence it comes that when two do the same thing we say, "this man may do it with impunity, that man may not;" not because the deed, but because the doer is different. Haughtiness is a property of rulers. Men are haughty, but by reason of an appointment for a year; how much more than nobles, that have their honours eternal! But their arrogance is glossed over with importance, luxury, profusion, and a kind of harmony of vices, and a certain cultivated folly, and elegant villainy, so that vices, each of which looked at separately is foul and vile, because it is then most conspicuous, appear to the inexperienced and untaught honourable and becoming. "The mob, too, if it is not frightened, inspires no little fear;" yes, for liberty and slavery are not easily mingled. Lastly, as for the populace being devoid of truth and judgment, that is nothing wonderful, since the chief business of the dominion is transacted behind its back, and it can but make conjectures from the little, which cannot be hidden. For it is an uncommon virtue to suspend one's judgment. So it is supreme folly to wish to transact everything behind the backs of the citizens, and to expect that they will not judge ill of the same, and will not give everything an unfavourable interpretation. For if the populace could moderate itself, and suspend its judgment about things with which it is imperfectly acquainted, or judge rightly of things by the little it knows already, it would surely be more fit to govern, than to be governed. But, as we said, all have the same nature. All grow haughty with rule, and cause fear if they do not feel it, and everywhere truth is generally transgressed by enemies or guilty people; especially where one or a few have mastery, and have respect in trials not to justice or truth, but to amount of wealth.

28. Besides, paid soldiers, that are accustomed to military discipline, and can support cold and hunger, are likely to despise a crowd of citizens as very inferior for storming towns

who showed a singular loyalty towards their kings, and with equal constancy preserved unbroken the constitution of the kingdom. For as soon as they had cast off the slavish yoke of the Moors, they resolved to choose themselves a king, but on what conditions they could not quite make up their minds, and they therefore determined to consult the sovereign pontiff of Rome. He, who in this matter certainly bore himself as Christ's vicar, blamed them for so obstinately wishing to choose a king, unwarned by the example of the Hebrews. However, if they would not change their minds, then he advised them not to choose a king, without first instituting customs equitable and suitable to the national genius, and above all he would have them create some supreme council, to balance the king's power like the ephors of the Lacedæmonians, and to have absolute right to determine the disputes, which might arise between the king and the citizens. So then, following this advice, they established the laws, which seemed to them most equitable, of which the supreme interpreter, and therefore supreme judge, was to be, not the king, but the council, which they call the Seventeen, and whose president has the title of Justice.¹¹ This Justice then, and the Seventeen, who are chosen for life, not by vote but by lot, have the absolute right of revising and annulling all sentences passed upon any citizen by other courts, civil or ecclesiastical, or by the king himself, so that every citizen had the right to summon the king himself before this council. Moreover, they once had the right of electing and deposing the king. But after the lapse of many years the king, Don Pedro, who is called the Dagger, by canvassing, bribery, promises, and every sort of practice, at length procured the revocation of this

¹¹ See Hallam's "History of the Middle Ages," Chap. IV., for the constitutional history of Arragon. Hallam calls the Justiza the Justiciary, but the literal translation, Justice, seems warranted by our own English use of the word to designate certain judges. [Elwes's note.]

We all specifies what Liberty is.
cf. 151

the king should outweigh the subjects, nor yet the subjects the king; for that if either party were too powerful, the weaker would not only try to recover its former equality, but in vexation at its injury to retaliate upon the other, whence would follow the ruin of either or both. Which very wise language I could not enough wonder at, had it proceeded from a king accustomed to command not freemen but slaves. Accordingly the Arragonese retained their liberties after the time of Ferdinand, though no longer by right but by the favour of their too powerful kings, until the reign of Philip II., who oppressed them with better luck, but no less cruelty, than he did the United Provinces. And although Philip III. is supposed to have restored everything to its former position, yet the Arragonese, partly from eagerness to flatter the powerful (for it is folly to kick against the pricks), partly from terror, have kept nothing but the specious names and empty forms of liberty.

31. We conclude, therefore, that the multitude may preserve under a king an ample enough liberty; if it contrive that the king's power be determined by the sole power, and preserved by the defence of the multitude itself. And this was the single rule which I followed in laying the foundations of monarchy.

CHAPTER VIII

OF ARISTOCRACY

SO far of monarchy. But now we will say, on what plan an aristocracy is to be framed, so that it may be lasting. We have defined an aristocratic dominion as that, which is held not by one man, but by certain persons chosen out of the multitude, whom we shall henceforth call patricians. I say expressly, "that which is held by certain persons chosen." For the chief difference between this and a democracy is, that the right of governing depends in an aristocracy on election only, but in a democracy for the most part on some right either congenital or acquired by fortune (as we shall explain in its place); and therefore, although in any dominion the entire multitude be received into the number of the patricians, provided that right of theirs is not inherited, and does not descend by some law to others, the dominion will for all that be quite an aristocracy, because none are received into the number of the patricians save by express election. But if these chosen persons were but two, each of them will try to be more powerful than the other, and from the too great power of each, the dominion will easily be split into two factions; and in like manner into three, four, or five factions, if three, four, or five persons were put into possession of it. But the factions will be the weaker, the more there are to whom the dominion was delegated. And hence it follows, that to secure the stability of an aristocracy, it is necessary to consider the proportionate size of the actual dominion, in order to determine the minimum number of patricians.

2. Let it be supposed, then, that for a dominion of moderate

size it suffices to be allowed a hundred of the best men, and that upon them has been conferred the supreme authority of the dominion, and that they have consequently the right to elect their patrician colleagues, when any of the number die. These men will certainly endeavour to secure their succession to their children or next in blood. And thus the supreme authority of the dominion will always be with those, whom fortune has made children or kinsmen to patricians. And, as out of a hundred men who rise to office by fortune, hardly three are found that excel in knowledge and counsel, it will thus come to pass, that the authority of the dominion will rest, not with a hundred, but only with two or three who excel by vigour of mind, and who will easily draw to themselves everything, and each of them, as is the wont of human greed, will be able to prepare the way to a monarchy. And so, if we make a right calculation, it is necessary, that the supreme authority of a dominion, whose size requires at least a hundred first-rate men, should be conferred on not less than five thousand. For by this proportion it will never fail, but a hundred shall be found excelling in mental vigour, that is, on the hypothesis that, out of fifty that seek and obtain office, one will always be found not less than first-rate, besides others that imitate the virtues of the first-rate, and are therefore worthy to rule.

3. The patricians are most commonly citizens of one city, which is the head of the whole dominion, so that the commonwealth or republic has its name from it, as once that of Rome, and now those of Venice, Genoa, etc. But the republic of the Dutch has its name from an entire province, whence it arises, that the subjects of this dominion enjoy a greater liberty. Now, before we can determine the foundations on which this aristocratic dominion ought to rest, we must observe a very great difference, which exists between the dominion which is conferred on one man and that which is conferred on a sufficiently

Plato

King needs multitude (people)
republican does not!

large council. For, in the first place, the power of one man is (as we said, Chap. VI. Sec. 5) very inadequate to support the entire dominion; but this no one, without manifest absurdity, can affirm of a sufficiently large council. For, in declaring the council to be sufficiently large, one at the same time denies, that it is inadequate to support the dominion. A king, therefore, is altogether in need of counsellors, but a council like this is not so in the least. In the second place, kings are mortal, but councils are everlasting. And so the power of the dominion which has once been transferred to a large enough council never reverts to the multitude. But this is otherwise in a monarchy, as we showed (Chap. VII. Sec. 25). Thirdly, a king's dominion is often on sufferance, whether from his minority, sickness, or old age, or from other causes; but the power of a council of this kind, on the contrary, remains always one and the same. In the fourth place, one man's will is very fluctuating and inconstant; and, therefore, in a monarchy, all law is, indeed, the explicit will of the king (as we said, Chap. VII. Sec. 1), but not every will of the king ought to be law; but this cannot be said of the will of a sufficiently numerous council. For since the council itself, as we have just shown, needs no counsellors, its every explicit will ought to be law. And hence we conclude, that the dominion conferred upon a large enough council is absolute, or approaches nearest to the absolute. For if there be any absolute dominion, it is, in fact, that which is held by an entire multitude.

4. Yet in so far as this aristocratic dominion never (as has just been shown) reverts to the multitude, and there is under it no consultation with the multitude, but, without qualification, every will of the council is law, it must be considered as quite absolute, and therefore its foundations ought to rest only on the will and judgment of the said council, and not on the watchfulness of the multitude, since the latter is excluded from

liberty inspiring same fear!

giving its advice or its vote. The reason, then, why in practice aristocracy is not absolute, is that the multitude is a cause of fear to the rulers, and therefore succeeds in retaining for itself some liberty, which it asserts and holds as its own, if not by an express law, yet on a tacit understanding.

5. And thus it is manifest that this kind of dominion will be in the best possible condition, if its institutions are such that it most nearly approaches the absolute—that is, that the multitude is as little as possible a cause of fear, and retains no liberty, but such as must necessarily be assigned it by the law of the dominion itself, and is therefore not so much a right of the multitude as of the whole dominion, asserted and maintained by the aristocrats only as their own. For thus practice agrees best with theory, as appears from the last section, and is also self-evident. For we cannot doubt that the dominion rests the less with the patricians, the more rights the commons assert for themselves, such as those which the corporations of artisans in Lower Germany, commonly called Guilds, generally possess.

6. But the commons need not apprehend any danger of a hateful slavery from this form of dominion, merely because it is conferred on the council absolutely. For the will of so large a council cannot be so much determined by lust as by reason; because men are drawn asunder by an evil passion, and cannot be guided, as it were, by one mind, except so far as they desire things honourable, or that have at least an honourable appearance.

7. In determining, then, the foundations of an aristocracy, it is above all to be observed, that they should rest on the sole will and power of the supreme council, so that it may be as independent as possible, and be in no danger from the multitude. In order to determine these foundations, which are to rest, I say, upon the sole will and power of the council, let us see what foundations of peace are peculiar to monarchy, and

unsuited to this form of dominion. For if we substitute for these equivalent foundations fit for an aristocracy, and leave the rest, as they are already laid, we shall have removed without doubt every cause of seditions; or, at least, this kind of dominion will be no less safe than the monarchical, but, on the contrary, so much the more so, and of so much better a condition, as, without danger to peace and liberty, it approaches nearer than monarchy to the absolute (Secs. 3, 6). For the greater the right of the supreme authority, the more the form of dominion agrees with the dictate of reason (Chap. III. Sec. 5), and, therefore, the fitter it is to maintain peace and liberty. Let us run through, therefore, the points we stated in our sixth chapter, beginning with the ninth section, that we may reject what is unfit for this kind of dominion, and see what agrees with it.

8. That it is necessary, in the first place, to found and fortify one or more cities, no one can doubt. But that city is above all to be fortified, which is the head of the whole dominion, and also those that are on its frontiers. For that which is the head of the whole dominion, and has the supreme right, ought to be more powerful than the rest. But under this kind of dominion it is quite unnecessary to divide all the inhabitants into clans.

9. As for the military, since under this dominion equality is not to be looked for among all, but between the patricians only, and, in particular, the power of the patricians is greater than that of the commons, it is certain that it makes no difference to the laws or fundamental principles of this dominion, that the military be formed of others besides subjects.¹ But it is of the first importance that no one be admitted into the number of the patricians, that has not a proper knowledge of the art of war. But for the subjects to be excluded, as some would have it, from military service, is surely folly. For besides that

¹ Cf. Chap. VI. Sec. 10.

the military pay given to subjects remains within the realm, whereas, on the contrary, what is paid to a foreign soldiery is altogether lost, the greatest strength of the dominion is also thereby weakened. For it is certain that those fight with peculiar valour who fight for altar and hearth. Whence, also, it is manifest that those are no less wrong, who lay down that military commanders, tribunes, centurions, etc., should be chosen from among the patricians only. For with what courage will those soldiers fight who are deprived of all hope of gaining glory and advancement? But, on the other hand, to establish a law forbidding the patricians to hire foreign soldiers when circumstances require it, whether to defend themselves, and suppress seditions, or for any other reason, besides being inconsiderate, would also be repugnant to the supreme right of the patricians, concerning which see Secs. 3, 4, 5 of this chapter. But the general of a single army, or of the entire military, is to be chosen but in time of war, and among the patricians only, and is to hold the command for a year at most, without power of being continued therein, or afterwards re-appointed. For this law, necessary as it is under a monarchy, is so above all under this kind of dominion. For although it is much easier, as we have said above, to transfer the dominion from one man to another than from a free council to one man; yet it does often happen, that patricians are subdued by their own generals, and that to the much greater harm of the commonwealth. For when a monarch is removed, it is but a change of tyrant, not of the form of dominion; but, under an aristocracy, this cannot happen, without an upsetting of the form of dominion, and a slaughter of the greatest men. Of which thing Rome has offered the most mournful examples. But our reason for saying that, under a monarchy, the militia should serve without pay, is here inapplicable. For since the subjects are excluded from giving their advice or votes, they are to be

reckoned as foreigners, and are, therefore, to be hired for service on no worse terms than foreigners. And there is in this case no danger of their being distinguished above the rest by the patricians: nay, further, to avoid the partial judgment which everyone is apt to form of his own exploits, it is wiser for the patricians to assign a fixed payment to the soldiers for their service.

10. Furthermore, for this same reason, that all but the patricians are foreigners, it cannot be without danger to the whole dominion, that the lands and houses and the whole soil should remain public property, and be let to the inhabitants at a yearly rent. For the subjects having no part in the dominion would easily, in bad times, all forsake their cities, if they could carry where they pleased what goods they possess. And, therefore, lands and farms are not to be let, but sold to the subjects, yet on condition that they pay every year an aliquot part of the year's produce, etc., as is done in Holland.

11. These points considered, I proceed to the foundations on which the supreme council should rest and be established. We have shown (Sec. 2) that, in a moderate-sized dominion, this council ought to have about five thousand members. And so we must look for means of preventing the dominion from gradually getting into fewer hands, and of insuring, on the contrary, that the number of members be increased in proportion to the growth of the dominion itself; and, next, that between the patricians, equality be as far as possible maintained; and, further, that there may be speed and expedition in their counsels, and that they tend to the general good; and, lastly, that the power of the patricians or council exceed the power of the multitude, yet so that the multitude suffer no harm thereby.

12. But jealousy causes a great difficulty in maintaining our first point. For men are, as we have said, by nature enemies, so that however they be associated, and bound together by

laws, they still retain their nature. And hence I think it is, that democracies change into aristocracies, and these at length into monarchies. For I am fully persuaded that most aristocracies were formerly democracies. For when a given multitude, in search of fresh territories, has found and cultivated them, it retains, as a whole, its equal right of dominion, because no man gives dominion to another spontaneously. But although every one of them thinks it fair, that he should have the same right against another that that other has against him, he yet thinks it unfair, that the foreigners that join them should have equal right in the dominion with themselves, who sought it by their own toil, and won it at the price of their own blood. And this not even the foreigners themselves deny, for, of course, they migrate thither, not to hold dominion, but for the benefit of their own private business, and are quite satisfied if they are but allowed the liberty of transacting that business in safety. But meanwhile the multitude is augmented by the influx of foreigners, who gradually acquire the national manners, until at last they are distinguished by no other difference than that of incapacity to get office; and while their number daily increases, that of the citizens, on the contrary, is by many causes diminished. For families often die out, and some persons are disqualified for their crimes, and a great many are driven by domestic poverty to neglect affairs of state, and meanwhile the more powerful aim at nothing else, but to govern alone; and thus the dominion is gradually limited to a few, and at length by faction to one. And here we might add other causes that destroy dominions of this sort; but as they are well known, I pass them by, and proceed now to state the laws by which this dominion, of which we are treating, ought to be maintained.

13. The primary law of this dominion ought to be that which determines the proportionate numbers of patricians and multi-

tude. For a proportion (Sec. 1) ought to be maintained between the multitude and the patricians, so that with the increase of the former the number of the latter should be raised. And this proportion (in accordance with our remarks in the second section) ought to be about fifty to one, that is, the inequality between the members of each should never be greater. For (Sec. 1) without destroying the form of dominion, the number of patricians may be greater than the number of the multitude. But there is no danger except in the smallness of their number. But how it is to be provided that this law be kept unbroken, I will presently show in its own place.

14. Patricians, in some places, are chosen only out of particular families. But it is ruinous to lay this down expressly by law. For not to mention that families often die out, and that the other families can never be excluded without disgrace, it is also repugnant to the form of this dominion, that the dignity of patrician should be hereditary (Sec. 1). But on this system a dominion seems rather a democracy, such as we have described in Sec. 12, that is in the hands of very few citizens. But, on the other hand, to provide against the patricians choosing their own sons and kinsmen, and thereby against the right of dominion remaining in particular families, is impossible, and indeed absurd, as I shall show (Sec. 39). But provided that they hold that right by no express law, and that the rest (I mean, such as are born within the dominion, and use the vulgar tongue, and have not a foreign wife, and are not infamous, nor servants, nor earning their living by any servile trade, among which are to be reckoned those of a wine-merchant, or brewer) are not excluded, the form of the dominion will, notwithstanding, be retained, and it will be possible to maintain the proportion between the patricians and the multitude.

15. But if it be further by law appointed that no young men

So clear that the secular slipped to private affairs and not to public-pol.
This is central OF ARISTOCRACY *Hoel.* 157 *176*

be chosen, it will never happen that a few families hold the right of government in their hands. And, therefore, be it by law appointed, that no man that has not reached his thirtieth year be put on the list of candidates.

16. Thirdly, it is next to be ordained, that all the patricians must be assembled at certain fixed times in a particular part of the city, and that whoever does not attend the council, unless he be hindered by illness or some public business, shall be fined some considerable amount. For, were it otherwise, most of them would neglect the public, for the sake of their own private affairs.

17. Let this council's functions be to pass and repeal laws, and to choose their patrician colleagues, and all the ministers of the dominion. For he, that has supreme right, as we have decided that this council has, cannot give to anyone authority to pass and repeal laws, without at the same time abdicating his own right, and transferring it to him, to whom he gives that power. For he, that has but for one day only authority to pass and repeal laws, is able to change the entire form of the dominion. But one can, without forfeiting one's supreme right, temporarily entrust to others the daily business of dominion to be administered according to the established laws. Furthermore, if the ministers of dominion were chosen by any other but this council, then its members would be more properly called wards than patricians.

18. Hence some are accustomed to create for the council a ruler or prince, either for life, as the Venetians, or for a time, as the Genoese; but yet with such great precautions, as make it clear enough, that it is not done without great risk. And assuredly we cannot doubt but that the dominion thereby approaches the monarchical form, and as far as we can conjecture from their histories, it was done for no other reason, than that before the institution of these councils they had lived under a

Distinction betw. Arist. and Hobbes + Spinoza.

with only short intervening periods; and this number surely, together with that made up by the syndics, will be little less than the number of patricians that have attained their fiftieth year. And so all the patricians will always have a great hope of gaining the rank of senator or syndic, and yet notwithstanding, the same patricians, at only short intervals, will always hold senatorial rank, and (according to what we said, Sec. 2) there will never be wanting in the senate distinguished men, excelling in counsel and skill. And because this law cannot be broken without exciting great jealousy on the part of many patricians, it needs no other safeguard for its constant validity, than that every patrician who has reached the age we mentioned, should offer the proof thereof to the syndics, who shall put his name on the list of candidates for the senatorial duties, and read the name before the supreme council, so that he may occupy, with the rest of the same rank, a place set apart in this supreme council for his fellows, next to the place of the senators.

31. The emoluments of the senators should be of such a kind, that their profit is greater from peace than from war. And therefore let there be awarded to them a hundredth or a fiftieth part of the merchandise exported abroad from the dominion, or imported into it from abroad. For we cannot doubt, that by this means they will, as far as they can, preserve peace, and never desire to protract war. And from this duty not even the senators themselves, if any of them are merchants, ought to be exempt; for such an immunity cannot be granted without great risk to trade, as I think no one is ignorant. Nay, on the contrary, it must be by law ordained, that no senator or ex-senator may fill any military post; and further, that no one may be declared general or prætor, which officers we said (Sec. 9) were to be only appointed in time of war, whose father or grandfather is a senator, or has held the dignity of

senator within two years. Which laws we cannot doubt, that the patricians outside the senate will defend with all their might: and so it will be the case, that the senators will always have more profit from peace than from war, and will, therefore, never advise war, except the utmost need of the dominion compels them. But it may be objected to us, that on this system, if, that is, syndics and senators are to be allowed so great profits, an aristocracy will be as burdensome to the subjects as any monarchy. But not to mention that royal courts require larger expenditure, and are yet not provided in order to secure peace, and that peace can never be bought too dear; it is to be added, first, that all that under a monarchy is conferred on one or a few, is here conferred upon very many. Next kings and their ministers do not bear the burden of the dominion with the subjects, but under this form of dominion it is just the reverse; for the patricians, who are always chosen from the rich, bear the largest share of the weight of the commonwealth. Lastly, the burdens of a monarchy spring not so much from its king's expenditure, as from its secret policy. For those burdens of a dominion, that are imposed on the citizens in order to secure peace and liberty, great though they be, are yet supported and lightened by the usefulness of peace. What nation ever had to pay so many and so heavy taxes as the Dutch? Yet it not only has not been exhausted, but, on the contrary, has been so mighty by its wealth, that all envied its good fortune. If therefore the burdens of a monarchy were imposed for the sake of peace, they would not oppress the citizens; but, as I have said, it is from the secret policy of that sort of dominion, that the subjects faint under their lord; that is, because the virtue of kings counts for more in time of war than in time of peace, and because they, who would reign by themselves, ought above all to try and have their subjects poor; not to mention other things, which that most prudent Dutch-

choose their judges not among the patricians, but among foreigners. But this seems to me, considering the matter in the abstract, absurdly ordained, that foreigners and not patricians should be called in to interpret the laws. For what are judges but interpreters of the laws? And I am therefore persuaded that herein also the Genoese have had regard rather to the genius of their own race, than to the very nature of this kind of dominion. We must, therefore, by considering the matter in the abstract, devise the means which best agree with the form of this government.

38. But as far as regards the number of the judges, the theory of this constitution requires no peculiar number; but as under monarchical dominion, so under this, it suffices that they be too numerous to be corrupted by a private man. For their duty is but to provide against one private person doing wrong to another, and therefore to decide disputes between private persons, as well patricians as commons, and to exact penalties from delinquents, and even from patricians, syndics, and senators, as far as they have offended against the laws, whereby all are bound. But disputes that may arise between cities that are subject to the dominion, are to be decided in the supreme council.

39. Furthermore the principle regulating the time, for which the judges should be appointed, is the same in both dominions, and also the principle of a certain part of them retiring every year; and, lastly, although it is not necessary for every one of them to be of a different family, yet it is necessary that two related by blood should not sit on the same bench together. And this last point is to be observed also in the other councils, except the supreme one, in which it is enough, if it be only provided by law that in elections no man may nominate a relation, nor vote upon his nomination by another, and also that two relations may not draw lots from the urn for the

for instance, that all the patricians must be of the same religion, that is, of that most simple and general religion, which in that treatise we described. For it is above all to be avoided, that the patricians themselves should be divided into sects, and show favour, some to this, and others to that, and thence become mastered by superstition, and try to deprive the subjects of the liberty of speaking out their opinions. In the second place, though everyone is to be given liberty to speak out his opinion, yet great conventicles are to be forbidden. And, therefore, those that are attached to another religion are, indeed, to be allowed to build as many temples as they please; yet these are to be small, and limited to a certain standard of size, and on sites at some little distance one from another. But it is very important, that the temples consecrated to the national religion should be large and costly, and that only patricians or senators should be allowed to administer its principal rites, and thus that patricians only be suffered to baptize, celebrate marriages, and lay on hands, and that in general they be recognized as the priests of the temples and the champions and interpreters of the national religion. But, for preaching, and to manage the church treasury and its daily business, let some persons be chosen from the commons by the senate itself, to be, as it were, the senate's deputies, and, therefore, bound to render it account of everything.

47. And these are points that concern the foundations of this sort of dominion; to which I will add some few others less essential indeed, but yet of great importance. Namely, that the patricians, when they walk, should be distinguished by some special garment, or dress, and be saluted by some special title; and that every man of the commons should give way to them; and that, if any patrician has lost his property by some unavoidable misfortune, he should be restored to his old condition at the public expense; but if, on the contrary, it be

proved that he has spent the same in presents, ostentation, gaming, debauchery, &c., or that he is insolvent, he must lose his dignity, and be held unworthy of every honour and office.

X || For he, that cannot govern himself and his own private affairs, will much less be able to advise on public affairs.

!! ||
no fear of hell
/ ||
48. Those, whom the law compels to take an oath, will be much more cautious of perjury, if they are bidden to swear by the country's safety and liberty and by the supreme council, than if they are told to swear by God. For he who swears by God, gives as surety some private advantage to himself, whereof he is judge; but he, who by his oath gives as surety his country's liberty and safety, swears by what is the common advantage of all, whereof he is not judge, and if he perjures himself, thereby declares that he is his country's enemy.

49. Academies, that are founded at the public expense, are instituted not so much to cultivate men's natural abilities as to restrain them. But in a free commonwealth arts and sciences will be best cultivated to the full, if everyone that asks leave is allowed to teach publicly, and that at his own cost and risk. But these and the like points I reserve for another place.⁴ For here I determined to treat only such matters as concern an aristocratic dominion only.

⁴ This promise is not kept by the author, no doubt owing to his not living to finish the work.

Equality of impotence: as of equality
of ability to will.

be the head of the dominion; and, therefore, either they would have to take turns, or a place would have to be assigned for this council, that has not the right of citizenship, and belongs equally to all. But either alternative is as difficult to effect, as it is easy to state; I mean, either that so many thousands of men should have to go often outside their cities, or that they should have to assemble sometimes in one place, sometimes in another.

4. But that we may conclude aright what should be done in this matter, and on what plan the councils of this dominion ought to be formed, from its own very nature and condition, these points are to be considered; namely, that every city has so much more right than a private man, as it excels him in power (Chap. II. Sec. 4), and consequently that every city of this dominion has as much right within its walls, or the limits of its jurisdiction, as it has power; and, in the next place, that all the cities are mutually associated and united, not as under a treaty, but as forming one dominion, yet so that every city has so much more right as against the dominion than the others, as it exceeds the others in power. For he who seeks equality between unequals, seeks an absurdity. Citizens, indeed, are rightly esteemed equal, because the power of each, compared with that of the whole dominion, is of no account.

But each city's power constitutes a large part of the power of the dominion itself, and so much the larger, as the city itself is greater. And, therefore, the cities cannot all be held equal. But, as the power of each, so also its right should be estimated by its greatness. The bonds, however, by which they should be bound into one dominion, are above all a senate and a court of justice (Chap. IV. Sec. 1). But how by these bonds they are all to be so united, that each of them may yet remain, as far as possible, independent, I will here briefly show.

5. I suppose then, that the patricians of every city, who,

Spinoza considers as three inequalities, &
this is breaking of equality!! because
man is public only in order to power.

CHAPTER X

OF ARISTOCRACY (*conclusion*)

I

HAVING explained and made proof of the foundations of both kinds of aristocracy, it remains to inquire whether by reason of any fault they are liable to be dissolved or changed into another form. The primary cause, by which dominions of this kind are dissolved, is that, which that most acute Florentine¹ observes in his "Discourses on Livy" (Bk. iii. Chap. I.), namely, that like a human body, "a dominion has daily added to it something that at some time or other needs to be remedied." And so, he says, it is necessary for something occasionally to occur, to bring back the dominion to that first principle, on which it was in the beginning established. And if this does not take place within the necessary time, its blemishes will go on increasing, till they cannot be removed, but with the dominion itself. And this restoration, he says, may either happen accidentally, or by the design and forethought of the laws or of a man of extraordinary virtue. And we cannot doubt, that this matter is of the greatest importance, and that, where provision has not been made against this inconvenience, the dominion will not be able to endure by its own excellence, but only by good fortune; and on the other hand that, where a proper remedy has been applied to this evil, it will not be possible for it to fall by its own fault, but only by some inevitable fate, as we shall presently show more

¹ Machiavelli.

clearly. The first remedy, that suggested itself for this evil, was to appoint every five years a supreme dictator for one or two months, who should have the right to inquire, decide, and make ordinances concerning the acts of the senators and of every official, and thereby to bring back the dominion to its first principle. But he who studies to avoid the inconveniences, to which a dominion is liable, must apply remedies that suit its nature, and can be derived from its own foundations; otherwise in his wish to avoid Charybdis he falls upon Scylla. It is, indeed, true that all, as well rulers as ruled, ought to be restrained by fear of punishment or loss, so that they may not do wrong with impunity or even advantage; but, on the other hand, it is certain, that if this fear becomes common to good and bad men alike, the dominion must be in the utmost danger. Now as the authority of a dictator is absolute, it cannot fail to be a terror to all, especially if, as is here required, he were appointed at a stated time, because in that case every ambitious man would pursue this office with the utmost energy; and it is certain that in time of peace virtue is thought less of than wealth, so that the more haughty a man he is, the more easily he will get office. And this perhaps is why the Romans used to make a dictator at no fixed time, but under pressure of some accidental necessity. Though for all that, to quote Cicero's words, "the tumour of a dictator was displeasing to the good."² And to be sure, as this authority of a dictator is quite royal, it is impossible for the dominion to change into a monarchy without great peril to the republic, although it happen for ever so short a time. Furthermore, if no fixed time were appointed for creating a dictator, no notice would be paid to the interval between one dictator and another, which is the very thing that we said was most to be observed; and the

² Cic. ad Quint. Grat. iii. 8, 4. The better reading is "rumour," not "tumour." "The good" in such a passage means the aristocratic party.

to the nature of its situation and the national genius, and herein it is above all to be studied, that the subjects may do their duty rather spontaneously than under pressure of the law.

8. For a dominion, that looks no farther than to lead men by fear, will be rather free from vices, than possessed of virtue. 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; and so that they are restrained only by love of liberty, desire to increase their property, and hope of gaining the honours of the dominion. But effigies, triumphs, and other incitements to virtue, are signs rather of slavery than liberty. For rewards of virtue are granted to slaves, not freemen. I admit, indeed, that men are very much stimulated by these incitements; but, as in the first instance, they are awarded to great men, so afterwards, with the growth of envy, they are granted to cowards and men swollen with the extent of their wealth, to the great indignation of all good men. Secondly, those, who boast of their ancestors' effigies and triumphs, think they are wronged, if they are not preferred to others. Lastly, not to mention other objections, it is certain that equality, which once cast off the general liberty is lost, can by no means be maintained, from the time that peculiar honours are by public law decreed to any man renowned for his virtue.

9. After which premisses, let us now see whether dominions of this kind can be destroyed by any cause to which blame attaches. But if any dominion can be everlasting, that will necessarily be so, whose constitution being once rightly instituted remains unbroken. For the constitution is the soul of a dominion. Therefore, if it is preserved, so is the dominion. But a constitution cannot remain unconquered, unless it is defended alike by reason and common human passion: otherwise, if it relies only on the help of reason, it is certainly weak and easily overcome. Now since the fundamental constitution

Presbiter = nature = power

*Examine: the present market is for their last &
Sponge only for present's sake*

of both kinds of aristocracy has been shown to agree with reason and common human passion, we can therefore assert that these, if any kinds of dominion, will be eternal, in other words, that they cannot be destroyed by any cause to which blame attaches, but only by some inevitable fate.

10. But it may still be objected to us, that, although the constitution of dominion above set forth is defended by reason and common human passion, yet for all that it may at some time be overpowered. For there is no passion, that is not sometimes overpowered by a stronger contrary one; for we frequently see the fear of death overpowered by the greed for another's property. Men, who are running away in panic fear from the enemy, can be stopped by the fear of nothing else, but throw themselves into rivers, or rush into fire, to escape the enemy's steel. In whatever degree, therefore, a commonwealth is rightly ordered, and its laws well made; yet in the extreme difficulties of a dominion, when all, as sometimes happens, are seized by a sort of panic terror, all, without regard to the future or the laws, approve only that which their actual fear suggests, all turn towards the man who is renowned for his victories, and set him free from the laws, and (establishing thereby the worst of precedents), continue him in command, and entrust to his fidelity all affairs of state: and this was, in fact, the cause of the destruction of the Roman dominion. But to answer this objection, I say, first, that in a rightly constituted republic such terror does not arise but from a due cause. And so such terror and consequent confusion can be attributed to no cause avoidable by human foresight. In the next place, it is to be observed, that in a republic such as we have above described, it is impossible (Chap. VIII. Secs. 9, 25), for this or that man so to distinguish himself by the report of his virtue, as to turn towards himself the attention of all, but he must have many rivals favoured by others. And

so, although from terror there arise some confusion in the republic, yet no one will be able to elude the law and declare the election of anyone to an illegal military command, without its being immediately disputed by other candidates; and to settle the dispute, it will, in the end, be necessary to have recourse to the constitution ordained once for all, and approved by all, and to order the affairs of the dominion according to the existing laws. I may therefore absolutely assert, that as the aristocracy, which is in the hands of one city only, so especially that which is in the hands of several, is everlasting, or, in other words, can be dissolved or changed into another form by no internal cause.

mocracies, because in them the citizens, who are destined to manage affairs of state, are not chosen as the best by the supreme council, but are destined to it by a law. And although for this reason dominions of this kind, that is, where not the best, but those who happen by chance to be rich, or who are born eldest, are destined to govern, are thought inferior to an aristocracy; yet, if we reflect on the practice or general condition of mankind, the result in both cases will come to the same thing. For patricians will always think those the best, who are rich, or related to themselves in blood, or allied by friendship. And, indeed, if such were the nature of patricians, that they were free from all passion, and guided by mere zeal for the public welfare in choosing their patrician colleagues, no dominion could be compared with aristocracy. But experience itself teaches us only too well, that things pass in quite a contrary manner, above all, in oligarchies, where the will of the patricians, from the absence of rivals, is most free from the law. For there the patricians intentionally keep away the best men from the council, and seek for themselves such colleagues in it, as hang upon their words, so that in such a dominion things are in a much more unhappy condition, because the choice of patricians depends entirely upon the arbitrary will of a few, which is free or unrestrained by any law. But I return to my subject.

3. From what has been said in the last section, it is manifest that we can conceive of various kinds of democracy. But my intention is not to treat of every kind, but of that only, wherein all, without exception, who owe allegiance to the laws of the country only, and are further independent and of respectable life, have the right of voting in the supreme council and of filling the offices of the dominion. I say expressly, who owe allegiance to the laws of the country only, to exclude foreigners, who are treated as being under another's dominion.

CHAPTER XI

OF DEMOCRACY

I

I PASS, at length, to the third and perfectly absolute dominion, which we call democracy. The difference between this and aristocracy consists, we have said, chiefly in this, that in an aristocracy it depends on the supreme council's will and free choice only, that this or that man is made a patrician, so that no one has the right to vote or fill public offices by inheritance, and that no one can by right demand this right, as is the case in the dominion, whereof we are now treating. For all, who are born of citizen parents, or on the soil of the country, or who have deserved well of the republic, or have accomplished any other conditions upon which the law grants to a man right of citizenship; they all, I say, have a right to demand for themselves the right to vote in the supreme council and to fill public offices, nor can they be refused it, but for crime or infamy.

2. If, then, it is by a law appointed, that the elder men only, who have reached a certain year of their age, or the first-born only, as soon as their age allows, or those who contribute to the republic a certain sum of money, shall have the right of voting in the supreme council and managing the business of the dominion; then, although on this system the result might be, that the supreme council would be composed of fewer citizens than that of the aristocracy of which we treated above, yet, for all that, dominions of this kind should be called de-

X
I added, besides, *who are independent, except in so far as they are under allegiance to the laws of the dominion*, to exclude women and slaves, who are under the authority of men and masters, and also children and wards, as long as they are under the authority of parents and guardians. I said, lastly, *and of respectable life*, to exclude, above all, those that are infamous from crime, or some disgraceful means of livelihood.

4. But, perhaps, someone will ask, whether women are under men's authority by nature or institution? For if it has been by mere institution, then we had no reason compelling us to exclude women from government. But if we consult experience itself, we shall find that the origin of it is in their weakness. For there has never been a case of men and women reigning together, but wherever on the earth men are found, there we see that men rule, and women are ruled, and that on this plan, both sexes live in harmony. But on the other hand, the Amazons, who are reported to have held rule of old, did not suffer men to stop in their country, but reared only their female children, killing the males to whom they gave birth. But if by nature women were equal to men, and were equally distinguished by force of character and ability, in which human power and therefore human right chiefly consist; surely among nations so many and different some would be found, where both sexes rule alike, and others, where men are ruled by women, and so brought up, that they can make less use of their abilities. And since this is nowhere the case, one may assert with perfect propriety, that women have not by nature equal right with men: but that they necessarily give way to men, and that thus it cannot happen, that both sexes should rule alike, much less that men should be ruled by women. But if we further reflect upon human passions, how men, in fact, generally love women merely from the passion of lust, and esteem their cleverness and wisdom in proportion to the excel-

Introduction:

Role of the secondary market:

proble & problem.

Factors: 1. Prosperity

2. Labor.

Literature: Pollock, Life & Times of

Spencer.