Preface………………………………………………………………………………………………………

Intimations of Modernity: Freedom and Equality in Calvin’s *Institutes*  
by David Peddle…………………………………………………………………………………………

‘The Law of a Commonweal’: The Social Vision of Hooker’s *Of the Laws of Ecclesiastical Polity* and Shakespeare’s *The Taming of the Shrew*  
by Ken Jacobsen…………………………………………………………………………………………

The Common Structure of Religion, Philosophy and Politics in Spinoza’s *Tractatus Theologico-Politicus*  
by Eli Diamond……………………………………………………………………………………………………

Rousseau, Montesquieu and the Origins of Inequality  
by Neil G. Robertson…………………………………………………………………………………………

‘Absolute Negativity’: Community and Freedom in Hegel’s *Philosophy of Right*  
by Kenneth Kierans…………………………………………………………………………………………
Preface

Volume 12 of Animus, the first under the direction of the new editorial board, is dedicated to studies of the modern state.

The modern state is a vexed topic for many in the contemporary world. On the one side, the modern development of the state has been seen as the source of a manifold of evils: from new forms of modern evil in totalitarianism and genocide, to the perversion of forms of social life that would be pre-modern or post-modern, to the distortions of our very most intimate selves. On the other side, it can well appear that the modern state is not only an inevitable necessity, but the only remedy to modern forms of evil: indeed the sine qua non of any kind of realized human dignity or human rights.

The consideration of the modern state is easily polemicized and its historical development misrepresented. This edition of Animus is written from a variety of perspectives, but as a whole provides the opportunity to better understand the intellectual and wider cultural sources of the modern state. This is not intended as a defence of the modern state, but rather as a consideration of the deeper reality of the state as understood by some of the crucial thinkers of the early modern period, which in turn will provide us with a sense of the truth as well as limits of the modern state.

Perhaps at the heart of this consideration is the varied treatment of religion and secularity that plays itself out in the following papers. Hobbes famously described the state as a “mortal god” – a most ambiguous term. Are we to see the modern state as “secularizing” the absolutes of religion and so divinizing the human? Are we to see it rather as a humanizing of the divine and so drawing the human in its very freedom more deeply into the divine? In this relation of the mortal and immortal in the modern state, does the state betray its dependent (and hence limited) nature to a Christian tradition? Or is this secularization simultaneously the attainment of a fully universal humanity? This edition of Animus certainly does not resolve, but rather begins to ask anew these questions so central to our own world complicatedly crisscrossed by religion and secularity.

David Peddle finds prefigured in Calvin’s Institutes of the Christian Religion certain core principles of the modern state. He argues that Calvin expresses in theological form the grounds for the equality of all individuals and the division between Church and State which will be worked out philosophically in modern political thought. Identifying these intimations of modernity undermines the persistent Enlightenment caricature of pre-modern religion as irrational and oppressive.

Ken Jacobsen proposes a parallel reading of two historically contemporary texts, Hooker’s Of the Laws of Ecclesiastical Polity and Shakespeare’s Taming of the Shrew. On Jacobsen’s reading this juxtaposition reveals a common purpose in the two works: the
willing reconciliation of the dissenting subject to a necessary social order. This reading allows a renewed appreciation of both texts which from various contemporary viewpoints appear repugnant or unintelligible.

Eli Diamond offers an interpretation of Spinoza’s *Tractatus Theologico-Politicus* which shows how there is a common logical structure underlying the arguments in that treatise concerning philosophy and religion (chapters 1-15) and the Sovereign’s power over individuals (16-20). Diamond further claims that this logical structure applies in important ways to Spinoza’s metaphysical theology. The article seeks to show that this crucial foundational text in modern political thought opens a realm of autonomous secularity by re-thinking the nature of God and the relation of God and world.

Neil Robertson explores the relation between Montesquieu and Rousseau on the conception of the state of nature and the origin of the state. He identifies in the difference between the two thinkers the threshold between early modern and contemporary political philosophy, and argues that an adequate understanding of the state requires drawing both their views into a standpoint that can make room for the educative force of existing social forms along with the inner freedom of individuals.

The last of the articles addresses the analysis of modern state found in modernity’s great critic and defender, G.W.F. Hegel. In his study of negativity in Hegel’s *Philosophy of Right*, Ken Kierans confronts contemporary critics who argue that Hegel defends modern freedom by underemphasizing or suppressing deep antagonisms and tensions in the modern State. Kierans argues that it is in fact Hegel’s willingness to do justice to this extreme negativity that constitutes the very heart of the argument of the *Philosophy of Right*.

Like the very first volume of *Animus* published in 1996, the current volume consists exclusively of contributions from the five members of the editorial board. We hope that the articles in this volume will give a sense of the new editorial board’s vision for *Animus*. 
Intimations of Modernity: Freedom and Equality in Calvin’s *Institutes*

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A lingering Enlightenment tendency, I might say abstraction, portraits the modern in sheer opposition to the superstition and intolerance of pre-modern religion. Commonly, reason is opposed to faith, science to religion, individual liberation to religious oppression.

Contemporary political philosophy falls prey to this tendency. Consider, for example, the brief portrait of Calvin in John Rawls’ *Political Liberalism*, perhaps the most influential political philosophy text of our time. He states, “The historical origin of political liberalism (and of liberalism more generally) is the Reformation and its aftermath, with the long controversies over religious toleration in the 16th and 17th centuries. Something like the modern understanding of liberty of conscience and freedom began then. As Hegel saw, pluralism made religious liberty possible, certainly not Luther and Calvin’s intention.” For Rawls, “Luther and Calvin were as dogmatic and intolerant as the Roman Church had been.”

However, by contrast with such portrayals, besides the extreme emphasis on predestination, double election and original sin, and in the face of what is in certain respects an extremely passive conception of citizenship and a restrictive social ethic, there also emerge in Calvin’s thought conceptions of freedom and equality and of a division of the spiritual and the political not too far removed from characteristics ascribed to the modern self and its separation of church and state.

This then raises a question about the history of thought so far as it has been influenced by the above mentioned Enlightenment divisions. From within the enlightened perspective, that of science, liberalism and technology, free rationality liberates itself from the bondage of religious dogma. Nevertheless, as thus distinguishing faith, reason and freedom, a question arises as to whether that from which the enlightened mind frees itself is in fact that to which the pre-modern religious consciousness adhered. A more balanced perspective must strive to hold together both the modern criticism of religion and the historical and intellectual reality that modern freedom and equality emerge from a religious inwardness which has already begun to liberate itself from religious superstition and dogmatism.

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1 Rawls 1993: xxiv.
2 Rawls 1993: xxiii.
A question can be asked as to what from a contemporary standpoint can be gained by a fuller appreciation of the historical relation between Christianity and liberalism. The assumption of the present essay is that modernity and its political forms express in a fuller way the freedom and equality that in certain respects remain merely implicit or abstract, one might say other-worldly, in religious consciousness. It is important to recognize, I believe, that while the intellectual approaches of modernity are distinct from those of religion there is nevertheless much that is shared in terms of content. Thus, this essay hopes to contribute to diminishing the prejudice on both sides of the argument that perceives variously a worldly destruction of spiritual life or a sectarian superstition destructive of public political deliberation. More than a cold toleration of human spirituality, modern liberal thought might find in its heritage a kinship with the spirit of Christianity. Thus, with the relation to its own historical religious origin clarified it is hoped that the tension be reduced between contemporary liberal forms and religion per se.

This essay considers Calvin’s theological conceptions of freedom and equality and their relation to his concept of predestination, as well as his separation of the inner and the outer man, to suggest how it is that in religious or theological form, Calvin articulates what is expressed philosophically in the modern period.

For a clear exposition of Calvin’s thought one can do no better than to look to *The Institutes of the Christian Religion*. Here in systematic form one finds precise definitions of the basic vocabulary of Calvinism: faith, justification, regeneration, conscience, freedom, equality, imputation, righteousness, spiritual and political. While to any number of contemporary outlooks, Calvin will appear strange if not dangerous and hostile, there is no faulting the clarity and integrity of his exposition.

**Predestination and Freedom**

Concerning predestination, Calvin states, “The decree is dreadful indeed, I confess.” This clearly expresses his recognition of just how difficult the doctrine of double predestination is. The most fundamental principle in Calvin’s thought is the sovereignty of God. God is the source of nature and redemption and of everything in between. It follows from this sovereignty that God’s will must be utterly and ineffably free in the election of those who will be redeemed in Christ, that is in the choice of those who will be saved. Further, for Calvin this freedom means that not all will be chosen for redemption, that some will be reprobate and, startlingly, that they will likewise be chosen but for damnation. Every other category in Calvin’s spiritual economy derives from this stern emphasis on the divine will. Faith will be the working of the Holy Spirit in the human heart, grace the undeserved gift of God, sin and righteousness imputed, conscience the witness of God’s judgment. The totality of human spiritual experience has its origin and sustenance in God’s will.

What is predestination? Calvin states, “We call predestination God’s eternal decree by which he compacted with himself what he willed to become of each man. For

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all are not created equal in condition; rather eternal life is foreordained for some, eternal
damnation for others. Therefore as any man has been created to one or the other of these
ends, we speak of him as predestined to life or death.” Further, “We say that God once
established by his eternal and unchangeable plan those whom he long before determined
once for all to receive into salvation, and those whom, on the other hand, he would
devote to destruction. We assert that with respect to the elect, this plan was founded
upon his freely given mercy without regard to human worth; but by his just and
irreprehensible but incomprehensible judgment he has barred the door of life to those
whom he has given over to damnation.”

For Calvin this contrast between the elect and the damned demonstrates that God
is free in his election and that his choice is not indiscriminate but based on his ineffable
wisdom. For Calvin, humans are not created equal. Speaking of the Israelites he states,
“In the election of a whole nation God has already shown that in his mere generosity he
has not been bound by any laws but is free, so that equal apportionment of grace is not to
be required of him. The very inequality of grace proves that it is free.”

While this conception does metaphysical violence to the contemporary liberal
view of the inherent freedom and equality of all human beings, it expresses with integrity
the difficulties inherent in beginning from a standpoint of an eternal and sovereign deity
and in then attempting to relate this to the human individual. This approach faces the
same tensions that are present in the thought of Augustine and Spinoza, for example. The
ethical difficulties which emerge should not obscure the philosophically reasonable
ontological position it expresses, of asserting the primacy of an eternal being.

Calvin’s position will be decidedly pre-modern in its inability adequately to relate
human subjectivity and freedom to the first cause. Yet it shares with its medieval
ancestors, its renaissance kin and its modern progeny, a concern to show that human
freedom is compatible with divine necessity. Following Luther, Calvin distinguishes
necessity and compulsion. He considers the necessity of human sin by analogy with the
necessity of God’s goodness. God is necessarily Good, goodness itself, “God’s goodness
is so connected to his divinity that it is no more necessary for him to be God than for him
to be good.” But this necessity and God’s inability to do evil is not, in Calvin’s eyes, a
restriction on God but rather a “boundless goodness”. He is not compelled by some
external force but by his own good will. To put it another way, because God is goodness
itself, whatever he wills must be good; there is no external moral standard from which his
goodness can be evaluated because he is the foundation of all morality.

Likewise, for Calvin, though the human will must sin, this is not the product of an
external compulsion but rather an inward necessity: “The chief point of this distinction,
then, must be that man as he was corrupted by the Fall, sinned willingly, not unwillingly
or by compulsion; by the most eager inclination of his heart, not forced by compulsion;

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4 Institutes, III, xxi, 5, p. 926.
5 Institutes, III, xxi, 7, p. 931.
6 Institutes, III, xxi, 6, p. 929.
7 Institutes, II, iii, 5, p. 295.
Considered in itself, that is, without regard to any actual choice, the human will is able to enact an individual’s own intentions. This is what Augustine refers to as *liberum arbitrium*. Adam, then, was free to follow the law established by God or to disobey it. In disobeying the law he followed the inclination of his own will. While it was necessary from the standpoint of providence that the fall occur, it did not occur except through Adam’s own will. However, once the will falls, once it is rendered corrupt in punishment of its sinfulness, its inclinations are necessarily perverse, and it is only through grace that it becomes possible for the will to be redeemed, that is, for it to will the good. The post-lapsarian human will, the human will after the fall, is corrupt and can only be restored through God’s activity. While Adam’s will was such that it could obtain freedom in obedience to the law, fallen humanity does not have the same possibility available to it; rather it can find redemption only in the gospel of love. These are the theological roots of Calvin’s view of justification by faith. And it is only through faith that the will can be freed.

**Faith and Freedom**

How are freedom and faith related on Calvin’s view? Calvin defines faith as “A firm and certain knowledge of God’s benevolence toward us, founded upon the truth of the freely given promise in Christ, both revealed to our minds and sealed upon our hearts through the Holy Spirit.”\(^8\) In Calvin's words, “not that knowledge which, content with idle speculation, merely flits in the brain but that which will be sound and fruitful if one duly perceive it and if it takes root in the heart.”\(^9\) This unity of head and heart, of the rational and the natural if you will, results in a practical or moral wisdom, that is, piety. For Calvin, it is idle to question what God is; what is required is not speculation but reverence grounded in recognition and worship of the divine majesty and mercy.\(^10\) Faith, he argues, “is more a matter of the heart than of the brain, and more of the disposition than of the understanding. For this reason it is called ‘obedience of faith’.”\(^11\)

For Calvin, it is only through faith that one may be saved; this is his doctrine of justification by faith which he claims “is the main hinge on which religion turns”.\(^12\) Like the doctrine of predestination, justification by faith asserts the absolute sovereignty of God. According to Calvin, “He is said to be justified in God’s sight who is both reckoned righteous in God’s judgment and has been accepted on account of his

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8 *Institutes*, II, iii, 5, pp. 295-96.  
9 *Institutes*, I, xv, 8, p. 195.  
10 *Institutes*, III, ii, 7, p. 551.  
12 Calvin refers to Paul’s definition of faith as: “That obedience which is given to the gospel.” Further he states: “It is not so much our concern to know who he is in himself, as what he wills to be toward us.” Here Calvin weaves together two crucial dimensions of faith, the Word and piety. *Institutes*, III, ii, 6, p. 549.  
13 *Institutes*, III, ii, 8, p. 552.  
14 *Institutes*, III, xi, 1, p. 726.
righteousness.”\textsuperscript{15} This righteousness, however, is not the product of any human activity. Justification by faith is contrasted with the doctrine of works which allows a positive human activity in salvation, which sees human good works as a contributing cause of salvation. For Calvin, this conception of works is appropriate to law righteousness but not to gospel righteousness. He conceives the law as the Old Testament revelation of God’s will prior to the full revelation of Christ. Whereas works are required for righteousness relative to the law, for Calvin, the New Testament reveals that works are insufficient for Christian righteousness. He states, “Faith receives that righteousness which the gospel bestows. Now the gospel differs from the law in that it does not link righteousness to works but lodges it solely in God’s mercy.”\textsuperscript{16} Further, “Justified by faith is he who, excluded from the righteousness of works, grasps the righteousness of Christ through faith, and clothed in it, appears in God’s sight not as a sinner but as a righteous man…. And we say that it consists in the remission of sins and the imputation of Christ’s righteousness.”\textsuperscript{17} This concept of imputed righteousness is central: “Since God justifies us by the intercession of Christ, he absolves us not by the confirmation of our own innocence but by the imputation of righteousness, so that we who are not righteous in ourselves may be reckoned as such in Christ.”\textsuperscript{18} In other words redemption occurs through the vicarious substitution of Christ’s righteousness for our sinfulness.

Calvin’s Pauline insight here is that no human activity can possibly meet the absolute moral standard revealed in the Bible. Because humans are ethically imperfect, or, in Calvin’s words, the inheritors of original sin, they cannot reconcile themselves to God, at least not in the absolute way which Calvin envisages as promised in scripture. Therefore, true reconciliation can only be the product of a divine act through which we are adopted to participate in Christ.\textsuperscript{19} Otherwise, only an imperfect reconciliation would be possible. It is important to see that while Calvin might be said to diminish the potency of the human will in obtaining redemption, this is, from his standpoint, for two very good reasons, (1) to retain God’s absolute sovereignty and (2) to ensure absolute reconciliation with God. One might say that what is lost on the side of finite human activity is gained in terms of the absolute relationship that obtains between elect humanity and God.

Given that Calvin’s concept of faith demands the radical assertion of the absolute sovereignty of God’s will and of the thoroughly subordinate reality of the human will, his further contention that faith is the basis of freedom is apt to appear alien to the contemporary liberal standpoint. What meaningfully can be said to be left of human freedom when such emphasis is placed on the divine activity? Is there not more of servitude than of liberty here?

For Calvin, freedom is an “appendage of justification”.\textsuperscript{20} And because justification is by faith alone, true freedom, on Calvin’s view, is a product of faith. What

\textsuperscript{15} Institutes, III, xi, 1, p. 726.
\textsuperscript{16} Institutes, III, xi, 18, p. 748.
\textsuperscript{17} Institutes, III, xi, 2, pp. 726-27.
\textsuperscript{18} Institutes, III, xi, 3, p. 728. For Calvin imputation means that Christ shares his righteousness with us, that he “pours into us enough of his power to meet the judgment of God” Institutes, III, xi, 23, p. 753.
\textsuperscript{19} Institutes, III, ii, 24, p. 570.
\textsuperscript{20} Institutes, III, xix, 1, p. 833.
is essential to see, is that whereas his conception of the reception of grace denies the efficacy of the human will, grace itself regenerates the will from its corruption into the freedom of Christ’s righteousness. The righteous human participates in Christ’s freedom and by adoption gains the power to will the good. With reference to those like Erasmus who emphasize human cooperation with divine grace, Calvin states, “If they mean that after we have by the Lord’s power once for all been brought to obey righteousness, we go forward by our own power and are inclined to follow the action of grace, I do not gainsay it. For it is very certain that where God’s grace reigns, there is readiness to obey it.”

This is the positive dimension of Calvinistic freedom; one is given the power freely to obey God. From this standpoint no other freedom is comparable, indeed there would be no point to freedom were there no possible relationship to God.

Nevertheless, other forms of freedom, perhaps negative freedom, follow from this positive dimension. First, there is freedom from the bondage of sin which prevents one from willing the good. Calvin vividly describes sinful servitude, “The mind of man has been so completely estranged from God’s righteousness that it conceives, desires, and undertakes, only that which is impious, perverted, foul, impure and infamous. The heart is so steeped in the poison of sin that it can bring out nothing but a loathsome stench. But if some men occasionally make a show of good, their minds nevertheless ever remain enveloped in hypocrisy and deceitful craft, and their hearts remain bound by inner perversity.”

Freedom from this bondage likewise entails a freedom from the burdens of the law of the Old Testament. Calvin contends, “No one will ever come to be completely convinced in his own mind that he has satisfied the law, as surely no one ever fully satisfies it through works.” Rather, “Christ alone, who surpasses all perfection of the law, must be set forth as righteousness.” For Calvin, Christian freedom thus consists of three parts. First, we must be freed from the law and thus avoid dependence on works. Secondly, we must, therefore, look not to ourselves for righteousness but only to Christ. And third, we must treat the law as, nevertheless, serving the purposes of teaching and moral exhortation. But the key point is that, in terms of God’s judgment, human conscience need not be concerned with what the law requires. Indeed the assurance of faith emerges only when one has overcome the dread engendered by the law. Thus liberated from dread, individuals find it possible freely if not joyously to obey the law, “Consciences observe the law, not as if constrained by the necessity of law, but … freed from the law’s yoke they willingly obey God’s will. For since they dwell in perpetual

21 *Institutes*, II, iii, 11, p. 306.
22 The terms positive freedom and negative freedom are often identified with Isaiah Berlin though they have a longer philosophical and theological lineage. Consider, for example, Augustine’s distinction between *liberum arbitrium* and *libertas*. There is much of use in Berlin’s analysis though I do not find his sense of these terms as denoting opposed concepts of liberty convincing.
26 *Institutes*, III, xix, 1, p. 834.
27 *Institutes*, III, xix, 2, p. 835.
dread so long as they remain under the sway of the law, they will never be disposed with
eager readiness to obey God unless they have already been given this sort of freedom.”

In Calvin’s universe this entails an extraordinary freedom of conscience. He
defines conscience as an inner awareness of divine judgment, “a witness which does not
let them hide their sins but arraigns them as guilty before the judgment seat.” For
Calvin, however, “Christian freedom is, in all its parts a spiritual thing. Its whole force
consists in quieting frightened consciences before God.” Our self-justification through
works will always come up short, thus, “faith alone must have place, whose nature it is to
prick up the ears and close the eyes – that is, to be intent upon [God’s] promise alone and
to turn thought away from the worth and merit of man.”

Conscience, then, turns toward the divine and away from humanity. While
human laws ought to be observed because the social order is ordained by God, they do
not bind conscience as such. Likewise, conscience is not bound by custom. Conscience is thus authoritative for individuals without reference to other individuals or
to the community except so far as directly commanded by God in scripture. Conscience,
then, maintains a free human inwardness relative to both spiritual and civil government.
Because it concerns the “inner man”, conscience is subject only to spiritual or
ecclesiastical government; and it is subject only so far as enjoined by divine commands
not by human invention, indeed, only so far as the church grounds its government in
God’s word.

This allows also what Calvin calls a freedom “regarding outward things that are
indifferent”. He states, “We are not bound before God by any religious obligation
preventing us from sometimes using them and other times not using them,
indifferently.” Calvin is at pains to show the superstition and compulsion to which the
immoderate conscience tends: “When consciences once ensnare themselves, they enter a
long and inextricable maze, not easy to get out of. If a man begins to doubt whether he
may use linen for sheets, shirts, handkerchiefs, and napkins, he will afterwards be
uncertain about hemp; finally doubt will even arise over tow. For he will turn over in his
mind whether he can sup without napkins, or go without a handkerchief. If any man
should consider daintier food unlawful, in the end he will not be at peace, before God,
when he eats black bread or common victuals, while it occurs to him that he could sustain
his body on even coarser foods. If he boggles at sweet wine, he will not with clear
conscience drink even flat wine, and finally he will not dare touch water if sweeter and

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29 Institutes, III, xix, 4, p. 836.
30 Institutes, IV, x, 2, p. 1181.
31 Institutes, III, xix, 9, p. 840.
32 Institutes, III, xiii, 4, p. 767.
33 Institutes, IV, x, 18, p. 1196.
34 Institutes, IV, x, 5, p. 1184.
35 Institutes, IV, viii, 4, p. 1162.
36 Institutes, IV, viii, 15, p. 1164. Calvin will insist, for example that the church is not allowed to create
new doctrine beyond that found in scripture (Institutes, IV, viii, 15, p. 1164) Such doctrine is not binding on
conscience (Institutes, IV, X, 6, p. 1184)
37 Institutes, III, xix, 7, p. 838.
cleaner than other water. To sum up he will come to the point of considering it wrong to step upon a straw upon his path, as the saying goes.”

By contrast with spiritual government, civil government is authoritative for the “outer man” only. Indeed Calvin asserts that the power of the sword is not exercised over conscience. Conversely, even civil bondage is thought compatible with spiritual freedom. He states, “It makes no difference what your condition among men may be or under what nation’s laws you live, since the Kingdom of Christ does not at all consist in these things.” The sword may be exercised over citizens, but it does not penetrate the recesses of conscience. The portrayal of the political as external in this fashion presupposes inward freedom and conscience, an internal spiritual dimension. There is envisaged here an inward freedom undisturbed by the external relations of humanity in social-political life.

It is in this light that Calvin can uphold obedience to the magistrate even under conditions of tyranny. In a passage which from a contemporary standpoint is remarkable and chilling, he states, “If we are cruelly tormented by a savage prince, if we are greedily despoiled by one who is avaricious or wanton, if we are neglected by a slothful one, if finally we are vexed for piety’s sake by one who is impious and sacrilegious, let us first be mindful of our own misdeeds, which without doubt are chastised by such whips of the Lord [cf. Dan.9:]. Let us then also call this thought to mind, that it is not for us to remedy such evils, that only this remains to implore the Lord’s help, in whose hand are the hearts of kings, and the changing of kingdoms [Prov.21:1].”

Nevertheless, he will insist that the ruler not be obeyed in those instances where he is in conflict with God’s law. He states, “The Lord, therefore, is the King of Kings, who, when he has opened his sacred mouth must alone be heard, before all and above all men; next to him we are subject to those men who are in authority over us, but only in him. If they command anything against him, let it go unesteemed. And here let us not be concerned about all that dignity which the magistrates possess; for no harm is done to it when it is humbled before that singular and truly supreme power of God.” In lecture XXX of his Commentary on Daniel, Calvin is even more explicit: “For earthly princes lay aside their power when they rise up against God, and are unworthy to be reckoned among the number of mankind. We ought, rather, utterly to defy them [conspuere in ipsorum capita, lit., “to spit on their heads”] than to obey them.”

Further, while he will deny private citizens the right to any political action in correcting tyranny, he will also support correction which emerges from appropriate political quarters. In the words of John T. McNeil, “From his reiterated warnings against

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38 Institutes, III, xix, 7, p. 838.
39 Institutes, IV, xx, 1, p. 1485.
40 Institutes, IV, xi, 8, p. 1220.
41 Institutes, IV, xx, 1, p. 1486.
42 Institutes, IV, xx, 29, p. 1517.
43 Institutes, IV, xx, 31, p. 1520.
44 Quoted by McNeil, Institutes, IV, xx, 31, p. 1519, n. 54.
45 Institutes, IV, xx, 23, p. 1511.
resistance to tyrants by ‘private persons,’ Calvin turns here [IV, xx, 36, 1518] with startling abruptness to approve and solemnly urge, action by a constituted magistracy to protect the liberties of the people."46 When such duly appointed magistrates fail to restrain those kings who assault the common folk, this amounts to “nefarious perfidy, because they dishonestly betray the freedom of the people, of which they know they have been appointed protectors by God’s ordinance.”47 Also, “The magistrates ought to apply themselves with the highest diligence to prevent the freedom whose guardians they have been appointed) from being in any respect diminished, far less be violated. If they are not sufficiently alert and careful, they are faithless in office, and traitors to their country.”48

The Separation of the Spiritual and the Political

The distinction between the inner and the outer man, then, is the basis of Calvin’s conception of the distinction between church and state, a distinction which becomes central in defining the modern standpoint. Spiritual government “resides in the soul or inner man and pertains to inner life”, while civil government, “pertains only to the establishment of civil justice and outward morality”.49 What is of interest for the purposes of the present argument are the dimensions of freedom and equality present in each realm as well as the theological basis for the separation of church and state. Such notions are at the root of Calvin’s criticism of the Roman Church.

Calvin argues that the Roman Church has corrupted the biblical order of ecclesiastical jurisdiction. He argues that the aim of such jurisdiction is the avoidance and correction of offense and scandal. On his view there are two elements that must be considered: “[Firstly,] that this spiritual power be completely separated from the sword; secondly, that it be administered not by the decision of one man but by a lawful assembly.”50

With reference to the first point, Calvin insists, “The church does not have the right of the sword to punish or compel, not the authority to force; not imprisonment, nor the other punishments which the magistrate commonly inflicts. This then is not a question of punishing the sinner against his will, but of the sinner professing his repentance in a voluntary chastisement.”51 The purpose of Church discipline is to preserve the sanctity of the Lord’s Supper by avoiding its indiscriminate administration, to preserve good people from corruption by the wicked and to encourage repentance.52 Calvin outlines three stages of Church discipline: private admonition, public admonition and excommunication.53 It is important to note, beyond certain caricatures of Calvin’s

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46 Institutes, IV, xx, 31, p. 1518, n. 54.
48 Institutes, IV, xx, 8, p. 1494.
49 Institutes, IV, xx, 1, p. 1485.
50 Institutes, IV, xi, 5, p. 1217.
51 Institutes, IV, xi, 3, p. 1215.
52 Institutes, IV, xii, 5, p. 1232-33. Cf. also p. 1232, n. 8.
53 Institutes, IV, xii, 2, p. 1230. Calvin sees excommunication as corrective and distinguishes it from anathema where there is no hope of reconciliation. He likewise notes that anathema is “rarely or never used” (Inst. IV, xii, 10, p. 1238).
rigidity, that he stresses the restorative and conciliatory character of church discipline and strongly emphasizes gentleness and moderation in its application.\textsuperscript{54} Indeed, one of his few criticisms of the ancient church concerns the excessive severity of its discipline.\textsuperscript{55}

With regards to the second point, that discipline not be applied by one man, we are drawn towards Calvin’s criticism of the very concept of the papacy. Calvin’s central argument is that there is no actual biblical sanction for the supremacy of one man as head of the whole church, neither in the Old Testament concept of high priest\textsuperscript{56} nor in the New Testament concept of the “keys to the kingdom”.\textsuperscript{57} Calvin argues that there is no basis for the papacy in Jesus’ promises to the apostle Peter. Rather, on his view the Bible asserts the equality of Peter with the twelve apostles: “Run over all that is extant: you will find nothing but that he was one of the Twelve, the equal of the rest, and their companion, not their master. He indeed refers to a council anything that is to be done and advises what needs to be done. But at the same time he listens to others, and he not only lets them express their views, but leaves the decisions to them; when they have decreed he follows and obeys [Acts 15:5-12].”\textsuperscript{58}

Calvin thus asserts a sense of equality among the ministers of the church. Further, this sense of “equality” permeates the relationship between clergy and people. Indeed in the selection of ministers Calvin emphasizes the consent of the people. He states, “The call of a minister is lawful according to the Word of God, when those who seemed fit are created by the consent and approval of the people; moreover that other pastors ought to preside over the election in order that the multitude may not go wrong either through fickleness, through evil intentions, or through disorder.”\textsuperscript{59} In his editorial note to this section, John T. McNeil, states, “In political as well as in ecclesiastical government, Calvin habitually expresses a preference for plural authority rather than that of individuals. Here, for example, he excludes the unchecked authority of a single bishop or other dignitary to appoint a minister over a congregation.”\textsuperscript{60} Further, Calvin argues that the bishops are also subject to consent. He states, “It is a wicked spoliation of the church to force upon any people [a minister] they have not desired or have not at least approved with free voice!”\textsuperscript{61} There is in the moment of consent an equalizing of clergy and congregation, both having a voice.

Whereas spiritual government is concerned with instructing conscience in piety, for Calvin, political government is concerned with educating citizens in “the duties of humanity and citizenship”.\textsuperscript{62} He states that the goal of civil government is “to adjust our life to the society of men, to form our social behavior to civil righteousness and to

\textsuperscript{54} \textit{Institutes}, IV, xii, 8-13, p. 1236-40.
\textsuperscript{55} \textit{Institutes}, IV, xii, 8, p. 1236.
\textsuperscript{56} \textit{Institutes}, IV, vi, 2, p. 1103-4.
\textsuperscript{57} \textit{Institutes}, IV, vi, 2, p. 1105-6.
\textsuperscript{58} \textit{Institutes}, IV, vi, 7, p. 1108.
\textsuperscript{59} \textit{Institutes}, IV, iii, 15, p. 1066.
\textsuperscript{60} \textit{Institutes}, IV, iii, 15, p. 1065, n. 13.
\textsuperscript{61} \textit{Institutes}, IV, v, 3, p. 1087.
\textsuperscript{62} \textit{Institutes}, III, xix, 15, p. 847.
reconcile us with one another.” 63 Further, “They are ordained protectors and vindicators of public innocence, modesty, decency, and tranquility, and … their sole endeavor should be to provide for the common safety and peace of all.” 64 Calvin insists, therefore, that we must not apply the principles of the inner man and spiritual freedom to the political order. 65 This point has practical expression in Calvin’s assertion of Christ’s restriction of ministers from civil rule. 66

Humans, according to Calvin are social animals with a natural instinct to “foster and preserve society”. He states, “There exist in all men’s minds universal impressions of a certain civic fair dealing and order.” 67 The universality of basic forms of law arises, Calvin argues, from seeds implanted in all men. 68 While fallen humanity is in itself destitute of spiritual resources, the light of reason provides humans with a sense of how to arrange political matters. In particular, Calvin states, “While men dispute among themselves about individual sections of the law, they agree on the general conception of equity.” 69

So while Calvin contends that spiritually speaking not all men are created equal (some being damned, some elect), he does emphasize a certain form of political equality, just as he asserts a principle of equality in ecclesiastical government. He states, “Equity alone must be the goal and rule and limit of all laws.” 70 In this light, Calvin upholds a mixed form of government based on aristocracy and democracy. He states, “I will not deny that aristocracy, or a system compounded of aristocracy and democracy far excels all others.” Further, “Men’s fault or failing causes it to be safer and more bearable for a number to exercise government so that they may help one another, teach and admonish one another; and, if one asserts himself unfairly, there may be a number of censors and masters to restrain his willfulness. This has been proved by experience, and also the Lord confirmed it by his authority when he ordained among the Israelites an aristocracy bordering on democracy.” 71

Nevertheless, though he maintains the distinction of spiritual and political he also considers them to be closely, indeed necessarily, connected. 72 First, the office of magistrate is ordained by God. 73 Second, the magistrate ought to be a member of the church: “For a good emperor is within the church, not over the church.” 74 Third, the magistrate is entrusted with the protection and care of the church. 75 He states, “Civil government has as its appointed end, so long as we live among men, to cherish and

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63 Institutes, IV, xx, 2, p. 1487.
64 Institutes, IV, xx, 9, p. 1496.
65 Institutes, III, xix, 15, p. 847.
66 Institutes, IV, xi, 8, p. 1221.
67 Institutes, II, xx, 13, p. 272.
68 Institutes, II, xx, 13, p. 272.
69 Institutes, II, xx, 13, p. 273.
70 Institutes, IV, xx, 16, p. 1504.
71 Institutes, IV, xx, 8, p. 1494.
72 Institutes, IV, xx, 1, p. 1485.
73 Institutes, IV, xx, 4, p. 1489.
74 Institutes, IV, xi, 4, p. 1216.
75 Institutes, IV, xx, 6, p. 1491.
protect the outward worship of God, to defend sound piety and the position of the church.”

This religious dimension of the magistracy, according to Calvin, encourages justice in the state: “If they remember that they are vicars of God, they should watch with all care, earnestness and diligence, to represent in themselves to men some image of divine providence, protection, goodness, benevolence, and justice.”

Moreover, civil authority acts as a tempering force on religious tyranny. Far from seeing in the civil realm mere corruption, Calvin holds against the Anabaptists of his time that the church itself is imperfect and as such needs to be checked by civil authority. He states, “They stupidly imagine such a perfection as can never be found in a community of men. For since the insolence of men is so great, their wickedness so stubborn, that it can scarcely be restrained by extremely severe laws, what do we expect them to do if they see that their depravity can go scot-free – when no power can force them to cease from doing evil.” Likewise he criticizes assertions of the supreme jurisdiction of the Roman pontiff. He states, “They leave no jurisdiction on earth to control or restrain their lust if they abuse such boundless power.”

Beginning from the divine sovereignty and the dark depths of predestination Calvin’s thought thus moves systematically to a pre-modern assertion of human freedom and equality expressed not only in the inwardness of faith but also in the reformation of a social world. It is here that the proximate religious roots of modernity are to be found.

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76 Institutes, IV, xx, 2, p. 1487.
77 Institutes, IV, xx, 6, p. 1491.
78 Institutes, IV, xx, 2, p. 1487-88.
79 Institutes, IV, vii, 19, p. 1138
But forasmuch as we are not by ourselves sufficient to furnish ourselves with competent store of things needful for such a life as our nature doth desire, a life fit for the dignity of man; therefore to supply those defects and imperfections which are in us living single and solely by ourselves, we are naturally induced to seek communion and fellowship with others. This was the cause of men’s uniting themselves at the first in politic Societies, which societies could not be without Government, nor Government without a distinct kind of Law from that which hath been already declared. Two foundations there are which bear up public societies; the one, a natural inclination, whereby all men desire sociable life and fellowship; the other, an order expressly or secretly agreed upon touching the manner of their union in living together. The latter is that which we call the Law of a Commonweal, the very soul of a politic body, the parts whereof are by law animated, held together, and set on work in such actions, as the common good requireth. Laws politic, ordained for external and regiment order amongst men, are never framed as they should be, unless presuming the will of man to be inwardly obstinate, rebellious, and averse from all obedience unto the sacred laws of his nature; in a word, unless presuming man to be in regard of his depraved mind little better than a wild beast, they do accordingly provide notwithstanding so to frame his outward actions, that they be no hindrance unto the common good for which societies are instituted: unless they do this, they are not perfect. It resteth therefore that we consider how nature findeth out such laws of government as serve to direct even nature depraved to a right end. (1.10.1)¹

The passage is an intense parabolic assertion of a principle that is central to Hooker’s argument: human beings are by nature simultaneously sociable and anti-social. They deeply need and desire social affiliation, yet they reflexively and perversely subvert their own best interests because “the will of man . . . [is] inwardly obstinate, rebellious, and averse from all obedience unto the sacred laws of his nature.” Thus, a secondary order of law – “Laws politic” – is needed, not merely to restrain anti-social violations of the common good but also, over the course of time, to transform the will, redirecting “nature depraved to a right end.” This vision of human nature and the social order undergirds the polemical project of the Laws: the refutation of the Puritan dissidents, led by Thomas Cartwright, who are urged to abandon their destructive attempts to impose a Presbyterian “discipline” on the Church of

England and instead embrace the Elizabethan settlement on the basis of the laws of nature and reason. Hooker’s appeal is inclusive; he wishes to absorb his opponents rather than isolate or exclude them. In doing so, he argues on pragmatic rather than idealistic grounds: the English state church is not perfect but rather sufficient, and there is no reason the “private discretion” of his opponents should preclude submission to “that way…the public judgment of the Church hath thought better” (1.16.7). The Taming of the Shrew contains a parallel argument: Petruchio refutes Katherine’s ‘heretical’ non-conformity by staging a persuasive demonstration of the benefits of married mutuality – material security, social esteem, love, and happiness – thereby reconciling a hostile, dissenting subject to an imperfect but necessary social order. In Petruchio’s successful persuasion of his wife, the comedy portrays the result for which Hooker strives: the re-socialization of the polemical opponent and her rational, willing reintegration into a harmonious communal body.

While the intellectual and literary influence of the Laws on Shakespeare’s histories, tragedies, and problem plays has long been established, little has been said about its relevance to the comedies, and nothing, to my knowledge, about The Taming of the Shrew. The two works are almost exactly contemporary. Hooker published the first four books of the Laws in 1593, and the writing of Shrew has been dated between 1590-1594, so it is possible that Shakespeare read Hooker’s work prior to or during composition. I am not expressly concerned, however, about proving direct literary influence. Rather I treat these texts as analogous treatments of the same issue – the problem of dissent in early modern England – which both pose the problems and resolve them in strikingly similar terms. By employing Hooker’s Laws as a kind of interpretive key to Shrew, I hope to illuminate the play in a variety of ways but particularly to show that its treatment of conjugal strife has broad implications which transcend the more limited contexts of “early modern marriage” or the “woman question”; indeed, in the politically loaded language of her final speech, Katherine herself constructs a powerful analogy between dissent within the family and rebellion within the state:

Such duty as the subject owes a prince,  
Even such a woman oweth to her husband;  
And when she is forward, peevish, sullen, sour,  
What is she but a foul contending rebel,  
And graceless traitor to her loving lord?  
I am asham’d that women are so simple  
To offer war where they should kneel for peace,  
Or seek for rule, supremacy, and sway,  
When they are bound to serve, love, and obey.


3 While it is clear that Hooker is engaged with this issue, it is perhaps less clear that Katherine’s shrewishness constitutes social dissent. But many readers of the play have come to this conclusion. For example, George Ian Duthie, in Shakespeare, (London: Hutchinson’s University Library, 1951), argues that Katherine is a super-individualist who attempts to make a law for herself, thereby violating the orthodox Elizabethan doctrine of order, hierarchy, and degree: “In refusing to accord her husband implicit obedience, Katharine is offending against the divinely established order of things—her conduct is unnatural….It is as if in the little kingdom of Petruchio’s family there had been a civil war….An insubordinate wife corresponds to a rebellious subject” (43, 53, 57, 58, 59). Unless, this underlying conception of hierarchical order is kept in mind, he argues, we are apt to misread the play (57).
I also hope to demonstrate that the play is more intellectually coherent than its critics routinely suggest⁴ and to counter several common streams of interpretation which fail to do the play justice: that Shrew is a brutal chauvinistic spectacle in which the male protagonist intimidates and brainwashes his female counterpart into submission;⁵ that it is a satirical subversion of patriarchal ideology⁶; that it is the product of radical ideological ambivalence or schizophrenia.⁷ Such readings tend to be more concerned with either dismissing or valorizing the work on the basis of contemporary ideological orthodoxies than with understanding it on its own terms and in its historical setting. The same is true of interpretations of Hooker that portray him as an arch-conservative propagandist justifying an evil status quo.⁸ As C.S. Lewis argued long ago, we don’t read Hooker today because we accept his ecclesiology as authoritative, nor is his work a failure because he didn’t happen to foresee the advent of the modern secular state; Hooker answers his own age, and it is absurd to expect him to answer ours.⁹ Nevertheless, I hope to demonstrate that Of The Laws of Ecclesiastical Polity and The Taming of the Shrew, products of the same historical moment, articulate a common social vision which is of enduring value and permanent interest.

The Grounds of Sociality

Hooker’s conception of sociality is founded on a profound tension between two distinct explanations for the origin of the social order.¹⁰ On the one hand, he affirms that

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⁴ See, for example, H.J. Oliver’s Introduction to his edition of The Taming of the Shrew, (Oxford: Clarendon Press, 1982) where he claims that the play has little social or intellectual substance: “If as Meredith said in his Essay on Comedy, the test of true comedy is that it should awaken thoughtful laughter, probably The Taming of the Shrew qualifies – but only just” (37).


⁹ C.S. Lewis, English Literature in the Sixteenth Century Excluding Drama (New York: Oxford University Press, 1954), 458-459. Interestingly, Lewis makes a similar point about ‘presentist’ interpretations of The Taming of the Shrew. He argues that attempts to undermine the hierarchical doctrine in Katherine’s final speech by suggesting that she is being tactical or ironic do not stand up to scrutiny: “The words, thus taken at their face value, are very startling to a modern audience; but those who cannot face such a startling should not read old books” (Lewis, A Preface to Paradise Lost, [New York: Oxford University Press, 1942], 75-76).

natural law impels human beings toward social affiliation and that this impulse is the ground of all “politic Societies.” On the other hand, he doubts their ability to live in community without the intervention of coercive authority, in the form of “laws politic,” imposed by rulers on unregenerate subjects for their own good. Or, to put it a different way, he recognizes a distinction between civil society and the state, though he does not define either term precisely, detail their historical development, or demarcate their functions. Indeed, for Hooker, any participant in civil society is also subject to state authority, since politic societies “could not be without Government, nor Government without a distinct kind of Law from that which hath been already declared” (1.10.1). Civil society, the arena of social reciprocity, “doth more content the nature of man than any private kind of solitary living, because in society this good of mutual participation is so much larger than otherwise” (1.10.12), satisfying the needs of individuals. Yet this ‘feel-good’ aspect of social compact is not viable without subjection to a secondary order of laws which undoubtedly has a coercive aspect: “Jurisdiction is a yoke which law hath imposed on the necks of men in such sort that they must endure it for the good of others, how contrary soever it be to their own particular appetites and inclinations . . . jurisdiction bridleth men against their wills” (5.62.16). Hooker does not sentimentalize or idealize the state, but readily acknowledges that “external and regiment order” may at times exert painful restraint upon the personal liberty of subjects. Yet, he argues, even restraint and coercion are beneficial in ways of which the individual is often unaware.

The foregoing account of sociality corresponds closely to The Taming of the Shrew, first in its representation of the tension between social and anti-social impulses, between sociality as innate desire and as ‘regimented’ standard. On the one hand, the play affirms the universal desirability and abundant benefits of social affiliation: “Padua affords nothing but what is kind” (5.2.14). The male characters in particular enter enthusiastically into alliances and cooperative ventures: “this bar in law makes us friends” (1.1.135-136); “And do as adversaries do in law, / Strive mightily, but eat and drink as friends” (1.2.276-77). On the other hand, social life, particularly courtship, is portrayed as ruthlessly competitive, and cooperation itself a mask for undermining one’s rivals: “See, to beguile the old folks, how the young folks lay their heads together!” (1.2.138-39). Moreover, the play depicts many violations of the cooperative ethic – deception, fraud, physical violence, ridicule, intimidation – and the distinction between the social and anti-social is often fuzzy. The Lord’s manipulation of Sly in the Induction, for example, is ambiguous: potentially both generous and cruel, arguably an act of both inclusion and sharp social definition. But the precarious balance between the social and anti-social is registered most vividly in the interaction between its volatile protagonists. Petruchio’s address to Katherine alternates between bullying and loving deference; he coerces her into experiencing the via negativa of physical privation and homeopathic therapy, all the while contending, quite plausibly, that “all is done in reverend care of her” (4.1.204).

Hooker and Petruchio both launch their ‘arguments’ by demonstrating that their polemical opponents are creatures subject to the various orders of law. Hooker’s theory of law, as Damian Grace points out, is neither voluntaristic nor imperative, but rather “rational, a principle governing the motions of all things to their proper ends.” Law is “any kind of rule or canon whereby actions are framed” (1.3.1), and thus “all things therefore do work after a sort according to law” (1.2.2). Hooker argues in an Aristotelian vein that all created

1963), 93, 105.
11 Marshall, 103-106.
things “are somewhat in possibility, which as yet they are not in act. And for this cause there is in all things an appetite or desire, whereby they incline to something which they may be; and when they are it, they shall be perfecter than now they are. All which perfections are contained under the general name of Goodness. And because there is not in the world any thing whereby another may not some way be made the perfecter, therefore all things that are, are good” (1.5.1). For Hooker, there is a clear relation then between law and teleology; law, among other things, provides a measure by which rational creatures may determine their relative progress toward the goal of perfection: “For he that knoweth what is straight doth even thereby discern what is crooked, because the absence of straightness in bodies capable thereof is crookedness. Goodness in actions is like unto straightness; wherefore that which is done well we term right. For as the straight way is most acceptable to him that travelleth, because by it he cometh soonest to his journey’s end; so in action, that which doth lie the evenest between us and the end we desire must needs be the fittest for our use” (1.8.1).

Judged in this light, Hooker’s Puritan opponents can be both affirmed and criticized. On the positive side, he can say that they possess substantial goodness, both realized and potential, and that they have been endowed with a God-given purpose and the capability to fulfil it. Moreover, he notes approvingly their strong appetite or desire for rectitude as manifest in their “right well affected and most religiously inclined minds” (Pref.1.2), their “wonderful zeal and fervour” (Pref.1.2) and “fervent earnestness” (Pref. 3.10). On the negative side, he finds them “crooked” to the extent that they have misunderstood the nature of the good, the right, the fit, etc. and the means by which these ends might best be achieved. That they have “swerve[d] utterly from that which is right” (Pref.6.3) is revealed by their contempt for the very laws provided for their guidance and to which they have already given their tacit assent: “A law is the deed of the whole body politic, whereof if ye judge yourselves to be any part, then is the law even your deed also” (Pref.5.2). Another sign of the “crookedness” of the Puritan belligerents is their contrarianism and the manner in which they resist the claims of law. Hooker insist that “there is also in rectitude, beauty; as contrariwise in obliquity, deformity. And that which is good in the actions of men, doth not only delight as profitable, but as amiable also” (1.8.1). His opponents’ lack of amiability, their ugly irascibility, their “disdainful sharpness of wit” (Pref.2.10) and “marvellous exceeding severity and sharpness of reproof” (Pref.3.6) all indicate that they have departed from the “straight way.”

In their first encounter, Petruchio offers a comparable analysis of his prospective bride. Unlike the other wooers who have demonized her as a “fiend of hell” (1.1.88), Petruchio assumes that Katherine, as a rational creature, possesses both an ample share of natural goodness as well as a craving for perfection, however glaring her apparent faults:

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Hearing thy mildness praised in every town,
Thy virtues spoke of, and thy beauty sounded,
Yet not so deeply as to thee belongs,
Myself and mov’d to woo thee for my wife.

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... I find you passing gentle:
‘Twas told me you were rough and coy and sullen,
And now I find report a very liar;
For thou art pleasant, gamesome, passing courteous,
But slow in speech, yet sweet as spring-time flowers.
Thou canst not frown, thou canst not look askance,
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Nor bite the lip, as angry wenches will,
Nor hast thou pleasure to be cross in talk;
But thou with mildness entertain’st thy wooers,
With gentle conference, soft and affable.

(2.1.142-252)

These clever and partially ironic speeches simultaneously serve as an affirmation of Katherine’s manifest qualities (e.g. beauty, gamesomeness, verbal fluency), an incitement for her to cultivate a number of latent virtues (e.g. sweetness, mildness, gentleness, affability, courtesy), and an implied critique of her anti-sociality (e.g. roughness, sullenness, frowning, perverse pleasure in contradiction). Somewhat presumptuously to be sure, Petruchio distinguishes between what he considers her essential character and mere transitory behaviour; in Hooker’s terms, he depicts a Katherine who is “somewhat in possibility,” whetting her desire to “incline to something which [she] may be” (Laws 1.5.1). As Ruth Nevo observes, Petruchio manages to speak simultaneously to the person Katherine has been and the person she would like to be, “the self she has made of herself and the self she has hidden”:


Why does the world report that Kate doth limp?
O sland’rous world! Kate like the hazel twig
Is straight and slender, and as brown in hue
As hazel-nuts, and sweeter than the kernel.

(2.1.253-256)

Characteristically equivocal, in a single passage he both reminds her of her egregious and “crooked” public reputation, while affirming her potential for “straightness” or goodness.

Petruchio also presumes to discern the ends Katherine most deeply desires and the most direct path to them. Just as all things pursue “general perfection . . . in desiring the continuance of their being” through “offspring and propagation” (Laws 1.5.2), Katherine, he insists, is designed by nature to participate in sex and procreation: “Women are made to bear, and so are you” (2.1.200). Nature, he argues further, has designed them as ideal mates for one another; in Hooker’s terms, they are mutually suited to help each other achieve “such a life as our nature doth desire, a life fit for the dignity of man” (Laws 1.10.1):

Now, Kate, I am a husband for your turn,
For by this light, whereby I see thy beauty –
Thy beauty that doth make me like thee well –
Thou must be married to no man but me.

(2.1.272-75)

Though fully aware of her intense anti-sociality, Petruchio assumes that she also possesses a natural inclination toward cooperation and civility. And he affirms the crucial agency of social structures and institutions, particularly love and marriage, in reinforcing this natural proclivity:

“‘tis a world to see / How tame, when men and women are alone, / A meacock wretch can
make the curstest shrew” (2.1.311-13). It is futile to resist this process of socialization, he argues, because of the array of forces, both innate and extrinsic, which support it:

Thus in plain terms: your father hath consented
That you shall be my wife; your dowry ‘greed on;
And will you, nill you, I will marry you.

For I am he am born to tame you, Kate,
And bring you from a wild Kate to a Kate
Conformable as other household Kates.

(2.1.269-71, 276-78)

While critics have typically seen in these lines mere chauvinistic bravado, viewed in relation to Hooker’s thought, they carry a different charge. Generally speaking, the laws of sociality outweigh personal preferences, and Katherine, a member of the social body, is obliged to be “conformable” for the common good: “so likewise another law there is, which toucheth them as they are sociable parts united into one body; a law which bindeth them each to serve unto other’s good, and all to prefer the good of the whole before whatsoever their own particular” (Laws 1.3.5). But, as Petruchio subsequently demonstrates, it is also in her own best interests for her excessive anti-sociality to be transformed into civility, and the institution best suited to reconcile her with the social order is marriage.

Like Hooker’s Laws, however, the play acknowledges the genuine difficulty of transforming dissenting subjects into “conformable” ones. For Hooker half-measures will not do; he proposes to identify the root causes of his opponents’ intransigence, proposing a return to first principles in order to achieve deep, constructive insight: “to see wherein the harm which they feel consisteth, the seeds from which it sprang, and the method of curing it” (5.1.1). He notes that, to the impatient mind accustomed to ordinary polemics, this search into roots and foundations will seem “dark, intricate, and unfamiliar” (1.1.2). To understand his argument requires sustained effort and concentration, a patient willingness to be led through a process of discovery by departing from beaten mental pathways (1.1.12). Indeed, the solution may at times appear superficially obscure, for, he maintains, “that which hath greatest force in the very things we see is notwithstanding itself oftentimes not seen” (1.1.2). Therefore, he urges his readers to withhold their judgment while he sets out the framework of general laws, for “what may seem dark at first will afterwards be found more plain, even as the later particular decisions will appear, I doubt not, more strong, when the other have been read before“ (1.1.2).

Petruchio too recognizes that Katherine’s situation requires deep insight and radical measures. Seeking to probe the source of her intransigence, he adopts the roles of educator and physician:

I tell thee, Kate, [the meat was] burnt and drived away,
And I expressly am forbid to touch it;
For it engenders choler, planteth anger,
And better ‘twere that both of us did fast,
Since of ourselves, ourselves are choleric,
Than feed it with such overroasted flesh.

(4.1.170-175)
Diagnosing her (and indeed himself) as naturally choleric, he prescribes a programme of privations aimed at eradicating marital hostility and aggression: “He kills her in her own humor”; “This is a way to kill a wife with kindness” (4.1.180, 208). Here, as elsewhere, his tactics are oblique, or to use Hooker’s words, “dark, intricate.” Indeed, at their wedding, Petruchio excuses his indiscreet behaviour in terms that are analogous to Hooker’s defence of obliquity:

Tedious it were to tell, and harsh to hear --
Sufficeth I am come to keep my word,
Though in some part enforced to digress,
Which at more leisure I will so excuse
As you shall well be satisfied with all.

(3.2.105-9)

Like Hooker, Petruchio warns his audience against superficial judgments; they must “read” his “argument” in its entirety before assessing its relevance or efficacy. What may initially appear nonsensical or irrelevant will eventually be revealed as purposeful: “He hath some meaning in his mad attire” (3.2.124). Like the author of the Laws, Petruchio requests the freedom to pursue his seemingly obscure project without hindrance: “if you knew my business, / You would entreat me rather go than stay” (3.2.191-92). Throughout the remainder of the play, a process of negotiation and adjustment occurs in which the various claims of individuality and collectivity, public role and private reality, are worked out. This process can be characterized as rhetorical and polemical: Petruchio, like Hooker, methodically undermines his antagonist’s objections, offering an alternative vision of society, marriage, and the good life.

Assessing the problem

In many ways, Petruchio’s attitude and approach to Katherine mirror Hooker’s assessment of his Puritan opponents. Throughout the Laws, Hooker projects a sympathetic, conciliatory attitude toward them, addressing them as “beloved in our Lord and Saviour Jesus Christ” (Pref.1.1) and defusing their hostility by disclaiming any hint of malice: “Think not that ye read the words of one who bendeth himself as an adversary against the truth which ye have already embraced; but the words of one who desireth even to embrace together with you the self-same truth” (Pref.1.3). Like any polemicist, Hooker is interested in winning the argument, though not at the expense of truth, whose pursuit requires a thorough, sympathetic, and unbiased sifting of opposing positions, followed by a rational adjudication between the conflicting claims: “But the manner of men’s writing must not alienate our hearts from the truth, if it appear they have the truth…..We being as fully persuaded otherwise, it resteth that some kind of trial be used to find out which part is in error” (Pref.2.10). We can see this concern in his detailed, even-handed account of the origins of Presbyterian polity in Calvin’s Geneva.14 Hooker contends that he Puritan polemicians have gained a popular following

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14 Hooker speaks of Calvin as “the wisest man that ever the French church did enjoy” and acknowledges his “admirable dexterity of wit, together with the helps of other learning which were his guides” (Pref.2.1). He charts the historical evolution of Genevan polity, which he portrays as a sensible compromise wisely suited to “what the present estate of Geneva did then require” (Pref.2.4), but by no means universally authoritative. Indeed, Calvin, with his prodigious biblical knowledge, was able to “espy in the whole Scripture of God nothing which might breed at the least a probable opinion of likelihood, that divine authority itself was the same way somewhat inclinable” (Pref.2.7), certainly nothing to justify the Puritan censure of episcopacy. Calvin, a great man, was ultimately fallible: “But wise men are men, and the truth is truth. That which Calvin did for establishment of his discipline, seemeth more commendable than that which he taught for the countenancing of
largely by disseminating propaganda and exploiting mass emotion and public discontent: "certain general inducements are used to make saleable your cause in gross; and when once men have cast a fancy towards it, any slight declaration of specialties will serve to lead forward men’s inclinable and prepared minds" (Pref.3.5). In contrast, he crafts an argument which is both rational and affective, appealing to "the force of their own discretion" and their "own secret judgment" (Pref.3.1), to the mind and the heart together (cf. Pref.1.3). His irenicism, then, is not merely strategic but is rooted in a respect for the inwardness – the "witness of the Spirit" to the heart – so highly valued by Puritans: "but my whole endeavour is to resolve the conscience, and to shew as near as I can what in this controversy the heart is to think, if it will follow the light of sound and sincere judgment, without either cloud of prejudice, or mist of passionate affection" (Pref.7.1). In the struggle to ascertain truth, the responses of the human heart cannot be ignored, yet the heart is not infallible or autonomous. Here, as elsewhere, Hooker distinguishes between mere subjectivism and a rightly ordered inwardness in which the heart submits to reason: "Neither wish we that men should do any thing which in their hears they are persuaded they ought not to do, but this persuasion ought (we say) to be fully settled in their hearts; that in litigious and controversial causes of such quality, the will of God is to have them do whatsoever the sentence of judicial and final decision shall determine, yea, though it seem in their private opinion to swerve utterly from that which is right" (Pref.6.3). Sincere religious conviction is good, but it must at times give way to this larger, more comprehensive social framework. Hooker’s ultimate goal is a transformation of perspective which will facilitate the promotion of mutuality and social harmony. Striving to avoid the kind of acrimonious stalemate which had characterized the Admonition controversy, 15 Hooker professes his wish “to labour under the same yoke, . . . to be joined with you in bands of indissoluble love and amity, to live as if our persons being many our souls were but one” (Pref.9.3).

Yet Hooker’s treatise is not universally irenic, for he frankly and pointedly identifies his antagonists’ faults. It would be more accurate to say that Hooker achieves a judicious balance between conciliation and denunciation. The puritans, he argues, are good, sincere men with an erroneous view of law, rendering them well-meaning but dangerous rebels to the social order. 16 The fundamental problem, he argues, is miseducation. Ignorant of the various orders of law to which they are subject, they are ill-equipped to live in community: “Many men there are, than whom nothing is more commendable when they are singled; and yet in society with others none less fit to answer the duties which are looked for at their hands. Yea, I am persuaded, that of them with whom in this cause we strive, there are whose betters amongst men would be hardly found, if they did not live amongst men, but in some wilderness by themselves. The cause of which their disposition so unframable unto societies wherein they live, is, for that they discern not aright what place and force these several kinds

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of laws ought to have in all their actions” (1.16.6). Inordinately individualistic, Cartwright and his colleagues have raised private judgment to an idolatrous level: “By following the law of private reason, where the law of public should take place they breed disturbance” (1.16.6). Hooker argues that his opponents have made superficial judgments in religious matters, based on “some show of probability, and what seemeth in that sort convenient” (1.16.6). Yet these common errors can take on a socially and politically subversive aspect, for “except our own private and but probable resolutions be by the law of public determinations overruled, we take away all possibility of social life in the world” (1.16.5). Here as elsewhere, he tries to demonstrate to his opponents that they have no autonomous interests, that they are contingent members of a larger social body, essential to its completeness.

One of the notable features of Hooker’s Laws is his insightful exploration of what might be called the “psychology of error.” He seeks not merely to demolish his opponents’ position but to understand their errors from the “inside,” as it were. Although he considers reason a generally sufficient guide for human conduct, he must concede that frequently the will declines from reason – through custom, prejudice, or sheer laziness\(^1\) – and, once this occurs, error becomes exceedingly difficult to uproot. The core problem is pride. Human beings hate to admit they are wrong; when challenged, they respond combatively, clinging stubbornly to erroneous views and resorting to desperate evasions: “so hard [is it] to wrest from any man’s mouth the plain acknowledgement of error, that what hath been once inconsiderately defended, the same is commonly persisted in, as long as wit by whetting itself is able to find out any shift, be it never so sleight, whereby to escape out of the hands of present contradiction” (3.5.1). Moreover, “when men’s affections do frame their opinions, they are in defence of error more earnest a great deal,” and mere emotional intensity and sincerity are taken as sufficient guarantees of truth (Pref.3.10). Rational appeal in such cases becomes futile: “let any man of contrary opinion open his mouth to persuade them, they close up their ears, his reasons they weigh not” (Pref.3.14).

In Shrew, Katherine’s “problems” are assessed in analogous terms, not least in the sympathetic treatment of her situation. Her resistance to the familial and social world in which she is entrenched is in some respects valid, as are her objections to the reductive label of “shrew.” The play legitimates her protest in a number of ways, particularly in its satirical exposure of courtship among the mercantile classes: “I pray you, sir, is it your will / To make a stale of me amongst these mates?”\(^18\) Indeed, to a certain extent, we, like Petruchio, delight in Katherine’s “shrewishness,” partly because many of the objects of her scorn deserve it, and partly because her verbal and physical violence reveal an active, spirited, and energetic personality. Moreover, as has often been pointed out, Katherine’s circumstances are extenuating, and her intense irascibility is at least partially explained by the fact that her father openly favours her manipulative, two-faced younger sister: “Nay, now I see / She is your treasure, she must have a husband; / I must dance barefoot on her wedding-day / And for your love to her lead apes in hell” (2.1.31-34). At various moments in the play, particularly in Katherine’s grief, we catch glimpses of an inwardness at variance with, and much richer than, the shrew stereotype: “Iwis it is not half way to her heart” (1.1.62); “Talk not to me, I will go sit and weep, / Till I can find occasion of revenge” (2.1.35-36); “I must forsooth be forc’d / To give my hand oppos’d against my heart” (3.2.8-9); “Would Katherine had never seen him though!” (3.2.26); “She, poor soul, / Knows not which way to stand, to look, to speak, / And sits as one new risen from a dream” (4.1.184-186); “My tongue will tell

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\(^1\) See Hooker, Laws, Pref. 3.9; 1.1.1; 1.7.6-7.
\(^18\) Many critics have explored Katherine’s status as a daughter in a patriarchal culture and a mercantile household and her defiance of gender norms. See, for example, Newman, “Family Politics,” 86-100.
the anger of my heart, / Or else my heart concealing it will break” (4.3.77-78). In Hooker’s terms Katherine’s hostility is a “pardonable” error which “moveth compassion” because it is the product of aggravation and not fully volitional: “What we do against our wills, or constrainedly, we are not properly said to do it, because the motive cause of doing it is not in ourselves, but carrieth us, as if the wind should drive a feather in the air, we no whit furthering that whereby we are driven. In such cases therefore the evil which is done moveth compassion; men are pitied for it, as being rather miserable in such respect than culpable” (Laws 1.9.4).

Petruchio, particularly in the initial stages of courtship, assesses Katherine along similar lines. It is important to see the non-conventional character of this assessment in that he affirms and embraces that which others take to be mere shrewishness. For example, in contrast with her censorious family and community, he trivializes or denies her aggression, insisting that there is nothing intrinsically wrong with his prospective bride: “I hear no harm” (1.2.188); “And now I find report a very liar” (2.1.244); “yourself and all the world / That talked of her have talked amiss of her” (2.1.290-91). He even excuses her violence as misunderstood virtue. For example, when Hortensio returns with a lute broken over his head, Petruchio praises her energy and wit: “Now, by the world, it is a lusty wench! / I love her ten times more than e’er I did. / O, how I long to have some chat with her!” (2.1.160-62). Like Hooker, Petruchio persistently addresses his opponent with courtesy, expressing his physical attraction (“The prettiest Kate in Christendom” [2.1.188]), loving regard (“To this most patient, sweet, and virtuous wife” [3.2.195]) and solicitude (“Come, Kate, and wash, and welcome heartily” [4.1.154]). He likewise achieves a balance of conciliation and denunciation in his address to Katherine. Even before he has met her, he recognizes the need for an unconventional polemical strategy which will assure her of his good will:

Say that she rail, why then I’ll tell her plain
She sings sweetly as a nightingale;
Say that she frown, I’ll say she looks as clear
As morning roses newly wash’d with dew;
Say she be mute, and will not speak a word,
Then I’ll commend her volubility,
And say she uttereth piercing eloquence . . . .

(2.1.170-176)

By countering Katherine’s hostility with compliments, he employs, like Hooker, almost inhuman tolerance and affability, a constitutional inability to take offence.

While there is much is to be said on Katherine’s behalf, her outlook and behaviour are nevertheless defective in certain respects and stand in need of correction. From the standpoint of Hooker’s Laws, the root of Katherine’s misery is an erroneous view of the social order and her place within it. Basically, she fails to perceive the reciprocal and cooperative nature of social relations. She is, for example, individualistic to a fault, as indicated by her refrain at the wedding: “till I please myself” (3.2.209, 212). She is also peremptory, rude, and aggressively self-seeking, readily abrogating the desires of others in her “mad and headstrong humor” (4.1.209). Wilful, proud, and imperious – “I will be angry. What hast thou to do? / . . . . Father, be quiet. He shall stay my leisure” (3.2.216-17) – she is also acutely sensitive to criticism, as illustrated by her violent response to ‘Litio’s’ attempts to correct her fingering in the lute lesson. In Hooker’s terms, even when justly opposed or rebuked, she is one who “doth not stomach at such contradiction, storm[s] at reproof, and hate[s] such as would
reform [her]” (Laws 1.10.7). Even her admirably passionate defence of her right to self-expression is tainted by solipsism:

Your betters have endured me say my mind,  
And if you cannot, best stop your ears.  
My tongue will tell the anger of my heart,  
Or else my heart concealing it will break.  
And rather than it shall, I will be free  
Even to the uttermost, as I please, in words.  

(4.3.75-80; my emphasis)

Katherine physically intimidates those who are weaker and, when faced with superior force, secures her will through non-cooperation: “I see a woman may be made a fool / If she had not a spirit to resist” (3.2.220-221). She clings tenaciously to this stance, projecting hostile motives onto the people around her (2.1.31-34), though naturally such behaviour simply reinforces her isolation. Hooker’s assessment of Calvin’s behaviour in justifying Genevan discipline might justly be applied to Katherine: “Nature worketh in us all a love to our own counsels….Our love set on fire to maintain that which once we have done, sharpeneth the wit to dispute, to argue, and by all means to reason for it” (Pref. 2.7).

Education

In the Laws, Hooker strives not merely to refute but to teach his opponents. Education should not merely indoctrinate the subject but awakening her critical capacity, and end of education is the result of a gradual, arduous process: “The soul of man being therefore at the first as a book, wherein nothing is and yet all things may be imprinted; we are to search by what steps and degrees it riseth unto perfection of knowledge” (1.6.1). As John S. Marshall argues, one of the cornerstones of Hooker’s position is that human beings are “hylomorphic,” i.e., creatures who learn not merely through intellect but also the testimony of the senses. Education then must begin with the sensuous and rise by degrees to the spiritual, or, to put it a different way, move from external regiment to habit, and finally to internalisation. Hooker himself gives the example of food which illustrates the various orders of law in which humans participate (1.16.7). Along with clothing and shelter, food is not to be despised as merely “sensible,” not least because, in sustaining human life, it makes the pursuit of higher values possible. Indeed, the good things we pursue in life are “linked and as it were chained one to another; we labour to eat, and we eat to live, and we live to do good, and the good which we do is as seed sown with reference to a future harvest” (1.11.1).

Petruchio leads Katherine through a comparable process calculated to provoke self-reflection. Despite its superficial arbitrariness, his method is a rational appeal, provoking her “natural thirst after knowledge” (Laws 1.7.7). Brian Morris notes that Petruchio’s tactics invite active learning in that Katherine must “work out, incident by incident, the significance of the instruction she is being given.” He begins his demonstration with “lower” matters of common experience and moves progressively toward “higher” truths. First, he forces Katherine to acknowledge her physical vulnerability by temporarily depriving her of food, sleep, and (new) clothing. Hooker argues that “Goodness doth not move by being, but by being apparent; and therefore many things are neglected which are most precious, only because the value of them lieth hid. Sensible Goodness is most apparent, near, and present;

19 Marshall, 93.
which causeth the Appetite to be therewith strongly provoked” (*Laws* 1.7.6). Petruchio’s privation strategy secures Katherine’s complete attention by appealing both literally and figuratively to her appetites: “starv’d for meat, giddy for lack of sleep” (4.3.9). In so doing, he renders the value of common necessities “apparent”; indeed, the absence of food and clothing “is such an impediment, as till it be removed suffereth not the mind of man to admit any other care” (*Laws* 1.10.2).

This strategy is further calculated to show Katherine that her access to physical necessities is a blessing bestowed by her Creator and derived specifically through participation in the social order she scorns. As a woman from a wealthy mercantile family, she has come to expect material benefits as her due, for Baptista, whatever his failings as a father, has always provided his daughters with the best: “I will be very kind, and liberal / To mine own children in good bringing up” (1.1.98-99). Yet, according to Hooker, human beings err when they claim material necessities as an inalienable right, for “when we come to consider of food, as of a benefit which God of his bounteous goodness hath provided for all things living . . . . the law of Reason doth here require the duty of thankfulness at our hands, towards him at whose hands we have it” (*Laws* 1.16.7). The sin of unthankfulness, in fact, undermines genuine enjoyment of material things in the impious “because they receive it not as at God’s hands, which only consideration maketh temporal blessings comfortable” (*Laws* 5.76.4). Petruchio attempts to teach Katherine, “who never knew how to entreat” (4.3.7), this principle of thankfulness in both the saying of grace at the table (4.1.159) and his demand that she acknowledge the human source of the benefit: “The poorest service is repaid with thanks, / And so shall mine before you touch the meat” (4.3.45-46).

Inferior goods, argues Hooker, must never be pursued as ends in themselves, but rather ordainably within a normative hierarchy of value: “As things of greatest necessity are always first provided for, so things of greatest dignity are most accounted of by all such as judge rightly” (1.10.2). Hooker does not despise material wealth (neither, of course, does the prudently acquisitive Petruchio), but rather insists that the good life is a synthesis of the material and the ideal: “Unto life many implements are necessary; more, if we seek (as all men naturally do) such a life as hath in it joy, comfort, delight, and pleasure” (1.10.2). Comparatively speaking, though, “the graces of the Spirit are much more precious than worldly benefits; our ghostly evils of greater importance than any harm which the body feeleth” (5.35.2). Even such unequivocally desirable ends such as health, virtue, and knowledge are insufficient as ultimate values (1.11.1). Conversely, when human desire is rationally ordered and healthy, we prefer greater goods to the lesser and experience satisfaction, the perfection of life.21 For Hooker, this balanced, integrated life is available only within a stable social order, which provides us with the necessities but also encourages us not to overvalue them.

Petruchio’s pedagogy is similarly calculated to expose Katherine’s disordered, solipsistic values. Without, for example, some reference to a natural end, her desire for a cap that “doth fit the time” (4.3.69) or a “quaint” dress (4.3.102) is superficial and materialistic. Katherine, it would seem, demands the material benefits of social participation without accepting the “yoke” of civility and mutuality. This is suggested by her testy remark, “Love me, or love me not, I like the cap, / And if it I will have, or I will have none” (4.3.84-85), signifying that she values fashion more than her conjugal love (her trampling of the cap under foot in 5.2. is in part a demonstration that her values have been transformed). Petruchio

insists that fashionable caps are fine if material sophistication is properly subordinated to the
cultivation of virtue: “When you are gentle, you shall have one too”; “’tis the mind that
makes the body rich”; “honor peereth in the meanest habit” (4.3.71, 172, 174).

The privation strategy is also calculated to make Katherine dissatisfied with her
emotional isolation. It establishes a stark contrast between antithetical modes of living – bare
subsistence and fullness – for the misery produced by irascibility implies its opposite: “thou
false deluding slave, / That feed’st me with the very name of meat” (4.3.30-31). Through
deprivation she comes to realize that she is not only famished for food, but longs for other,
less tangible goods such as familial love and public esteem, which cannot be experienced if
she persists in anti-sociality. This process of self-discovery can be explicated in reference to
the law of moral reciprocity dramatized by Hooker: “if I cannot wish to receive all good,
even as much at every man’s hand as any man can wish unto his own soul, how should I look
to have any part of my desire which is undoubtedly in other men, we all being of one and the
same nature? To have any thing offered them repugnant to this desire must needs in all
respects grieve them as much as me: so that if I do harm I must look to suffer; there being no
reason that others should shew greater measure of love to me than they have by me shewed
unto them. My desire therefore to be loved of my equals in nature as much as possible may
be, imposeth upon me a natural duty of bearing them-ward fully the like affection” (1.8.7).
The good life, insists Hooker, can only be achieved through the practice of the second great
commandment.

Like Petruchio, Hooker persistently strives to engage the rationality and will of his
readers. He does not wish to effect in them a “captivity of judgment,” so that the “authority of
men should prevail either against or above Reason” (2.7.6). Rather, a polemical victory is
only authentic when, the alternatives being clearly delineated, one’s opponent assents through
free rational choice: “To choose is to will one thing before another. And to will is to bend our
souls to the having or doing of that which they see to be good” (1.7.2). Yet, in the real world,
all choices entail undesirable consequences, and any particular object will have “the show of
some difficulty or unpleasant quality annexed to it, in respect whereof the Will may shrink
and decline it” (1.7.6). When reason is properly exercised, however, the alternatives are
weighed in reference not simply to superficial difficulties but to higher ends like the
attainment of happiness.

At the same time, argues Hooker, education is not exclusively rationalistic, nor is the
end of education mere self-interest, for no one can rest satisfied “either with fruition of that
werewith his life is preserved, or with performance of such actions as advance him most
deservedly in estimation” (1.11.4). The best kind of education is motivated by the subject’s
intuition of a supreme good (i.e., God) beyond empirical or rational inquiry. We covet, he
argues, “that which exceedeth the reach of sense; yea somewhat above capacity of reason,
somewhat divine and heavenly, which with hidden exultation it rather surmiseth than
conceiveth; somewhat it seeketh, and what that is directly it knoweth not, yet very intensive
desire thereof doth so incite it, that all other known delights and pleasures are laid aside, they
give place to the search of this but only suspected desire” (1.11.4). Clearly, Hooker’s praise
of rationality does not preclude his appreciation for visionary and mystical modes of
apprehension. The undoubted earthly goods of “beauties, honours, sciences, virtues, and
perfections” point toward a “last and highest state of perfection” which is “sought and
earnestly thirsted for” (1.11.4-5).

A similar balance of rational and visionary apprehension is evident in Petruchio’s
pedagogy. Although at times he seems to disregard Katherine’s volition by abrogating or wilfully misunderstanding her wishes,22 his methods are directed primarily toward her voluntary assent. She must choose him clear-sightedly, fully aware of his imperfections. This is one way of understanding his raucous behaviour in Acts Four and Five. Rather than constructing an artificially harmonious atmosphere or projecting an idealized image of himself as in the ‘Petranchan’ wooing of the Lucentio-Bianca plot, Petruchio openly displays, exaggerates even, his worst traits: insensitivity, imperiousness, violence. Nor does he disguise the fact that there are clear disadvantages in submitting to him, not least that she must relinquish the sheer pleasure of “crossing” him. Not surprisingly, then, Katherine withholds her assent throughout most of Act Four, though the text does not clearly specify the reason. Possibly, the full meaning of his demonstration eludes her, or dropping her habitual irascibility proves too difficult. Hooker notes that “custom inuring the mind by long practice, and so leaving there a sensible impression, prevaleth more than reasonable persuasion” and that even though “Reason . . . may rightly discern the thing which is good, . . . yet the Will of man may not incline itself thereunto” (Laws 1.7.6). The stasis of her will is implied in Curtis’s description of the bride on her wedding night: “she, poor soul, / Knows not which way to stand, to look, to speak, / And sits as one new risen from a dream” (4.1.172-174). When she finally does submit to Petruchio, however, she does so on rational and practical grounds, for asenting to his absurd assertions about the sun and the moon brings about the concrete result of forward progress:

Hor. Say as he says, or we shall never go.
Kath. Forward, I pray, since we have come so far.

(4.5.11-12)

Yet Petruchio’s demonstration also transcends rationality in some respects, leading Katherine toward a visionary apprehension of her place within the cosmic order. The solar/lunar imagery prominent in the scene is reminiscent of Hooker’s famous description of cosmic interdependence: “For we see the whole world and each part thereof so compacted, that as long as each thing performeth only that work which is natural unto it, it thereby preserveth both other things and also itself. Contrariwise, let any principal thing, as the sun, the moon, any one of the heavens or elements, but once cease or fail, or swerve, and who doth not easily conceive that the sequel thereof would be ruin both to itself and whatsoever dependeth on it?” (1.9.1). To endorse Petruchio’s nonsensical assertions about the heavenly bodies, Katherine must temporarily suspend her rationality and symbolically relinquish her autonomy for interdependence. Once she does so, however, her vision is transformed vision and her condition altered: “Pardon, old father, my mistaking eyes, / That have been so bedazzled with the sun, / That every thing I look on seemeth green.”(4.5.45-47). In words which echo the marriage vows, Katherine accepts the condition of interdependence -- “Henceforth I vow it shall be so for me”; “And so shall it be so for Katherine” (4.5.15, 22) -- and the immediate result is a flowering of affection and humour between the partners. If, in Hooker’s terms, Katherine’s refusal of social integration constitutes a “swerving” from the natural order, the restoration of this order is conveyed in Petruchio’s benediction: “Well, forward, forward. Thus the bowl should run, / And not unluckily against the bias” (4.5.24-25).

The entire pedagogical process results in intellectual and moral growth for Katherine. The “tamed” woman of the final scene exhibits newfound flexibility, perceptiveness, poise,

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22 See Shrew, 2.1.271, 275; 3.2.202-203; 4.3.81-83.
and eloquence: “she is chang’d, as she had never been” (5.2.115). In her final speech, Katherine confesses to having allowed pride and peevishness to distort her judgment: “My mind hath been as big, as one of yours, / My heart as great, my reason haply more, / To bandy word for word and frown for frown” (5.2.170-72). This is precisely the sort of self-evaluation which Hooker hopes his opponents will undergo: “The best and safest way for you therefore, my dear brethren, is, to call your deeds past to a new reckoning, to reexamine the cause ye have taken in hand, . . . to lay aside the gall of that bitterness wherein your minds have hitherto over-abounded, and with meekness to search the truth. Think ye are men, deem it not impossible for you to err; sift impartially your own hearts, whether it be force of reason or vehemency of affection, which hath bred and still doth feed these opinions in you. If truth do any where manifest itself, seek not to smother it with glosing delusions, acknowledge the greatness thereof, and think it your best victory when the same doth prevail over you” (Pref.9.1).

Order and Mutuality

In an age when the ‘marginal’ and ‘transgressive’ are valorized, the unsympathetic treatment of dissent in Of the Laws of Ecclesiastical Polity and The Taming of the Shrew – by religious minorities and women, respectively – cannot help but come off badly. Critics sometimes under-value these works because allegedly they celebrate the dominant ideologies of patriarchal and political absolutism. Undoubtedly, both works appear, from a contemporary standpoint, politically conservative, affirming the primacy of order, continuity, and obedience, and manifesting a corresponding anxiety about the chaotic effects of dissent. The Laws and Shrew also insist on the necessity of social discipline and coercive force, a sore point for several critics who argue that the presence of coercion in any form or to any degree cancels out considerations of mutuality.\(^{23}\) However, such reductive readings fail to do justice to the two texts. Hooker, for example, defends the Elizabethan social order by placing the issues of conformity and obedience in a broad teleological context,\(^{24}\) and in so doing de-emphasizes but does not deny their hierarchical and coercive aspects. As Debora Shuger points out, Hooker observes in a clear-eyed way that all societies “are maintained by power, not philia,” the more so when they are inclusive societies.\(^{25}\) Moreover, as Charles Watterson Davis argues, Hooker’s political position cannot be labelled either royal absolutism or Enlightenment individualism, for neither law nor individual rights are primary; there is rather an insistence on interdependence within hierarchy.\(^{26}\) Further, as A.S. McGrade contends, Hooker’s preference for stability does not preclude a positive appreciation for actions, processes, and constructive change.\(^{27}\)

23 W. Speed Hill, for example, laments the “repressive and authoritarian bias” in Hooker’s thought which renders Hooker’s terms for reconciliation with the non-conformists “illusory” (“Evolution,” 152-153), while MacDonald makes a similar point in reference to Shrew, arguing that, for all its gestures toward playful mutuality, the play can never “entirely escape the shadow of coercion,” for “we cannot have play and reciprocity on the one hand and coercion on the other” (Comedies, 19).


27 McGrade, “Establishment,” 17.
Hooker’s conception of the social order can be characterized as anti-utopian and anti-idealist;\(^\text{28}\) as McGrade argues, he defends neither a utopian ideal nor the English status quo but rather a “set of actually promulgated public norms.”\(^\text{29}\) For Hooker, ideologues who argue for a return to either Edenic or apostolic purity are unrealistic and irresponsible: “to bring things unto the first course they were in, and utterly to take away all kind of public government in the world, were apparently to overturn the whole world” (1.10.4). While Hooker admits that, theoretically, “men might have lived without any public regiment,” he insists that we cannot now turn back the clock, ignoring either historical change or our self-evident need for some form of government in a fallen world. Yet he is not dogmatic with respect to the particular form of social regiment: “the kinds thereof being many, Nature tieth not to any one, but leaveth the choice as a thing arbitrary” (1.10.5). All political authority is based on consent and is therefore socially legitimated,\(^\text{30}\) while laws of descent like primogeniture are often based on mere probability, fitness, convenience, or expediency (1.10.10-11). Moreover, Hooker argues that many “truths” considered absolute in a given time and place are in fact a matter of probability rather than certainty. Since “proof infallible” is not available in many instances (notably in the correct form of church polity), we must be content to make decisions on the basis of incomplete or ambiguous evidence: “As for probabilities, what thing was there ever set down so agreeable with sound reason, but some probable shew against it might be made?” (Pref.6.6).

Constructed, imperfect, and mutable as it is, argues Hooker, the social order as it currently exists is essential to human welfare, conferring inestimable benefits for those who render themselves “conformable” to it. We should pay close attention to the voice of tradition and custom which are often valuable guides: “The most certain token of evident goodness is, if the general persuasion of all men do so account it . . . . The general and perpetual voice of men is as the sentence of God himself” (1.8.3). Undoubtedly, human traditions and institutions deteriorate, and abuses necessitate innovations such as the Protestant Reformation. Yet, since “corporations are immortal,” legitimate reform can only occur through a rational process of consultation and persuasion, and the consent of our ancestors to a particular rule of law continues in force until amended by universal consent (1.10.8). Short of such consensus, subjects are morally obliged to conform to the established order: “sith equity and reason, the law of nature, God and man, do all favour that which is in being, till orderly judgment of decision be given against it; it is but justice to exact of you, and perverseness in you it should be to deny thereunto your willing obedience” (Pref.6.5).

The social vision in Shrew, like that of Hooker, is not easily categorized as either conservative or subversive. As Graham Holderness argues, it is as implausible to force the play into the mould of modern progressive or feminist thought as it is to dismiss it as “a ‘barbaric and disgusting’ relic of medieval misogyny,” for the play contains elements of both hierarchical social doctrine and subversive, anti-paternalist discourse.\(^\text{31}\) Like the Laws, for example, the play frankly accepts the necessity of coercive authority, rationalizing and contextualizing it on the same grounds that Hooker does in the Laws. For example, the

\(^{28}\) Rowan Williams, in “Hooker: Philosopher, Anglican, Contemporary,” Richard Hooker and the Construction of Christian Community, ed. A.S. McGrade, (Tempe, AZ: Medieval & Renaissance Texts and Studies, 1997), argues that Hooker employs a radical apologetic in defence of a conservative position (377-378); Bouwsma comments on Hooker’s subversive anthropology, pragmatism, and historicism, which place him “in opposition to idealist Christian thought” (Bouwsma, 152).

\(^{29}\) McGrade, “Establishment,” 18.

\(^{30}\) See Bouwsma, 152.

prevalence of animal-training metaphors implies that punitive discipline is sometimes necessary and beneficent: “He that knows better how to tame a shrew, / Now let him speak, ‘tis charity to shew” (4.1.210-211). Yet, as a number of critics have persuasively argued, the play effectively synthesizes hierarchical doctrine with a discourse of mutuality.32

Petruchio manifests a somewhat ambivalent attitude toward the social order. At times, he speaks like an avatar of patrilineal authority. For example, he presumes that his wooing of Katherine will thrive on the basis of patriarchal affiliation (1.2.100-101; 2.1.116). Later, he reassures Vincentio that, despite appearances to the contrary, his son Lucentio has flouted neither patriarchal authority nor mercantile prudence:

Happily met, the happier for thy son.
And now by law, as well as reverend age
I may entitle thee my loving father.
The sister to my wife, this gentlewoman,
Thy son by this hath married. Wonder not,
Nor be grieved. She is of good esteem,
Her dowry wealthy, and of worthy birth;
Beside, so qualified as may be seem
The spouse of any noble gentleman.
Let me embrace with old Vincentio. . . .

(4.5.59-68)

Strangely, Petruchio is quick to adopt Vincentio as a surrogate father, as he does earlier with Baptista (2.1.130). As the sole heir to the estate of old Antonio (2.1.117) with no living father to gainsay his choices, Petruchio enjoys an enviable level of autonomy and financial security.33 This makes his voluntary identification with the fathers in the play all the more striking. It would seem that Petruchio, one of many young men blown seed-like through the world to seek their fortunes (1.2.49-50), is anxious about his isolation and seeks social affiliation through marriage and the acquisition of capital.

Yet, at other times, Petruchio’s stance toward civil society seems subversive. His hasty manner of wooing, for example, can be seen as an intentional mockery of bourgeois social propriety; Katherine speaks of him, with justification, as “hiding his bitter jests in blunt behavior” (3.2.13). Even when contextualized as part of his “male shrew” guise, his behaviour at the wedding -- refusing to be questioned or entreated, cuffing the priest, throwing the sops in the sexton’s face – suggests contempt for authority: “Go to the feast, revel and domineer, / Carouse full measure to her maidenhead, / Be mad and merry, or go hang yourselves” (3.2.224-226). Petruchio’s unruly behaviour seems part way between the strategic and the temperamental; perhaps his zest in flouting convention is partially driven by hostility toward the “system.” Clearly, both partners possess wilful, anti-social tendencies: “By this reckoning he is more shrew than she” (4.1.85-86).34 Accordingly, Petruchio recognizes that he and Katherine, “two raging fires” (2.1.132), must voluntarily subject

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33 Moisan, 113.

themselves a disciplinary regime if they are to avert mutual destruction:

I tell thee, Kate, 'twas burnt and dried away,  
And I expressly am forbid to touch it;  
For it engenders choler, planteth anger,  
And better 'twere that both of us did fast,  
Since of ourselves, ourselves are choleric,  
Than feed it with such overroasted flesh.

(4.1.170-175)

The Taming of the Shrew, like Hooker's Laws, manifests a sustained tension between conservative precept and radical methodology. Marianne Novy contends that Petruchio's methods mediate between the poles of hierarchy/coercion and play/mutuality, and in so doing combine in a compelling way "the rhetoric of order and the energy of disorder, while removing the dangers of both poles." This tension is evident in Petruchio's equivocal approach to material wealth and commodities. On the one hand, his blunt pursuit of a wealthy wife (1.2.75-76) and his shrewd calculations throughout the play (1.2.214-15; 5.2.111-18) indicate his acceptance of mercantile values. On the other hand, his use of commodities, clothing in particular, suggests otherwise. At Petruchio's instigation, clothing is soiled in the mud (4.1.74-80), the tailor's work disparaged (4.3.86-168), and caps trodden under foot (5.2.121-122). Tranio says, "oftentimes he goes but mean-apparell'd" (3.2.73), and this flouting of sartorial codes reaches its zenith when Petruchio arrives at the wedding in outlandish, mismatched attire (3.2.42-48). His motley ensemble is at least in part a defiance of the codes of bourgeois respectability, a fact not lost on Baptista: "Fie, doff this habit, shame to your estate, / An eyesore to our solemn festival" (3.2.100-101). More importantly, it is an oblique message to Katherine, and invitation for her to see social conventions qua conventions. As Martha Andresen-Thom argues, Petruchio satirically attacks "those arbitrary rules and roles of social appearance and behavior that so drastically shrink expressiveness and limit insight into ourselves and others," separating "person from clothing, character from role, gentleness of spirit from gentility of birth and class."

Yet Petruchio's violation of convention, as Carol Heffernan contends, does not appear to signify permanent rebellion against the values of his society and caste. His behaviour suggests, not a rejection civil society, but a neat balancing act, by which he treats the patriarchal social order with both positive appreciation and ironic detachment. Just as Hooker tries to convince sensitive puritans that Christians "may lawfully doubt and suspend our judgment, inclining neither to one side nor other" (Laws 2.7.5) even in matters divine, Petruchio obliquely suggests to Katherine that masculine dominance in marriage may be considered one of those matters of which "we may very well retain an opinion that they are probable and not unlikely to be true" (Laws 2.7.5). He demonstrates to her the value of being outwardly compliant or "conformable," adhering to cultural forms based on probable rather than certain authority. In so doing, he models for her a way of negotiating personal identity in

35 Ann Thompson, "Introduction," The Taming of the Shrew, (Cambridge: Cambridge University Press, 1984), 37. See also Moisan, 120.
which the benefits of social participation can be enjoyed without surrendering or compromising the subjective inner space which Hooker calls “conscience.”

This position is presented, obliquely but powerfully, in Act Four, scene five, during which the protagonists symbolically resolve their mutual ambivalence toward each other and the patriarchal social order. In the first part of the scene Petruchio persuades Katherine to accept his conjugal authority, but he does so in a way that ironically brackets this authority, implying that it is *adiaphora* rather than dogmatically true. Clearly, neither he nor Katherine believe sun and moon have literally changed places, but she finally accepts his assertions in a spirit of play:

> Then God be blest, it is the blessed sun,<br>But sun it is not, when you say it is not;<br>And the moon changes even as your mind.<br>What you will have it nam’d, even that it is,<br>And so it shall be so for Katherine.

(4.5.18-22)

As Novy argues, Katherine discovers that the best way to deal with the arbitrary and irrational demands of patriarchy is to stop taking them so seriously, to view the assumptions of her culture with detachment, like the rules of a game.39

Yet Petruchio’s demonstration also implies that, while patriarchal authority may not be objectively true, it is “that which is in being” (*Laws* Pref.6.5), an established order sanctioned by custom and “the general persuasion of all men” (*Laws* 1.8.3). Without a broad consensus for reform, one cannot defy it without seriously undermining peace and good order. One is therefore obliged, as Coppelia Kahn accurately observes of Katherine, to walk a tightrope between external conformity to the doctrinal line of male superiority and its interrogation through irony.40 Petruchio models this position in his carnivalistic mockery of Vincentio, in which he and Katherine mutually participate. First, Katherine, at Petruchio’s instigation, delivers a mock encomium on Vincentio’s youthful, feminine beauty; then, Petruchio “corrects” her, pointing out, still rather disrespectfully, that Vincentio is “old, wrinkled, faded, withered” (4.5.43); finally, Katherine and Petruchio apologize in elaborate terms, asking, in an exaggeratedly abject manner, to be reconciled to patriarchal authority: “Now I perceive thou art a reverend father. / Pardon, I pray thee, for my mad mistaking” (4.5.48-49).

This word game in which the taxonomies of youth and age, male and female, are inverted suggests the provisional and customary nature of social identities and distinctions, their dependence on convention and consensus. Further, as Andresen-Thom argues, the mockery of authority figures and institutions is an important dimension of social renewal, for traditional forms like courtship and marriage are best served when each generation “first reject[s], then invert[s], then make[s] these forms their own.”41

Like Hooker’s *Laws*, *The Taming of the Shrew* is anti-utopian in its treatment of the social order. This is evident in the play’s final scene, which far from being a serene, festive conclusion, foregrounds the persistence of rivalry and hostility in Paduan society. At the beginning of the scene, Lucentio speaks as if all conflict has ceased: “our jarring notes agree, / And time it is, when raging war is done, / To smile at scapes and perils overblown” (5.2.1-

39 Novy, 273.
40 Kahn, 97.
41 Andresen-Thom, 140.
3). But as the guests “sit to chat as well as eat” (5.2.11), the veneer of social harmony wears thin. Interpersonal tensions erupt as the “quick-witted folks / . . . butt together” competitively (5.2.38-39). The rhythm of aggression, kept in check by social tact, continues throughout the scene, culminating in the wager sequence and Kate’s long speech on feminine duty, both of which refocus the hostilities onto Bianca and Hortensio’s widow, the newly discovered “shrews.”

As Hooker argues, there is little point in trying to eradicate aggression; if the book of Genesis demonstrates the inevitability of violence when only a single human family was present, we can expect no less in a world of many clans, communities, and nations: “how could it be chosen but that when families were multiplied and increased upon earth, after separation each providing for itself, envy, strife, contention and violence must grow amongst them? For hath not Nature furnished man with wit and valour, as it were with armour, which may be used as well unto extreme evil as good?” (1.10.3). As his last phrase implies, aggression is not wholly separable from admirable human qualities like wit and valour. Rather than try to eliminate aggression, the better solution is to contain it and channel it toward socially valuable ends. Such redirection of energies is arguably the precise achievement of Petruchio and Katherine at the end of Shrew. Frances Dolan contends that Katherine learns “how to assert dominance in more socially acceptable ways. . . not to be less violent, but to redirect her violence toward more appropriate targets.”

Similarly, says David Daniell, the two of them “embrace and give form to violence” through acting, containing aggression and rebellion within the “mutual frame” of marriage.

Marriage and Happiness

Hooker is an eloquent proponent of human happiness as a natural end and normative standard for human life. In his view, the desire for happiness is universal: “Our felicity therefore being the object and accomplishment of our desire, we cannot choose but wish and covet it” (1.8.1). Though we never attain perfection in this life, we may enjoy relative happiness in the degree to which our desires are satisfied and our true end embraced: “Happiness therefore is that estate whereby we attain, so far as possibly may be attained, the full possession of that which simply for itself is to be desired, and containeth in it after an eminent sort the contentation of our desires, the highest degree of all our perfection” (1.11.3). He further argues that, despite its limits, social life is the necessary precondition for individual fulfilment, for civil society, with its interlocking constraints and privileges, provides the optimal environment for the perfection of persons. Conformity to natural and civil law issues in “our sovereign good or blessedness, that wherein the highest degree of all our perfection consisteth . . . and therefore with it our souls are fully content and satisfied, in that they have they rejoice, and thirst for no more” (1.11.1).

Paradoxically, though, individual fulfilment can only be realized when the members of a social body are willing to subdivide their individual interests to the common good. Indeed, he argues, only through such acts of trust can the social order, on which we all depend, be sustained. A clear illustration of this principle is provided by marriage, which Hooker defines as the permanent conjunction of man and woman, and the singular source of “propagation” which makes any society “durable” (5.73.1). Every other purpose must be subordinated to the principal end of “the having and the bringing up of children” (5.73.2),

including all considerations of happiness, personal fulfilment, and equality. Marriage is not, Hooker argues, an ideal state, for “choice seeketh rather proportion then absolute perfection of goodness” (5.73.2). Like all human institutions it consists of interlocking privileges and limitations, and the man or woman who enters into it can expect to experience “travail” as well as joy, freedom and the constraint of a “strait and insoluble knot” (5.73.2).

Hooker’s view of marriage is far from equalitarian. On an ideal plane, implies Hooker, equality between the sexes might seem desirable, but in the larger scheme of things, this is not the case. Pragmatically speaking, marriages, like all social relations, function most harmoniously when hierarchical order is observed: “it was not possible they [men and women] could concur unless there were subalternation between them, which subalternation is naturally grounded upon inequality, because things equal in every respect are never willingly directed one by another“ (5.73.2). Yet in Hooker’s view inequality does not preclude mutuality but rather facilitates it. As Davis points out, Hooker draws the term “subalternation” from logic; it signifies a cooperative, though not equal, relation between the two parts of a proposition: X and Y together. Davis argues that Hooker envisions by the term not mere subordination but interdependence, complementarity of function, and cooperation. Husbands and wives, like all members of the body politic, share significant common interests which may be realized through social participation. The wedding ring, he says, is an appropriate symbol for marriage because it speaks of mutual love and is “a pledge of conjunction in heart and mind agreed upon between them” (5.73.6).

For Hooker, male interests are by no means absolute but bounded by warrants and qualifications, but he does not disguise the fact that marriage imposes greater restraint on women than men. In marrying, a woman relinquishes the relative autonomy of single life but gains in compensation a broadened sphere for personal fulfillment. Marriage not only confers important non-material social benefits like “dignity,” “conjugal honour,” “affection,” and “worship,” but legal and economic benefits as well: “her children became by this mean legitimate and free; herself was made a mother over his family; last of all she received such advancement of state as things annexed unto his person might augment her with, yea a right of participation was thereby given her both in him and even in all things which were his” (5.73.7). In short, marriage is a principal means to the good life for both women and men: “By good things temporal therefore we mean length of days, health of body, store of friends and well-willers, quietness, prosperous success of those things we take in hand, riches with fit opportunities to use them during life, reputation following us both alive and dead, children or such as instead of children we wish to leave successors and partakers of our happiness. These things are naturally every man’s desire, because they are good” (5.76.2).

The Taming of the Shrew posits comparable assertions about the relation between individual happiness, marriage, and the social order. Petruchio, who “hope[s] good days and long to see” (1.2.191), grounds his hopes for felicity in marriage: “Marry, peace it bodes, and love, and quiet life, / An aweful rule, and right supremacy; / And, to be short, what not, that’s sweet and happy” (5.2.108-110). This is a clear expression of both hierarchy and subalternation, as is his statement to Baptista, which, though outrageous in context, is proleptically truthful:

Be patient, gentlemen, I choose her for myself.

44 Davis, 345-346.
45 For example, Hooker repeats St. Paul’s dictum that “parties married have not any longer entire power over themselves, but each hath interest in other’s person” (5.73.7). See Davis, 347.
If she and I be pleas’d, what’s that to you?  
’Tis bargain’d ’twixt us twain, being alone,  
That she shall still be curst in company.  
I tell you ’tis incredible to believe  
How much she loves me. . . .

(2.1.300-305)

Here, the emphasis is on pleasure, mutuality, and affect, though the prerogative of choice remains male. As Alexander Leggatt argues, although pleasure and pastime lie at the heart of the play’s vision of social life, the play demonstrates that “our most pleasurable activities are organized, limited, bounded by rules; and Petruchio’s ultimate lesson may be that order and pleasure are inseparable.”

But, if the husband enjoys “supremacy,” he also bears significant responsibility for his spouse’s welfare, and this can be seen as both a form of constraint and a demonstration of reciprocity. Throughout the play, Petruchio demonstrates diligence on Katherine’s behalf, providing her with a generous marriage settlement (2.1.123-127), a music tutor (2.1.55-60), wedding apparel (2.1.314-317), and personally prepared meals (4.3.39-40). Moreover, during the honeymoon, he “fast[s] for company” (4.3.177), denying himself food and sleep in order to facilitate her transformation. Katherine also recognizes the value of such exertions in her final speech, where she preaches not only wifely submission, but also masculine self-sacrifice:

Thy husband is thy lord, thy life, thy keeper,  
Thy head, thy sovereign, one that cares for thee,  
And for thy maintenance; commits his body  
To painful labor, both by sea and land;  
To watch the night in storms, the day in cold,  
Whilst thou li’st warm at home, secure and safe;  
And craves no other tribute at thy hands  
But love, fair looks, and true obedience --  
Too little payment for so great a debt.

(5.2.146-154)

Whatever its precise degree of sincerity, the speech clearly articulates a subalternate and reciprocal view of marital relations: solicitude and sacrifice are repaid with love and obedience. While marriage thus constrains both men and women, it confers an even greater range of benefits.

In the end, Katherine perceives that the marital state is the one best suited to fulfill her natural desires for happiness, since it coordinates the major aspects of her nature: “Man doth seek a triple perfection: first a sensual, consisting in those things which very life itself requireth either as necessary supplements, or as beauties and ornaments thereof; then an intellectual, consisting in those things which none underneath man is either capable of or acquainted with; lastly a spiritual and divine, consisting in those things whereunto we tend by supernatural means here, but cannot here attain unto them” (Laws 1.11.4). As Mikesell comments, “all the force of [Katherine’s] personality initially absorbed in peevish misery is allowed to blossom in the end in joyful defense of patriarchal marriage. Thus, the play

suggests, it is only the bridle and bit of patriarchy that can liberate women’s power.”

Conclusion

The thematic parallels between *The Taming of the Shrew* and Hooker’s *Of the Laws of Ecclesiastical Polity* are numerous. The two texts are informed by substantially the same assumptions about dissent and the nature of social affiliation. As McGrade says, Hooker was the “best sort of traditionalist”, a writer whose emphasis on outward conformity and the requirements of peace and order constitute an admirable attempt to accommodate diversity within a social and ecclesiastical unity. Similarly, *The Taming of the Shrew* articulates a broad, humane, and rational social vision in which reciprocity, mutuality, and community outweigh but do not negate the claims of individuality. Not only is Katherine reconciled to the social order through her recognition that marriage and communal life are superior to isolation, but the social order itself is enriched and renewed by its accommodation of her. In the end Petruchio and Katherine emerge as “winner[s]” (5.2.187), experiencing the “peace…, and love, and quiet life” (5.108) which are the fruits of sociality, without sacrificing the rich inwardness that makes them such vital and engaging personalities.

Mikesell, 159.

McGrade, “Establishment,” 26. Forte also argues that Hooker’s approach constitutes a wise, humane, and forward-looking approach to religious differences, paving the way for religious freedoms in the following century (157).
Spinoza’s *Tractatus Theologico-Politicus* (*TTP*) is one of the first and most important theoretical justifications of the separation of religion from philosophy and from politics. The separation of church and state and the separation of theology from other scientific disciplines are of course defining moments of contemporary secularity. While it can easily appear from certain religiously conservative or atheistic viewpoints that religion and secularity are simply antagonistic forces in modern life, understanding the ways in which this independent secularity is originally explained and justified on a theological basis can offer a more historically comprehensive grasp of this opposition. For this reason it is worthwhile to revisit Spinoza’s *TTP* with a view to understanding this foundational and highly contentious justification for the limitation of religion’s influence in politics and philosophy. In this paper I hope to show that fully understanding Spinoza’s arguments in the *TTP* concerning religion, philosophy and politics requires a recognition of the common logical structure these arguments share with his metaphysical theology. Thus even Spinoza’s revolutionary argument for a radically independent secularity is grounded in and inseparable from a certain conception of the relation between God and nature.

The *TTP* has two distinct but related tasks: in the first fifteen chapters of the treatise he strives to distinguish properly between philosophy and religion; in the last five chapters, to outline the scope of the Sovereign’s power and the individual’s freedom.¹ In this essay, I will attempt to clarify the precise relation of religion, philosophy, and politics in Spinoza’s *Tractatus Theologico-Politicus*.² I argue that there is a close

¹ Spinoza designates these two points as the *praepicuum* of his treatise at several points of the work. See Preface, 3r, 24-25 (3); II, 30, 8-15 (34); XIV, 160, 18-20 (158-9); XIV, 166, 21-27 (164). All references to the *TTP* refer to the chapter number and page number in the original Latin edition. Line numbers are in square brackets, followed by the page number in Samuel Shirley’s English translation in regular parentheses. I use the Latin text found in *Oeuvres III: Tractatus Theologico-Politicus/Traité Théologico-Politique*, text established by Fokke Akkerman, translation and notes by Jacqueline Lagrée and Pierre-François Moreau (Paris: Presses Universitaires de France, 1999). The English translations, which I have occasionally amended, are from *Theological-Political Treatise*, 2nd Edition, trans. Samuel Shirley, introduction Seymour Feldman (Indianapolis: Hackett, 2001).

² Not much attention has been paid to the common ground underlying these aspects of Spinoza’s argument, but certain recent studies have explored this connection. Wolfgang Bartuschat shows how Spinoza’s ontology of power is the common basis for the philosophical perspective of the *Ethics* and the theological and political investigation of the *TTP*. See Wolfgang Bartuschat, “The Ontological Basis of Spinoza’s Theory of Politics,” in *Spinoza’s Political and Theological Thought*, ed. C. De Deugd. (Amsterdam: North-Holland Publishing, 1984) 30-36. Nancy Levene connects the theologicopolitical and philosophical projects through their common ethical concern. See Nancy Levene, “Ethics and Interpretation, or How to Study Spinoza’s *Tractatus Theologico-Politicus* Without Strauss,” *The Journal of Jewish Thought and Philosophy*, Vol. 10 (2000) 57-110. Edwin Curley argues for the compatibility of the *TTP* and the *Ethics*. 
correspondence between Spinoza’s understanding of God (Substance) and its finite modes, necessity and contingency, reason and faith, and the Sovereign and its citizens. The argument has three parts. First, I examine the common structure of the relationships between necessity and contingency, philosophy and religion, the sovereign and the freedom of the individual. Second, I look at the analogous structure of, on the one hand, the movement from true ideas about the laws of nature to certain knowledge of the existence of God (and the consequent impossibility involved in negating the laws of nature while retaining the certain knowledge of God), and, on the other hand, the movement from the natural right of the individual to the Sovereign’s right to rule, (and the consequent impossibility of wholly negating the fundamental right of the individual while retaining the power of the Sovereign). Finally, I consider how democracy, on Spinoza’s account of it, is the political manifestation of his conception of God and of God’s relation to both humanity and the common order of nature. It seems to me difficult to decide whether Spinoza is grounding these various spheres upon his metaphysical conception of God, or whether he is rather identifying a more basic logical structure underlying all reality. Whatever the case may be, these parallels suggest a fundamental unity of the metaphysical and political aspects of Spinoza’s thought, and of the two sections of the TTP.

They also suggest an important continuity between Spinoza’s early modern theological-political stance and medieval political theology. In medieval political theology, the structure of the state and its division and relation between religious and secular aspects is consciously designed according to the structure of the divine principle, imitating God’s relation to nature and humanity. Instead of understanding Spinoza’s position as a dramatic break from the medieval and its close interdependence between first principle and political principle, I suggest that the significant differences between the medieval and Spinozan relation of faith and philosophy, and of religious and secular

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The connection here with Hobbes’ argument in Leviathan is obvious. Though it would be illuminating to compare the arguments on the origin of the state in Hobbes and Spinoza in order to more clearly discern how the differences between the thinkers may be to some extent explained by the underlying metaphysical frameworks of their political theories, such a comparison is beyond the scope of this essay.

An indirect consequence of my argument is that the grounds for Straussian readings of the TTP, which stress the distinction between its exoteric and esoteric meanings, will be undermined. Rather than seeing the book as hiding some philosophical truth behind the false veil of the outward meaning, my argument points to a deep structural consistency between a literal reading of Spinoza’s interpretation of Scripture and his own philosophical position. Thus, following Levene, I attempt to give a further reason for “why the Tractatus is not written in code” (Levene, “Ethics and Interpretation, or How to Study Spinoza’s Tractatus Theologico-Politicus Without Strauss,” 90).

For example, Monophysite theological positions, which deny the distinction between the divinity and the humanity in Christ’s nature, tend towards the assimilation of religious and secular powers, whereas the Chalcedonian orthodoxy, with its insistence upon the abiding distinction between Christ’s divinity and his humanity, tend towards a political theory which preserves the distinct integrity of religious from secular power. See R.D. Crouse’s very helpful article on Medieval Political Theology, “Political Theology from Eusebius to Dante,” in No Power but of God: Political Theology and the Christian’s Relation to the State, ed. Susan Harris. Proceedings of the 18th Atlantic Theological Conference. Charlottetown: St. Peter’s Publications, 1998, 24-33 (esp. 26-7).
authority, are to be better explained through Spinoza’s novel conception of God and its relation to nature and humanity. The interdependence between theology (philosophy) and politics is as present in Spinoza’s thought as in the thought of his medieval predecessors.

I. Necessity and Contingency, Philosophy and Faith, Secular and Religious Authority

The relationship between philosophy and faith outlined in the first part of the TTP mirrors the relationship between secular and religious authority in the second part. The key to this mirroring is the following: in each case, the two sides are united from an absolute, objective perspective, while some practical interest dictates that the sides must also be clearly distinguished. At each point in the argument when he must show the necessity of a separate existence for contingency, freedom of thought, and revealed religion, Spinoza must appeal to the practical consequences of holding to their undifferentiated unification, as opposed to showing some logical necessity for their distinction. This is largely due to the principal metaphysical problem inherent in Spinoza's system: that one cannot logically demonstrate the real existence of anything other than God from within the Spinozan logic.6 This is seen primarily through the fact that whatever follows from something infinite (God and his attributes) is infinite (immediate and mediate infinite modes),7 whereas singular, finite things can be caused only by other finite things.8 There are thus two distinct chains of causality, one of which Spinoza can deduce (the infinite chain), but the second of which must be merely assumed (the finite chain of causality).9 Schelling writes that in response to the question of how the affections of substance arise, Spinoza “only knows there are things from

6 Demonstrating this point would require a careful reading of his Ethics, and so for our present purposes I refer the reader to Schelling’s analysis of Spinoza’s metaphysical position: “But whence now do – not this or that thing, this or that affection, but any affections at all of the divine substance come from? Spinoza gives no answer for this, because he cannot give an answer. Determination, limit, etc., can only be thought where there is a reflection, but the being of the substance is a being completely devoid of reflection or limits, namely being which does even not limit or reflect itself…he only knows that there are things from experience; it would, so to speak, never occur to him to posit affections in the infinite substance if he had not discovered any things in experience, thus it is evident that he admittedly maintains an objective connection between God and things, but never really demonstrates it; the things are certain to him, not from his principle but from elsewhere.” F.W.J. Schelling, On the History of Modern Philosophy, trans. Andrew Bowie (Cambridge: Cambridge UP, 1994) 71-2. This is why Hegel famously characterizes Spinoza’s philosophy as an acosmism in his Lectures on the History of Philosophy. On my account, this metaphysical difficulty is manifested practically by the fact that Spinoza must appeal to what is required practically in order to establish the substantial and necessary existence of contingency, religion, and individual freedom.

7 See especially Ethics I Pr21-22.

8 Ethics I Pr28.

9 For a clear statement of this tension in Spinoza’s thought, see Harry Wolfson, Philosophy of Spinoza: Unfolding the Latent Processes of His Reasoning, (New York: Shocken, 1961), Vol. 1, especially the chapter on “Modes,” pp. 370-399. On this subject, Schelling succinctly writes: “Because he absolutely cannot admit any real transition from the infinite to the finite, he does not have any of these finite things arise immediately from the infinite, but only mediately, namely mediated through something else separate and finite, which itself is mediated through another etc., into infinity. Each separate or finite thing is, as Spinoza says, determined in its existence and its effect not absolutely by God, but only by God insofar as He is thought of as affected by another, etc. into infinity” (Schelling, 70).
DIAMOND: THE COMMON STRUCTURE OF RELIGION, PHILOSOPHY, AND POLITICS IN SPINOZA’S TRACTATUS THEOLOGICO-POLITICUS

experience,” since “nothing finite is immediately explicable.” This metaphysical impasse manifests itself in the TTP by the fact that the necessary existence of those aspects of reality belonging to humans as finite modes, such as religion and freedom of individual thought and speech, cannot be perceived through the natural light of reason, because there is no objective connection that would both differentiate and preserve the moment of contingency and otherness. The paradigmatic example of this relationship in the TTP is the distinction and relation between necessity and contingency.

Necessity and Contingency

Spinoza writes that “in an absolute sense, all things are determined by the universal laws of Nature to exist and to act in a determinate way.” This follows from the philosophical, depersonalized conception of God to which he briefly refers in Chapter 4: “God acts and governs all things solely from the necessity of his own nature and perfection, and his decrees and volitions are eternal truths, always involving necessity.” This absolute determination includes man as a part of Nature, and thus “whatever follows from the necessity of man’s nature – that is, from Nature as we conceive her to be determinately expressed in man’s nature – follows from human power, even though it does so necessarily.” Yet although the actual interconnection of all God’s modes may be thoroughly determined, Spinoza writes that our practical interests demand that we understand there to be contingency in the world. Things should not be explained through remote causes, but through their proximate causes, whereas explanations through fate and the infinite interconnection of natural causes are too remote from particular things to provide certain explanations, especially since the whole interconnection of causes is hidden from our perspective as a part of this nature. Since this perspective of the whole is inaccessible, the interconnection must be understood to be contingent, for although we are ultimately completely determined in our every decision through unseen chains of causation, acting based on this assumption would have a paralyzing effect on our practical activity.

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10 Schelling, 72.
11 Schelling, 71.
12 TTP IV, 44 [19-21] (p.48).
13 TTP IV, 51 [26-29] (p. 55).
14 Later, Spinoza makes clear that in terms of acting only as they are naturally determined, he does not “acknowledge any distinction between men and other individuals of Nature, nor between men endowed with reason and others to whom true reason is unknown, nor between fools, madmen and the sane.” TTP XVI, 175 [10-13] (174).
15 TTP IV, 44 [2-5] (p. 48). Spinoza expresses this idea most clearly in Ethics I. 29: “In nature there is nothing contingent, but all things have been determined from the necessity of the divine nature to exist and produce and affect in a certain way.”
16 “…for practical purposes it is better, indeed, it is essential, to consider things as contingent (adeo que ad usum vitae melius, ino necesse est res ut possibiles considerare)” TTP IV, 44 [18-19] (p. 49).
17 There is clearly a tension here in Spinoza’s claim as I have formulated it. As one of my students Zac Delong put the question to me: what does it matter whether or not we falsely imagine contingency in the world from the perspective of wholly necessary causal connections that are absolutely binding on us regardless of how we view them?
There are thus two perspectives: the perfect, objective perspective of God, or Substance, and the limited, subjective perspective of the particular manifestation of substance. While the two are, from an absolute perspective, objectively united in the former, they must also be conceived as wholly separate, and the second, lower perspective must be preserved in its integrity in order to fulfill practical concerns. This relationship between God and its modes, or necessity and contingency, provides the blueprint for the relationship both between philosophy and faith, and between the rule of the sovereign and the freedom of the individual (at the level of imagination).

**Philosophy and Religion**

Spinoza understands philosophy and religion\(^{18}\) to be completely separate and autonomous domains, though when each is properly understood, they are seen to have completely compatible content. Spinoza seeks to address three points:

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\text{…for what reason philosophy must be distinguished from theology, what is the essential nature of each, and that neither of them is subordinate to the other, each of them holding its own domain without contradicting the other.}\^{19}
\]

A philosophical knowledge has its basis in the conceptual clarity of self-evident intellectual axioms, comprehended in a series of connected propositions. These connections take the form of proofs, for “in the case of things invisible which are objects only of the mind, proofs are the only eyes by which they are seen.”\(^{20}\) Philosophy is primarily distinguished by the clarity and distinctness of its objects, which are eternal: substance, its attributes, and its infinite modes, all of which exist outside of time’s flux. This knowledge, at the level of *ratio* or *scientia intuitiva*, is not directed towards the lower domains of sense perception (*imaginatio*) or hearsay, but involves the immediate grasp of unchanging ideas. Mere belief has nothing to do with philosophy, as “those who do not have proofs see nothing at all of these things.”\(^{21}\)

By contrast, for Spinoza religion is concerned only with understanding the meaning of revelation in Scripture. Against certain interpreters of Scripture who assume the complete truth of Scripture as the beginning point of their interpretation,\(^{22}\) Spinoza argues that religion does not seek the truth, but only the meaning (*sensum*)\(^{23}\) of the historical narratives contained in Scripture. The objects of religious study are not the eternal truths of nature, but the contingent, historical writings of Scripture.

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\(^{18}\) Following Spinoza I use ‘religion’ and ‘theology’ interchangeably in what follows.  
\(^{19}\) *TTP*, XV, 174, [2-6] (172).  
\(^{20}\) *TTP*, XIII, 156 [3-5] (155).  
\(^{21}\) *TTP*, XIII.  
\(^{22}\) “…they lay down at the outset a principle of interpretation that would be far more appropriately derived from Scripture itself” (Preface, 4r, [23-25] (5)).  
\(^{23}\) Spinoza defines the meaning of a text as “what the author could have had in mind, or what the time and the occasion demanded,” VII, 96, [4-6] (97).
This difference constitutes the autonomous realms of religion and philosophy. Religion seeks to uncover what is true only as it is mediated imperfectly through prophecy and Scripture, working to explain why each statement of Scripture states what it does through reference to its historical context. Philosophy moves beyond this imperfect perspective of *imaginatio* towards immediate and adequate apprehension of things through Substance and its attributes at the higher levels of *ratio* and *scientia intuitiva*, a knowledge which is eternal and ahistorical. Spinoza contrasts this separation of philosophy and religion with two hermeneutic approaches that, in opposite ways, collapse this necessary separation and autonomy. In opposite ways, both sceptics (e.g., Jehuda Alpakhan) and dogmatists (e.g., Maimonides) take everything in Scripture to be absolute truth. The sceptic, conforming reason to Scripture, takes the meaning of Scripture to be the authoritative source of truth, while the dogmatist, conforming Scripture to reason, demonstrates that everything in Scripture is true by showing through allegorical interpretation that all revelation corresponds with the truth of reason. Against both these positions, Spinoza asserts the necessity of the separation between religion and philosophy, affording independence to each realm (and hence social peace). Spinoza interprets the meaning of God’s revelation. Instead of God choosing to reveal a certain truth to a merely receptive prophet who then communicates this revealed knowledge in an uncorrupted fashion to his people, Spinoza understands revelation to be adapted at two different stages: first, to the limited capacities of the prophet, then to the limited capacities of his people. A revelation is the imperfect perception of what is, in itself and apart from the subjective distortion of the prophet, an eternally self-same truth. This revelation takes the form of words or appearances (*verbis vel figuris*), not essences and axioms. What is perceived by the prophet is determined by his imagination, temperament, prior beliefs and education, intellectual capacity, all of which are wholly individual to each prophet. Scripture does not contain historically transcendent eternal truths, identical to the axioms discovered by the natural light of reason, but particular, contingent apprehensions of these truths clouded by the imperfect understanding of the prophets and their people. Scripture cannot, for this reason, “be upheld as divine doctrine without great prejudice to philosophy.”

Spinoza’s explanation of falsity in book II of the *Ethics* provides a helpful analogy for understanding how his historicized version of theology works. Spinoza uses the example of the sun, which appears to our sense perception, or *imaginatio*, as deceivingly close to us. This apprehension is not false, and our body remains affected in this particular way even in higher levels of knowing. We must, however, come to understand the whole interconnected system of causal necessity that contributes to making the sun appear as it does. Once we understand our perception within the explanatory web of causes (the perception as it is related to God), we understand the

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24 See Chapter XV.
25 “…Scripture is adapted to the intellectual level not only of the prophets but of the unstable and fickle Jewish multitude.” *TTP* XIV, 159 [1-4] (158).
26 Spinoza writes that “it is the nature of the mind…that is the primary cause of divine revelation.” *TTP* I, 2 [24-26] (10) – cf. also I, 13 [28-30] (19).
27 See *TTP* I, 3 [30-33] (10-11). These correspond to the two lowest forms of knowing in Spinoza’s fourfold hierarchy, as elaborated in the *Treatise on the Emendation of the Intellect*, sections 18-29.
28 *TTP* II, 30 [4-6] (34).
perception in its truth (see Ethics IIP35). It is this kind of truth Spinoza’s theologian would seek in Scripture: through historical study of the Bible we can determine, though unclearly, what caused various prophets to apprehend the world as they did (what it was they did and did not know), and then within this explanatory framework, understand the truth underlying their perception, once it has been sufficiently demystified.

Yet although each belongs to its own separate domain, Spinoza denies the claim that religion demands a supernatural order of reason, beyond the natural light of reason employed by philosophy: “since the supreme authority for the interpretation of Scripture is vested in each individual, the rule that governs interpretation must be nothing other than the light of natural reason that is common to all, and not any supernatural light, nor any eternal authority.”29 Importantly, while religion and philosophy have different objects of study, it is crucial to note that their ultimate authority lies in one source,30 the natural light of reason itself.31

From this historical interpretation of Scripture through Scripture alone, emerges a core, eternal meaning to Scripture, which constitutes what Spinoza calls “the divine nature of Scripture.”32 This meaning has to do only with a moral doctrine easily accessible to all33 and not with natural and spiritual truths of philosophy.34 It is the “religion universal to the entire human race…consisting not in ceremonial observance but in charity and sincerity of heart.” Further, he writes that this distilled message of Scripture, “is in essence this, to love God above all, and one’s neighbour as oneself,” and this is “the basis of the whole structure of religion.”35

Spinoza recognizes that, since he takes the true doctrine of religion to be equally derivable from the natural light of reason, there is the danger that religion may be wholly comprehended by rational thought. Referring to the kernel of moral truth contained in Scripture, Spinoza writes “if…we assert that this fundamental principle can be proved by reason, then theology becomes a part of philosophy, and inseparable from it.”36 But this is not the case, for there is one important truth of religion that reason appears unable to grasp: that there can be salvation through obedience to Law without adequate knowledge. At the end of the Ethics, there is no salvation apart from one’s adequate knowledge of the

29 TTP VII, 103 [22-26] (103-4).
30 This undermines Steven Smith’s view that “[n]ot only are reason and theology two different modes of knowledge, but they operate on two different objects.” See Steven Smith, Spinoza, Liberalism, and the Question of Jewish Identity (New Haven: Yale University Press, 1997) 82. For a thoughtful correction of this view, see Levene, “Ethics and Interpretation,” pp. 83 ff.
31 As with philosophical inquiry, Spinoza writes about religion that “this method demands no other light than the natural light of reason.” TTP VII, 98 [16-17] (99). This point is crucial for an understanding of the correspondence between this issue of faith vs. philosophy and its analogy with the issue of religious and secular authority.
32 TTP Preface, 4r [19] (5).
33 “As for the moral doctrines that are also contained in the Bible, although these themselves can be demonstrated from accepted axioms…” TTP VII, 85 [27-29] (87).
34 “…it is not part of Scripture…to teach things through their natural causes or to engage in pure philosophy.” TTP VI, 75 [4-7] (78).
35 TTP XII, 151 [7-13] (151).
36 TTP XV, 171 [24-27] (169). Spinoza then goes on to list the fundamental principles of all religion.
eternal causes of things. Yet “intellectual or exact knowledge of God is not a gift shared by all the faithful, as is obedience.” In order for salvation to be universally accessible, the unphilosophical require what is professed by the core of religious truth: that one can obtain salvation through obedience. The importance of justice and charity can be deduced from Substance and its eternal axioms, as it is in the Ethics, but “it matters not how the practice of these virtues is revealed to us as long as it holds the place of supreme authority and is the supreme law for man.” Just as contingency cannot be logically determined to have any real existence as against necessity and is only given discrete existence through appeal to some practical concern, religion cannot be logically distinguished from philosophy through having some distinct content, but is only preserved in its separation through appeal to a practical concern about universal salvation.

Secular and Religious Authority, Sovereign and Individual Right

In the later chapters of the TTP, Spinoza addresses the relation between secular and religious authority, and the domain of the Sovereign as against the domain of the individual citizen, setting out to determine “what are the limits of this freedom of thought, and of saying what one thinks, in a well-conducted state.” The structure of these relationships is identical to the relationships between necessity and contingency, and philosophy and religion. Namely, the all-comprehensive power of the sovereign theoretically unites secular authority with the religious authority from an absolute, objective perspective, while some practical, subjective interest dictates that a realm of religious authority for individuals must be clearly distinguished.

Having absolutely distinguished religion from philosophy, one might expect Spinoza to identify two distinct sources of authority, one secular and the other religious. Yet Spinoza locates all civil and religious authority in the undivided will of the Sovereign. In terms of an individual’s actions (hence objectively), all authority, both civil and religious, is vested in the sovereign alone. By contrast with the Medieval balance between Church and Empire, the authority of religious institutions is generally dissolved in Spinoza’s thought.

As opposed to ancient times, the modern world is distinguished by the fact that “every man has now the duty to adapt (religious dogmas) to his own beliefs, so as thus to accept it without any misgivings or doubts...in whatever way makes him feel that he can more readily accept them with full confidence and conviction.” This sentiment wholly subverts any meaningfully authoritative religious institution above and beyond the will of individuals. See also Preface 4v (6); VII, 103 [22-26] (103). The only passage in the TTP that contradicts this undermining of religious institutions can be found in Chapter 5: “the common people are not themselves qualified to judge of these narratives, being more disposed to take pleasure in the stories and in strange and unexpected happenings than in doctrine implicit

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37 TTP XIII, 154 [14-17] (154). Spinoza writes further that “men are not bound as a command to know God’ attributes; this is a special gift granted only to certain of the faithful.”


39 As a consequence of my conclusion here, one should be suspicious of Strauss’ dismissal of this core truth of religion as a device for hiding his genuine view of the Bible and theology as containing no truth of their own. Spinoza’s view is in fact grounded in the deeper structure of his thought. See Leo Strauss, Persecution and the Art of Writing (Chicago: The University of Chicago Press, 1988) 170 ff.).

40 TTP XVI, 175 [3-5] (173).

41 As opposed to ancient times, the modern world is distinguished by the fact that “every man has now the duty to adapt (religious dogmas) to his own beliefs, so as thus to accept it without any misgivings or doubts...in whatever way makes him feel that he can more readily accept them with full confidence and conviction.” This sentiment wholly subverts any meaningfully authoritative religious institution above and beyond the will of individuals. See also Preface 4v (6); VII, 103 [22-26] (103). The only passage in the TTP that contradicts this undermining of religious institutions can be found in Chapter 5: “the common people are not themselves qualified to judge of these narratives, being more disposed to take pleasure in the stories and in strange and unexpected happenings than in doctrine implicit
religious authority must be vested in the individual, since “nobody can be wise by command.”

Against the great medieval syntheses of secular (temporal) and ecclesiastical (spiritual) authority in Aquinas and Dante, which see the relation as a free reciprocity between two separate domains, Spinoza locates the origin of both civil and religious laws in the undivided power of the secular Sovereign: “it belongs completely to the sovereign power, on whom alone both divine and natural right impose the duty of preserving and safeguarding the laws of the state, to make what decisions it thinks fit concerning religion, and all are bound by their pledged word, which God bids them to keep inviolate, to obey the sovereign power’s decrees and commands in this matter.”

This follows from the fact that, in contrast to the medieval view that attempts to reconcile the sphere of reason-transcendent religion with philosophy and secular reason, for Spinoza, the natural light of reason guides both the historical study of Scripture and philosophical investigation, without appeal to a supra-rational faculty. Just as reason is authoritative for the distinct methods of philosophy and religion, the Sovereign, who represents reason, rules over anything pertaining to actions in the state. The secular rule of the Sovereign is therefore set up as both interpreter and guardian of the religious law,

in the narratives…they also stand in need of pastors and ministers of the Church to instruct them in a way suited to their limited intelligence.” *TTP* V, 65 [3-10] (68).

42 *TTP* XIII, 155.

43 See, for example, Dante’s *De Monarchia* III, 16: “let Caesar exercise towards Peter that reverence which a first-born son owes to his father, so that, illumined by the light of paternal grace, he may the more effectively illuminate the world, over which he has been placed by Him alone, who is governor of all things spiritual and temporal.”

44 *TTP* XVI, 185-186 [25-28] (183). This abrogation of the separation between religious and secular authority differs markedly from the undivided union of these authorities that existed prior to the medieval separation, and in particular the radical unification of state and religion in the original theocratic Hebrew state, in which “state civil law and religion – which we have shown to consist only in obedience to God – were one and the same thing; the tenets of religion were not just teachings but laws and commands…there was considered to be no difference whatsoever between civil law and religion.” *TTP* XVII, 192 [21-28] (189). The unification of both powers into one for Spinoza is completely different, both through the fact that the unification occurs only with Spinoza’s having carefully argued for the distinction between the religious and the secular, and that the human rule of the sovereign draws into itself religious authority, rather than the divine rule of God drawing into itself all human rule. Yet Spinoza argues that even this direct theocracy actually invested all power in the human ruler, and the transference of the power beyond human sovereignty directly to God “was notional rather than practical (*hoc magis mente quam opera potuerunt*); for in reality they retained their sovereignty absolutely until they transferred it to Moses, who from then on remained an absolute ruler, and through him alone did God reign over the Hebrews.” *TTP* XIX, 216 [2-5] (214).

45 See n. 32 above.

46 Spinoza also gives a practical justification for civil authority over religion. He writes: “It is therefore quite clear that, if nobody were bound by right to obey the sovereign power in those matters which he thinks pertain to religion, the state’s right would then inevitably depend on judgments and feeling that vary with each individual. For nobody would be bound by it if he considered to be contrary to his own faith and superstitious belief, and so on this pretext everyone could assume unrestricted freedom to do as he pleases.” *TTP* XVI, 185 [18-21] (183).
to ensure that religion accords “with the peace and welfare of the commonwealth (reipublicae).”

Spinoza once again makes the distinction between what is true in theory, and what the limits of practice dictate: the absolute comprehensive sovereignty “must nevertheless remain in many respects no more than theory. Nobody can so completely transfer to another all his right, and consequently his power, as to cease to be a human being, nor will there ever be a sovereign that can do all it pleases.” The unlimited scope of the sovereign’s unconditional power holds on the theoretical level, but for practical reasons he states that the sovereign would not want to assert this theoretical right, for fear of compromising this sovereignty: “It is true that sovereigns can by their right treat as enemies all who do not absolutely agree with them on all matters, but the point at issue is not what is right, but what is to their interest.” The sovereign’s power cannot be unlimited, and Spinoza distinguishes a subjective realm of belief and speech, identified with religion, which is to remain untouched by the Sovereign’s authority: “the right of the sovereign, both in religious and in secular spheres, should be restricted to men’s actions, with everyone being allowed to think what he will and say what he thinks.” Just as Spinoza permitted the perspective of contingency subjectively but not objectively, the sovereign must permit dissent and free thought and speech (subjective, potential), but must absolutely control actions (objective, actual).

I will further develop the reasons behind the impossibility and undesirability of absolute rule without respect for the individual right to free belief and speech in what follows.

II. The Impossibility of Miracles and the Undesirability of Absolute Rule

The analogous structure between Spinoza’s ontological and political thought is also evident in his proofs for the impossibility of miracles and the impossibility of the sovereign ruling tyrannically.

Laws of Nature, Miracles and God’s Existence

Spinoza seeks to refute the idea that miracles can demonstrate the existence and power of God, and to show that undermining the fixed and immutable order of Nature

47 TTP XIX, 215 [1] (212). Spinoza writes that “the salvation (salutem) of the people is the highest law, to which all other laws, both human and divine, must be made to conform” TTP XIX, 218 [17-19] (215).
48 TTP XVII, 187 [4-8] (185).
49 TTP XX, 226 [17-20] (223) [italics mine]. This is principally because “men in general are so constituted that their resentment is most aroused when beliefs they think are true are treated as criminal, and when that which motivates their pious conduct to God and man is accounted as wickedness.” TTP XX, 230 [9-13] (226).
50 “…for inward worship of God and piety itself belong to the sphere of individual right…” TTP XIX, 215 [7-8] (212).
51 TTP XX, 233 [20-23] (229).
52 The necessity of religious belief as distinct from other incidental beliefs seems to dissolve for Spinoza at certain points: “As for religion or sect, that is of no account, because such considerations are regarded as irrelevant in a court of law…provided that they injure no one, render to each his own, and live upright lives.” TTP XX, 232 [30-3] (228).
through these supposed exceptions undermines our understanding of God’s existence and power, despite its intentions to the contrary. Spinoza begins by pointing out that God’s existence is not self-evident. In order to arrive at the certain knowledge of substance, what God truly is, we must move up to this principle through a logical chain of reasoning of axiomatic truths: as Vance Maxwell writes, “substance is itself deduced in a reduction of true ideas to unity.” The only reason that we can attain a true idea of God is that these laws of Nature have provided the ladder up to this principle. This movement from true, eternal ideas to their reduction to the unity of God or Substance, is described by Spinoza in the Ethics as the second order of knowing, ratio.

Now in order that we may conceive God’s nature clearly and distinctly, we have to fix our attention on certain very simple axioms called universal axioms, and connect to them those divine attributes that belong to the divine nature. Only then does it become clear to us that God necessarily exists and is omnipresent, and only then do we see that all our conceptions involve God’s nature and are conceived through God’s nature, and finally, that everything that we adequately conceive is true.

When one arrives at the certain idea of God, the laws that led to this conclusion are placed on an even higher foundation, as they are now known in their interconnection through God. As Maxwell writes, the philosophical method “develops teleologically as an order of adequate ideas completing and perfecting itself within the idea of ‘the origin and source of the whole of nature.’” This is the transition in Spinoza from good method to perfect method (in the language of the TdIE), or from ratio to scientia intuitiva (in the language of the Ethics), achieving “the knowledge of the union that the mind has with the whole of nature.” Spinoza writes that “this kind of knowing proceeds from an adequate idea of the formal essence of certain attributes of God to the adequate knowledge of the essence of things.” In other words, having attained the true idea of the perfect existence which is the source of all existence and essence, one understands more clearly than before the existence of the essence of things as they follow in systematic interconnection from this principle.

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53 *TTP* VI, 70 [24-25] (74).
54 See Vance Maxwell, “The Philosophical Method of Spinoza,” *Dialogue* XXVII (1988) 89-110 (90). In this article, Maxwell argues persuasively against a dominant trend in Spinoza scholarship that he calls the “formalist or hypothetico-deductivist approach” (89), which claims that substance is an arbitrary hypothesis from which a system is deduced which remains hypothetical and contingent due to the character of its foundation.
55 *Ratio* is defined in the *Ethics* as perception “from the fact that we have common notions and adequate ideas of the properties of things.” These ‘common notions’ are the infinite modes of God, which are eternal. They are the fixed and eternal objects of the *Treatise on the Emendation of Intellect*, which are the objects of ‘good’ method. In *TTP* these are the “axiomatic truths.”
56 Spinoza writes this in supplementary note 6 to Chapter 6 of the *TTP*.
57 “…we must unreservedly conclude that we get to know God and God’s will all the better as we gain better knowledge of natural phenomena and understand more clearly how they depend on their first cause, and how they operate with Nature’s eternal laws.” *TTP* VI, 71 [4-8] (75).
58 Maxwell, 96 (my emphasis).
59 *TdIE* 13.
60 *Ethics* IIPr40Sch2.
Consequently, for Spinoza, belief in miracles subverts knowledge. Miracles do not merely make Nature itself unknowable. Asserting the objective existence of miracles makes both the fixed order of Nature and God’s existence unknowable:

For if we could conceive that these axiomatic truths themselves can be impugned by any power, of whatever kind it be, then we should doubt their truth and consequently the conclusion following therefrom, namely God’s existence; nor could we ever be certain of everything.61

Denying the fixed order of nature, through which we ascended to the certainty of God’s necessary existence, is wholly counterproductive. While certain religious thinkers look to miracles as proof of God’s unlimited power, they in fact undermine the knowledge of both the laws themselves, and the very existence which the miracle is intended to confirm: God, or the initial result of the deduction from the axioms. Miracles, therefore, cannot be an objective fact. This is because the very concept of miracles is utterly self-defeating since belief in them “would cast doubt on everything, and would lead to atheism.”62 By denying the eternal existence of the universal axioms used as stepping stones to the proof of God’s existence, the absolute power of God as origin and source of all is itself compromised. Miracles thus refer only to men’s beliefs and are merely subjective misperceptions and inadequate comprehension of fixed natural laws.63

Thus, miracles exist in Scripture as a mistake in the perceiving subject. Yet Spinoza adds to his refutation of the possibility of miracles from the natural light of reason and from Scriptural authority a qualification. Recognizing the untruth of miracles is not required for salvation. Although based in falsity, belief in miracles is permitted if it makes believers without knowledge more obedient: “on these matters everyone is entitled to hold whatever view he feels will better bring him with sincere heart to the worship of God and religion.”64

Individual Rights, Absolute Power, and the Stability of the Sovereign’s Rule

In the second, ‘political’ half of his treatise, Spinoza argues for the necessity of preserving individuals’ rights to freedom of thought and speech of according to the same logic as his defence of the integrity of the fixed laws of nature,65 stating that

61 *TTP* VI, 71 [29–4] (74).
62 *TTP* VI, 73 [22-24] (76)
63 “As to the many passages in Scripture to the effect that God wrought wonders so as to make himself known to men…it does not follow therefrom that miracles really conveyed this; it only follows that the beliefs of the Jews were such that they could be readily convinced by these miracles…deliverances of a prophetic nature – i.e. those that are inspired by revelation – are not derived from universal and fundamental axioms, but from the prior assumptions and beliefs, however absurd, of those to whom the revelation is made, or those whom the Holy Spirit seeks to convince.” *TTP* VI, 74 [9-13] (77-8). As opposed to these misperceptions, “what truly happened, happened naturally.” *TTP* VI, 76 [12-13] (79).
64 *TTP* VI, 82 [20-22] (85).
65 The analogy is, of course, imperfect, due to the difference, outlined by Spinoza in Chapter 4, between a natural law and a human, conventional law: “A law which depends on nature’s necessity is one which necessarily follows from the very nature of the thing, that is, a definition; a law which depends on human decision, and which could more properly be termed a statute, is one which men ordain for themselves and
nobody can be absolutely deprived of his natural rights, and that by a quasi-natural right subjects do retain some rights which cannot be taken from them without imperiling the state, and which therefore are either tacitly conceded or explicitly agreed by the rulers.  

Spinoza offers a deductive ascent from the natural right of individuals to the sovereign which ‘completes and perfects’ this right. The analogy between the laws of nature and the natural rights of individuals is clear. Like the laws of nature that lead toward the certain knowledge of God, this natural right is one of “the rules governing the nature of every individual thing,” dictating that, like Nature as a whole, “each individual thing has the right to do all that it can do.” The right of each individual thing’s natural pursuit of self-interested self-preservation Spinoza understands to be “the supreme law of Nature.” Yet this initial state of naturally existing individuals best fulfils neither each person’s advantage nor the universal human “desire to live in safety free from fear.” The multiplicity and conflict of these natural rights in the state of nature prevents them from realizing their power of self-preservation, without the reduction of this plurality of rights to the unified right of a sovereign power. 

Because of the hardships humans inevitably experience by living merely according to the law of Nature, it becomes clear to us that “men had necessarily to harmonize as one.” Spinoza describes this movement towards the development of a common perspective and will as follows:
They therefore arranged that the unrestricted right naturally possessed by each individual should be put into common ownership, and that this right should no longer be determined by the strength and appetite of the individual, but by the power and will altogether…they had to bind themselves by the most stringent pledges to be guided in all matters by the dictates of reason…and to keep appetite in check insofar as it tends to another’s hurt, to do to no one what they would not want done to themselves, and to uphold another’s right as they would their own. 71

It is important to understand to what extent Spinoza sees the individual will as wholly absorbed into an undifferentiated unity of all wills expressed through the sovereign power. Citizens recognize the futility of independent natural ends, and see that these ends can be satisfied only within the rational order of the state, borne by the unified will of the sovereign beyond and prior to all particular ends, a source of absolute power outside of which no one has any rights: “whoever transfers to another his power of self-defence, whether voluntarily or under compulsion, has fully ceded his natural right and has consequently resolved to obey the other in all matters.” 72 This is so much the case that when defining the citizen’s civil right, Spinoza makes clear that this right no longer exists except through the sovereign power, in which it has been given a new standing and meaning: “by a citizen’s civil right we only mean the freedom of every man to preserve himself in his present condition, a freedom determined by the edicts of the sovereign power and upheld by its authority alone.” 73 As a result, violations of citizens’ rights are wrong only insofar as they are “contrary to the edict of the sovereign power,” 74 and “a wrong cannot be done to subjects by sovereign powers, whose right is not limited.” 75 Natural rights no longer have any independent existence as against the Sovereign such that they could claim a right against this all-encompassing power.

Yet Spinoza’s democratic version of absolute sovereignty means that even in the total reduction of multiplicity to unity, the individual’s power is not completely dissolved, “for in a democratic state nobody transfers his natural right to another so completely that thereafter he is not to be consulted; he transfers it to the majority of the entire community of which he is a part. In this way all men remain equal, as they were before in a state of nature.” 76 Like the universal laws of nature which are preserved and re-founded in their reduction to the unified power of Substance, individual rights are in some sense retained in the unified power of the Sovereign as they were prior to the reduction, if only in the mere fact of their continued existence – the equality of individuals in the state of nature. Just as individual axioms no longer have the same

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71 TTP XVI, 177 [10-21] (175).
72 TTP XVI.
74 TTP XVI, 178 [15-16] (170).
76 TTP XVI, 181 [10-13] (179).
meaning in their newly founded systematic interrelation within God or Substance, individual rights no longer have the force they did as independent in the state of nature, yet they continue to exist as an interrelated inseparable totality within the newly founded universal power of the sovereign will. Like the laws of nature grounded in God, the individuals now exist more securely within the rational state.

Spinoza then considers how it is both undesirable and impossible for the absolute sovereignty to exercise its power through simply negating all individual rights, because this leads to the dissolution of the sovereign will as first principle of political life and absolute power over every citizen. As we saw above, the reduction of individual natural wills to a unified sovereign will is not able to dissolve the bare existence of individual wills: “it is impossible for the mind to be completely under another’s control; for no one is able to transfer to another his natural right or faculty to reason freely and to form his own judgment on any matters whatsoever, nor can he be compelled to do so.” This individual consciousness simply cannot be immediately dissolved into the universal will, as its tendency to think and believe things independently “are matters belonging to individual right, which no man can surrender even if he should so wish.” Just as the universal laws exist even after their unified relation in God has been grasped such that they cannot be negated through the existence of miracles, individual consciousnesses continue to exist even once their rights have been drawn into the comprehensive right of the sovereign, and cannot be negated through tyrannical rule (analogously, the impossible God of miracles could be seen as a tyrant of Nature, revoking the independence of universal axioms as the tyrannical sovereign revokes the natural capacity of individual subjects to think and reason).

Given that individual consciousness exists alongside the power of the Sovereign, Spinoza explains how it is not in the interest of the Sovereign to deny this fact in order to assert its absolute power, thereby “endangering the whole fabric of the state.” The atheism that results from asserting that miracles exist (which subverts the order of Nature) is equivalent to the anarchy which results from tyrannical rule (which negates the individual’s natural right to free thought and speech). The resulting revolt and refusal to acknowledge the Sovereign’s absolute power signifies the total breakdown of the state and the revoking of the very purpose for which the state was constructed. For “the purpose of the state is, in reality, freedom,” and a citizen relinquishes his natural right in the first place for the sake of personal security, “so that he may best preserve his own

77 *TTP* XX, 225 [6-9] (222).
78 *TTP* XX, 225 [15-16] (222).
79 *TTP*, XVI.
80 Without the sovereign power, the peace and harmony afforded through the community is dissolved: “If this basic principle is removed, the whole fabric collapses. It is for the sovereign power alone, then, to have regard to these considerations, while it is for the subjects, as I have said, to carry out its orders and to acknowledge no right but that which the sovereign power declares to be right.” *TTP* XVI, 180 [4-8] (178). Hence, by over-asserting itself, the sovereign loses its own power to the individuals who naturally (if illegitimately) reject the repression of their individual freedom. Yet in circular fashion, their rebellion in turn negates the very freedom which they assert, as this freedom cannot exist in the state of nature outside the rational power of the sovereign will.
natural right to act.” Beyond merely contradicting the reason for forming the sovereignty, all sincerity and truthfulness, which forms the very basis of the state, would be replaced with deception and hypocrisy, as people would be forced to feign various beliefs they did not hold. This privileges the worse citizens over the better, creating criminals of the virtuous, and this encouragement of obsequious behaviour plants the seed of the state’s destruction. Finally, the resentment inspired in citizens by attempting to quell what simply cannot be repressed inevitably causes civil unrest. Atheism results from asserting the blind and arbitrary will of God through miracles without respect for the existence of natural laws, just as anarchy results from asserting the blind and arbitrary power of the sovereign without respect for the freedom of individual thought and action.

III. Spinoza’s God and The Principle Of Democracy

Spinoza’s argument could be understood as a break from the medieval tradition of conforming politics to a theological stance. Yet the above argument has served to indicate certain ways in which Spinoza’s conception of God and Nature, and his metaphysics in general, thoroughly determine the structure of his political views. This indicates a certain continuity between Spinoza and the medieval tradition, as well as a closer interconnection between his theological and political principles. Thus Spinoza’s revision of medieval political theology is a result of an altered conception of divinity and its relation with nature and humanity which in turn entails a revised conception of politics and the relation between religious and secular rule. A conception of God is not irrelevant to Spinoza’s conception of politics, as though this were what distinguished his political thought from medieval theological politics. Rather, the difference between the politics of Spinoza and his medieval and renaissance predecessors lies in a difference in the way he understands God and His relation to Nature. In conclusion, I will look briefly at some ways in which Spinoza’s concept of democracy is determined by his understanding of God.

Medieval political theologies generally understood the relation of divinity with nature to be structural to the relation between religious and secular authority, and the relation between ruler and ruled. Within the Christian West, as we have indicated, this took the form of manifesting politically the theological stance on the relation between divinity and humanity as they are united in the person of Christ. For Spinoza, the

81 *TTP*, XX.
82 Spinoza writes that “the greater the effort to deprive them of freedom of speech, the more obstinately do they resist…Men are in general so constituted that their resentment is most aroused when beliefs that they think to be true are treated as criminal, and when that which motivates their pious conduct to God and man is accounted as wickedness.” *TTP* XX, 230 [9-15] (226). The sovereign must use and appropriate whatever subjective force binds individuals to the state, rather than repressing or destroying it.
83 Other analogous oppositions are just as crucial: soul and body, eternal and temporal, incorruptible and corruptible.
84 Spinoza’s “Christological” position also corresponds to his political theory in an analogous way to the medieval thinkers. Spinoza ignores Christian theological conceptions of Incarnation and Trinity on account of what he takes to be philosophical obscurity: “…I am certainly not alluding to the doctrines held by some Churches about Christ, nor am I denying them; for I freely confess that I do not understand them.” See *TTP* I, 7 [22-24] (14). For Spinoza, Christ is fully human, and has absolute clear possession of the philosophical truth, through direct and uncorrupted, mind to mind encounter with all of God’s ordinances: “Christ
infinite and finite are rather formulated in terms of the relation between God as infinite, indivisible creative power, and God as finite, divided, derivative and created.

While his philosophy is often interpreted as pantheistic, Spinoza does not merely identify God and Nature, but understands the relation to be an identity of two distinct sides: *natura naturans* and *natura naturata*. For Spinoza there is nothing other than God, but God must be understood in two ways: as cause of everything, the absolutely infinite, indivisible being existing necessarily, wholly in itself and conceived only through itself (*natura naturans*, or Substance and its attributes); and as caused, existing only in another and being conceived through another (*natura naturata*, or the modes of Substance). The political manifestation of this relation between principle and principled, unified power and its multiple manifestations, is democracy. This form of government is “a united body of men which corporately possesses sovereign right over everything in its power.” Here the ruling principle (*naturans*) and the principled (*naturata*) are not separate and externally related, but rather the same things, namely, every person, only viewed from two different perspectives. In democracy, the power of the sovereign is wholly separated from individuals in their natural ends and desires. The power of natural individuals is relinquished and concentrated in the absolute power of the sovereign. This will is identical to the will of all individuals, yet in their rational unification and interrelation rather than in their natural immediacy: “all by common consent live by the dictates of reason.” The citizens as the sovereign, united in their rational interconnection, correspond to God as *natura naturans*. The citizens in their finitude and separation from one another correspond to God as *natura naturata*.

perceived truly, or understood, what was revealed. For it is when a thing is perceived by pure thought, without words or images, that it is understood.” See *TTP* IV, 50-51 [5-35] (54-55). Through Christ it is revealed that humanity can have a direct apprehension of truth through the natural light of reason, and is thus no longer dependent on the mere command of the law: “...it was for all nations that God sent his Christ to free all men alike from the bondage of the law, so that no longer would they act righteously from the law’s command but from the unwavering resolution of the heart.” *TTP* III, 40 [2-7] (44). Christ is not God, but has total access to God’s thoughts as fully human. Accordingly, religion has no autonomous source of authority, but is completely ruled by secular sovereignty.

In defense of this interpretation, I cite Schelling’s excellent analysis of Spinoza’s philosophy and the relation therein between God and Nature: “Although nothing singular can be called God, the world, thought as unity or as universe, is the same as God, or, as is usually said, not different from God. But by this universe is really only understood the collectivity of finite things, so it is not true that Spinoza does not distinguish them from God. For he teaches continually from beginning to end that God is that which is grasped by itself, which does not presuppose any other concept; the world, however, is that which is only after God, and can only be grasped as a consequence of God (*Substantia divina natura prior suis affectionibus*). This doctrine, which maintains the absolute independence of God and the absolute dependence of things, posits a difference between the two, which is truly *differentia totius generis*, and just as little as the single thing can be called God, can the world as well, as the mere complex of single things, be called God according to Spinoza. To crown it all, Spinoza also says: only *Substantia infinita in se considerata et sepositis suis affectionibus* is God. It only remains to be said that according to Spinoza the world is indeed not God, but conversely God is the world, or is the world in general, i.e. with His being a totality of determinations of His being is posited. But it does not follow from this that everything is God, as one expresses it by the word Pantheism, but instead that God is everything.” See Schelling’s *On the History of Modern Philosophy*, p. 73.

See *Ethics* IPr29Schol. for this distinction.

*TTP* XVI, 179 [1-3] (177).

For Spinoza, many previous philosophers problematically viewed the relation between God and Nature as two distinct powers:

Thus they imagine that there are two powers quite distinct from each other, the power of God and the power of Nature, though the latter is determined in a definite way by God, or – as is the prevailing opinion nowadays – created by God. What they mean by the two powers, and what by God and Nature, they have no idea, except that they imagine God’s power to be like the rule of some royal potentate, and Nature’s power to be a kind of force and energy.\(^{89}\)

For the thinkers that Spinoza here criticizes, the distinction between the divine and natural powers constitutes the distinction between two sources of authority, an ecclesiastical power and a secular power. This division occurs because the reason that apprehends Nature is other than the reason that apprehends divine matters. Because “it is when they imagine Nature’s power subdued, as it were, by God that they most admire God’s power,” there is an autonomy and superceding power given to religious authority over secular authority. Yet Spinoza denies this very distinction of powers. \textit{Natura naturans} and \textit{natura naturata} belong to one totality, apprehensible through one and the same reason. This determines Spinoza’s views on both secular and religious authority, and the proper relation between ruler and ruled. With respect to the first point, everything is therefore united under secular rule, which has access to the truth of both infinite and finite reality. With respect to the second, concerning the question of the relationship between ruler and ruled, this means that while there is a distinction between the self-grounding, independently self-determining sovereignty that exists in and through itself, and the incomplete and dependent individual wills which are nothing apart from their interrelation, the fact remains that there is no qualitative distinction between the subject of these two positions. Individual citizens are both ruling and ruled. In Spinoza’s democracy, it is the people who fulfill both roles, though taken in different senses, just as God is both \textit{natura naturans} and \textit{natura naturata}, the principle and principled.

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In his own time Spinoza was often taken to be an atheist. This interpretation still persists today. In a more nuanced form, certain interpreters of Spinoza see his philosophy as so naturalistic that God could be just as well identified with the laws of Nature, and claim that Spinoza’s theological vocabulary is chiefly meant to disguise the revolutionary character of his viewpoint. Readers of the \textit{TTP} often argue that Spinoza destroys religion from the radically rationalist and secular standpoint of that treatise. Through the preceding argument I hope to have undermined any portrayal of Spinoza’s philosophy as an atheistic humanism, by revealing how Spinoza’s politics is so firmly rooted in his theological position. While there certainly may be problems with both Spinoza’s political and theological positions, it would be wrong to state,

\(^{89}\) \textit{TTP} VI, 67 [15-19] (71).
against his own self-understanding, that his defence of the autonomy of secular reason and politics is a move towards a political philosophy independent of metaphysical or theological concerns. Instead, Spinoza completely thinks through what are the practical consequences of his new conception of the divine. The relation between philosophy and religion, secular and ecclesiastical authority, sovereign and individual right, are all determined by the relation between necessity and contingency in Spinoza’s thought, and more fundamentally by the relation between God as infinite and as finite. The relation between God and the laws of Nature shares a common structure with the relation between the Sovereign and individual rights. When given political expression, Spinoza’s conception of God as the whole, both *natura naturans* and *natura naturata*, takes the form of democracy, in which the people are both rulers and ruled. Because of this careful correspondence between ontology and politics, tensions in Spinoza’s metaphysics manifest themselves in his political thought. This deep consistency in Spinoza’s thought must be grasped before any critique of either his conception of God or politics can be made.90

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Rousseau, Montesquieu and the Origins of Inequality

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Jean Jacques Rousseau’s critique of the seventeenth-century natural rights theories of Grotius, Hobbes, Locke, Pufendorf and so on, is well-known and widely discussed in the scholarly literature. Rousseau finds assumed in these seventeenth-century theorists a conception of the state of nature that is not adequately radical in its freeing of “natural man” (“l’homme physique”) from the accoutrements of society (the standpoint of “l’homme moral”). Rousseau finds presupposed in these theorists’ accounts of l’homme physique a humanity endowed with a calculative rationality capable of recognizing natural rights and natural law. Rousseau detects in them an assumed or implicit competitive civil society, lacking only a government to regulate and secure rights already recognized. Thus, the state of nature, for these seventeenth-century theorists, is inherently juridical, and government is established for the purpose of securing rights, as well as ordering and stabilizing according to natural law the presupposed competitive society. To such a government, the apparently natural men of the state of nature commit themselves by covenant or contract, and the government is thereby authorized to use coercive state power as a remedy for the instability - indeed war - of pre-political society. So Rousseau finds that while there is a wide variety in the accounts of the seventeenth-century jus naturale theorists, there is as a common underlying element in these accounts the claim that the legitimacy of government rests upon two principles: that the government 1) is in accord with natural law and rights and 2) has been “authorized” or established by contract.

For Rousseau, as he makes clear in the Second Discourse, this account of the legitimacy of governments is not only false but manipulative: both the so-called natural laws and rights and the contract to secure them are in fact devices by which the rich secure for themselves the benefits of inequality. The problem for Rousseau is that l’homme moral is presupposed and not actually established in these accounts of the state of nature: the man described by seventeenth-century theorists as “natural” is, in truth, a social construct. The very capacity to contract in a juridical context requires the enlightenment of a stable social life, which can only be that contract’s eventual result. Rousseau makes this point with characteristic clarity in the Preface to the Second Discourse:

The Moderns, recognizing under the name Law only a rule prescribed to a moral being, that is to say, intelligent, free, and considered in his relations with other beings, consequently limit the competence of natural law to the sole animal

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endowed with reason, namely man; but each defining this law in his own fashion, they all establish it upon such metaphysical principles that even among us there are very few people capable of comprehending those principles, far from being able to find them by themselves. So that all the definitions of these learned men, otherwise in perpetual contradiction to one another, agree only in this, that it is impossible to understand the Law of Nature and consequently to obey it without being a great reasoner and profound Metaphysician: which means precisely that men must have used, for the establishment of society, enlightenment which only develops with great difficulty and in a very few People in the midst of society itself.²

The seventeenth-century natural rights theorists are subject to Rousseau’s critique that, far from getting to l’homme physique, they presuppose and require an already established l’homme moral in order for their natural law theories to be effective.³ This failure to get back to nature in turn undermines the claim to legitimate certain social and political forms as supposedly grounded in nature and primordial contract. In the Second Discourse and elsewhere, Rousseau presents a powerful and effective critique of the seventeenth-century accounts of the state of nature and of the legitimation those accounts provided for certain existing forms of polity.

The focus of this paper, however, will not be not this well-studied critique, but rather Rousseau’s relation to a much less familiar, but closer, predecessor: Montesquieu. Rousseau’s critique of the seventeenth-century account of the state of nature and laws of nature is not so evidently compelling when applied to Montesquieu’s account of the state of nature and of what legitimates a political form. In fact, Montesquieu precedes Rousseau in criticizing Hobbes, as representative of the jus naturale tradition, on precisely the same grounds as Rousseau does: that Hobbes’s description of the state of nature as a war of all against all, confuses a social accomplishment with that which is naturally given.⁴ Montesquieu’s Spirit of the Laws came out only seven years before the Second Discourse and is referred to only once (and obliquely) in the main body of that text, yet it is nonetheless evident that it exercised a significant influence on Rousseau’s thinking.⁵ While I will turn to the textual reference shortly, it is first useful to outline the way in which Montesquieu’s account of the state of nature is not apparently vulnerable to Rousseau’s critique of natural law theories.

The key point here is that Montesquieu’s state of nature is non-juridical; for Montesquieu, the state of nature is not a sphere of rights, and natural law is not a moral principle to be recognized by a rational being. Montesquieu does speak of natural laws –

² Rousseau, Discourse on the Origins of Inequality (Second Discourse) (Dartmouth, 1990), 14.
Robertson: Rousseau, Montesquieu, and the Origins of Inequality

four of them – but they are laws in a “sociological” or developmental sense. They describe stages of development belonging to l’homme physique, from an initial fear and peace among natural men, to the pursuit of physical needs in nature, to a recognized mutuality among humans that establishes social relations, and, finally, to the establishing of “knowledge” as a benefit that belongs to society per se. Montesquieu’s laws of nature may be seen to outline a development from l’homme physique to l’homme moral not dissimilar to that sketched out by Rousseau in the Second Discourse. So the most striking feature of Montesquieu’s account is its similarity to Rousseau’s in breaking with an assumed relation in the state of nature to a rational natural law as directly knowable for natural man. Montesquieu, no more than Rousseau, requires l’homme physique to be a metaphysician.

Given this shared break with the jus naturale tradition, it is striking that Montesquieu and Rousseau come to such different conclusions. For Montesquieu, the state of nature points beyond itself and gives legitimacy, not to one particular form, but to a whole array of social forms including both republics and monarchies. And so, from Montesquieu’s perspective, “nature” does not point to a determinate political form that realizes a set of “natural” juridical requirements. “Nature” establishes no single type of regime as legitimate:

It is better to say that the government most in conformity with nature is the one whose particular arrangement best relates to the disposition of the people for whom it is established.

Because Montesquieu’s state of nature is evacuated of definite juridical content, rather than presenting an external and critical standpoint by which to judge existing society, his account can appear to be interested in legitimating, not what ought to be, but what is the status quo:

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6 Montesquieu, 6-7. To say that Montesquieu’s account is “sociological” is to differentiate it from the juridical accounts of the seventeenth century. However, Montesquieu’s view is not to be assimilated, as some commentators would have it, to nineteenth- or twentieth-century sociology. The distinction between “descriptive” and “normative” or between “facts” and “values” that belongs to sociology in its developed form does not apply to Montesquieu – something that has frustrated many commentators who have tried to read Montesquieu as if he were a sociologist in the nineteenth and twentieth century sense of the term. The “description” of the state of nature in The Spirit of the Laws is not of “facts”, but of what Montesquieu calls, “the nature of things”. In short, there is no simply non-normative or non-evaluative standpoint according to Montesquieu. A less anachronistic way to consider this issue will be in terms of Rousseau’s distinction between the science of political right and the science of positive right. See below.

7 This shared shift can be compared with Berkeley and Hume’s parallel critique of primary qualities in seventeenth-century accounts of epistemology – but that is another story. In general, in the mid-eighteenth century there is a critique of what is understood as a confusion in the seventeenth century of the rational and the sensible, the moral and the natural and so on. This critique involved a clearer separation of the two sides, but also a confidence or intuition that the two sides could and would be united. For Hume, this intuition took the form of “custom”; for Montesquieu, “l’esprit des lois”; for Rousseau, “feeling”. See David Carrithers “The Enlightenment Science of Society” in Christopher Fox, Roy Porter and Robert Wokler (eds.) Inventing Human Science (Berkeley, 1995) 247-9 for a discussion of the widespread break with state of nature social contract theory as a confusion of the natural and the moral.

8 Montesquieu, 8.
If I could make it so that everyone had new reasons for loving his duties, his prince, his homeland, and his laws and that each could better feel his happiness in his own country, government, and position, I would consider myself the happiest of mortals.  

But while for Montesquieu, the discovery of a non-juridical state of nature seems to provide a background of justification for much of the status quo, for Rousseau, by contrast, the state of nature – equally non-juridical - serves as a standard by which to judge the degenerate character of all existing social forms. Rousseau captures this difference in approach in a passage from *Emile*:

The science of political right is yet to be born, and it is to be presumed that it will never be born…. The only modern in a position to create this great and useless science was the illustrious Montesquieu. But he was careful not to discuss the principles of political right. He was content to discuss the positive right of established governments, and nothing in the world is more different than these two studies.  

Montesquieu has, according to Rousseau, established the conditions of a true science of political right in contrast to Hobbes and Grotius – and I infer this to be by Montesquieu’s having set a pre-juridical and pre-moral state of nature over and against all given social and political forms – but he has not built on this foundation a science of political right, but merely of positive right. From Rousseau’s perspective, all Montesquieu has accomplished is to explain why we have the laws that actually exist, and not what they ought to be.

From a twentieth- or twenty-first-century standpoint, Rousseau’s contrast between positive and political right can appear parallel to that between “descriptive” and “normative,” or between “fact” and “value,” as these terms are used in contemporary sociology. Indeed, a number of Montesquieu scholars have developed the view that Montesquieu is in fact a precursor of modern sociology, seeking to establish a value-free, or descriptive, science of social and political forms. Rousseau’s characterization of Montesquieu would seem to confirm this interpretation of Montesquieu; however, such a conclusion would be misleading. There are two important points here: that Rousseau’s opposition between political and positive right does not belong to Montesquieu’s own self-understanding; and that Rousseau’s own contrast between political and positive right only vaguely parallels the neo-Kantian categories (such as fact and value) that underlie

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9 Montesquieu, xliv.  
10 *Emile*, 458.  
11 For the claim that Rousseau’s critique of Montesquieu is accurate see Shklar, 115.  
much of contemporary sociology. So the contrast between Montesquieu and Rousseau cannot be captured as a contrast between description on the one side and normativity on the other. Rather, it is better understood as a contrast between an account that provides legitimacy for existing forms (positive right) and an account that finds legitimacy only in a form of government that has not yet, or only rarely, come to be. That is, even if we view Rousseau’s description of Montesquieu’s science as one of positive right, it is important to see that this “science” has as much a “normative’ as a “descriptive” content: it legitimates (and delegitimates) positive law, even while describing and explaining it.

In fact, as Montesquieu scholars have discovered, Montesquieu makes for a pretty confused sociologist by peppering his text, not only with metaphysical and speculative terms such as “the state of nature,” but, more problematically, with a whole set of normative concerns in a supposedly descriptive science. As part of his “science,” Montesquieu both opposes practices and laws that are repressive or cruel and supports legal reform that increases liberty and humanity. More significantly, Montesquieu finds illegitimate and contra natura the most widespread (and so most “positive”) political form of his day: despotism. In describing Montesquieu’s science as one of “positive right,” Rousseau is perfectly aware of the normative and legitimating aspects of this science. What this suggests is that what distinguishes a science of political right from a science of positive right is not that one establishes criteria of legitimacy and the other does not, but that the depth or level of legitimation is different. One could say, therefore, that Rousseau would question the legitimacy of Montesquieu’s account of legitimation.

One way to understand this difference between Montesquieu and Rousseau is to look at their accounts of the state of nature, which form for both Montesquieu and Rousseau (as for the early modern period generally), the background to questions of political legitimacy. But, it is precisely in their accounts of the state of nature – and in their shared critique of the seventeenth-century accounts – that Montesquieu and Rousseau seem so close. Both Montesquieu and Rousseau argue that the kind of war that Hobbes or Locke finds in the state of nature does not belong there, but is rather a subsequent development that belongs to a social context. That is, both Montesquieu and Rousseau argue that the state of nature is characterized by peace. This mutually recognized peace suggests that there is no inherent conflict of rights or interests that would form the juridical ground of the state. In fact, the state is not grounded in a set of natural criteria at all; the state serves no pre-political or “naturally” given ends, but itself constitutes the ends it realizes. For both Montesquieu and Rousseau, the state of nature as non-juridical cannot, for that very reason, directly “legitimate” any regime: “legitimacy” is a moral term that does not properly belong to the state of nature. But, as we shall see, for both Montesquieu and Rousseau, in spite of their evacuation of juridical legitimation from the state of nature, the character of the state of nature does bear upon the question of legitimacy and establishes its larger context: while the legitimacy of any regime is self-grounded, this self-grounding is itself open to a judgement in relation to the state of nature.


On just this point, see Robert Wokler “The Enlightenment Science of Politics” in Fox et al., 340.
But why do Montesquieu and Rousseau make such startlingly different judgements about the self-legitimation of existing regimes while sharing an apparently common account of the character of the state of nature as a non-juridical state of peace? It is the kind of peace at work in the state of nature that crucially distinguishes Rousseau from Montesquieu here. As Rousseau points out – in the only reference to him in the Second Discourse - Montesquieu finds, “that nothing is so timid as man in the state of Nature, and that he is always trembling and ready to flee at the slightest movement he perceives.”15 For Montesquieu, man in the state of nature has a sense of his own weakness, a sense of need and fear, that, at first, produces peace by making each individual flee contact with another, but then, with the perception that the fear and need is mutual, draws human beings into social relations of mutual support.16 Rousseau, by contrast, argues that man in the state of nature is, and feels himself to be, self-sufficient, and that this isolated self-sufficiency is the source of peace in the state of nature.17

At first glance, this distinction between Montesquieu and Rousseau can appear arbitrary: what is to decide whether man in the state of nature is needy or self-sufficient? From a “positivist” point of view, it appears that Rousseau is giving us one set of “facts,” derived, for example, from anthropological studies of orangutans, in contrast with Montesquieu’s different set of “facts” concerning the state of nature.18 But, of course, Rousseau, like Montesquieu, has told us that he is “setting all the facts aside.”19 So the basis of their differing accounts of the state of nature is not factual or positive. But what, then, is the basis for distinguishing among versions of the state of nature, such that Rousseau can claim that Montesquieu’s account misdescribes the state of nature, especially given that Montesquieu does not make the kind of assertions about the state of nature made by seventeenth-century natural law theorists?

Because for Montesquieu a sense of weakness or timidity is what first defines man in the state of nature, Montesquieu establishes “lack” as the condition of, and not a merely passing moment in, the state of nature. It is, on the other hand, the sense of weakness and its correlative, dependency, that for Rousseau precisely defines socialized humanity and points to a standpoint of comparison and relativistic self-awareness. Montesquieu characterizes l’homme physique as other-directed, not independent and self-sufficient, and so as implicitly living in relation to others, even when isolated by fear and a sense of weakness, and, as such, already “corrupt” in Rousseau’s terms. As Rousseau brings out in Part II of the Second Discourse, it is the work of comparative reflection that activates the powers of perfectability which corrupt primitive man through the development of a sense of amour propre.20 Because, for Montesquieu, we are already needy and weak, we are already en route to society, a development that is articulated in

15 Second Discourse, 21.
16 See the laws of nature in Montesquieu, 6-7.
17 Second Discourse, 22-42.
18 See Robert Wokler “Anthropology and Conjectural History” in Fox et al., 43-4; Robert Wokler “Perfectable Apes in Decadent Cultures: Rousseau’s Anthropology Revisited” Daedelus (summer, 1978) 107-34.
19 Second Discourse, 19 see also 14-5; see also Montesquieu Défense de l’esprit des lois in Roger Callois (ed.) Oeuvre Complètes (Gallimard, 1951) 1131.
20 See Second Discourse, 43-54.
Montesquieu’s four laws of nature. The state of nature is, in Montesquieu, primed for society; for Rousseau, society is an accident only contingently related to natural man.\(^{21}\)

Thus, from Rousseau’s perspective, Montesquieu’s natural man – even in his initial feeling of weakness – is already corrupted. While Montesquieu has freed his conception of the state of nature from the rights and law structure of seventeenth-century theorists, and so removed an assumed natural foundation for a certain kind of social order that sustains such rights and law, he has not removed its more general “societal-directed” character: thus, from Rousseau’s point of view, he has not separated the principles of “political right” from the realm of “positive right.” That is, for Montesquieu, because *l’homme physique* is only complete in and through a larger social whole, he requires the legal and political order necessary to that society. Therefore the social/legal order in which he (or she) finds himself (or herself) is (through the work of what Montesquieu calls *l’esprit des lois*) thereby, at least provisionally legitimated (except for despotisms which by their very nature are destructive of socialized personality). From Rousseau’s standpoint, then, Montesquieu’s natural man – even before entering society - is already given over to social forces, and so cannot provide a standpoint of independent self-relation capable of determining the legitimacy of social forms.\(^{22}\) Thus, this difference in how natural man is conceived – either as self-sufficient or as incomplete – points to the radical difference in judgement regarding the legitimacy of existing society that distinguishes Rousseau from Montesquieu. For Rousseau, in a crucial sense all political forms are corrupt relative to natural man. He so builds up the completeness and integrity of natural man that, as he puts it in the *Social Contract*, all society is “in chains”: the only question is whether these chains can be legitimized.\(^{23}\) For Montesquieu, man is “made for living in society,”\(^{24}\) and so all societies (except for the unnatural form of despotism) have a *prima facie* legitimacy and educate the individual towards justice and rational self-direction:

I do not write to censure that which is established in any country whatsoever. Each nation will find here the reasons for its maxims, and the consequence will actually be drawn from them that changes can be proposed only by those who are born fortunate enough to fathom by a stroke of genius the whole of a state’s constitution.\(^{25}\)

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\(^{22}\) This ambiguity in Montesquieu, that natural man is prior to any determinate social form, but is nonetheless inherently social, is captured in Montesquieu’s claim that man is by nature both initially isolated and by nature social. See Montesquieu, 5 and 6.

\(^{23}\) *Social Contract*, 131. There is an aspect of Rousseau’s thought which points to the insufficiency of all social and political forms – even the virtuous republic or the state ruled by the General Will. This aspect emerges in various forms: in his despair that natural man came to develop his powers of perfectability in the role of civic religion in the state, but perhaps most clearly in his portrayal of the lonely wanderer in his *Les Rêveries du promeneur solitaire*. The sense here is that there is a freedom in aesthetic communion with nature, in religion or in sentimental friendship and love, that can nowhere be realized in the state. This freedom is figured in its integrity in the undeveloped self-completeness of *L’homme naturel* of the *Second Discourse*, living fully within himself.

\(^{24}\) Montesquieu, 5.

\(^{25}\) *Spirit of the Laws*, xlv.
Therefore, while both Montesquieu and Rousseau see moral and societal inequality or equality as inherently social in both origin and nature, Montesquieu displays a certain indifference toward republican equality and monarchic hierarchy, affirming the legitimacy of both: each is the result of various social forces and both are educative in their respective ways.  

In fact, for Montesquieu, extreme equality is a danger for republics, and, indeed, it belongs to all social forms that they be articulated in and through differences and distinctions and structures that necessarily exclude. This articulated and differentiated structure is necessary to educate individuals to a larger whole of which they are a part. But it is precisely this socially structured moral inequality and dependency that Rousseau opposes. For Rousseau, the only consolation for the loss of the state of nature is the equality and unity found in the General Will, where alone there is the means to recover in society something of the independence of the state of nature. It is precisely the independent and self-sufficient character of l’homme physique, man in the state of nature, which Rousseau, somewhat ironically, elevates to an absolute moral standard against which existing social life is found wanting:

Such is, in fact, the genuine cause of all these differences: the savage lives within himself; the sociable man, always outside himself, knows how to live only in the opinion of others; and it is, so to speak, from their judgement alone that he draws the sentiment of his own existence.

For Rousseau, nature as a whole is, in its self-sufficiency, an implicit moral standard. And Rousseau argues that Montesquieu did not sufficiently strip away sociable man to uncover the state of nature in its own stability and independence, and thereby uncover the ground for a true science of political right. The demand is that this integrity found in savage man, in order that it be retained for social man, must, by social man, be directly and for himself willed, and this can be attained only through the General Will, which alone gives legitimacy to social life. For Montesquieu, the character of the state of nature – its sense of lack and weakness – tends to legitimate existing social and political forms.

For Rousseau and Montesquieu both, justice has an absolute character founded in the nature of things.

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26 Here I am opposing the dominant American reading of Montesquieu as an advocate of certain forms of modern republicanism and hence something of an egalitarian. In my account, Montesquieu’s standpoint is more objective and not a position of advocacy for any particular form – as he says himself. He is not on the side of ancient republics, of medieval monarchies, modern commercial republics: but rather on the side of a stable social order that can articulate and relate the various social and other forces constitutive of it. That is to say that all these forms – putting despotism to one side – are responses to the problematic posed in the state of nature: how individuals can come to direct themselves in accordance to law, when they are not directly cognizant of the legal order. In this sense, all of these “moderate” regimes are educative through the “spirit” of their laws to justice and hence legitimate. See Book I of The Spirit of the Laws for a clear statement of the problematic and how it is resolved through l’esprit des lois.

27 See Montesquieu, 46-7 and 112-4.

28 Second Discourse, 66.

hierarchies, can be a means or device that (through the work of l’esprit des lois) makes individuals just and educates them to a sense of justice, in some sense, behind their backs. From this point of view inequality can be itself a means to realize justice: it is not a loss of “self,” but rather a device by which to educate individuals to a socially constituted and juridically-informed self – which, according to Montesquieu, in the state of nature they are not. Precisely because, for Montesquieu, the individual only comes into a stable and juridically informed sense of identity in and through social and political relations to others, liberty cannot be accomplished by the individual in isolated self-relation, but is itself a social and political accomplishment. Therefore, for Montesquieu, liberty is all about the opposition and conflict within government and society that educates individuals and groups to justice by exposing the general structure underlying social life, which, in turn, is the basis for any socially meaningful individual self-direction. For Rousseau, such a conception of society and government is corruption and loss of self, as the factional or partial moment is given a certain independence and the self is lost in opposition and particularity: we must rather turn into the simplicity and directness of our own inwardness. For Rousseau, the General Will is reached not through the separation of powers or the conflict of parties, but through the direct universality of a sovereign assembly of equal citizens, where the common good can be determined directly and for itself. For Rousseau, to allow factions and conflicts reality is already to corrupt the General Will into, at best, the Will of All – that is, to dissolve society into a compromise of parties and ultimately a device by which one faction dominates others.

Rousseau here takes a crucial and necessary step beyond Montesquieu and crosses the lintel that separates the contemporary from the early modern. Montesquieu is an enlightened observer of the Ancien Regime, seeking to bring rational reflection and a reforming spirit to bear on its social and political forms – but his is not a revolutionary standpoint that questions the basic legitimacy of the Ancien Regime. Rousseau sees more clearly and radically the demand of enlightened subjectivity to establish itself directly in the world in its own social and political forms. However, the movement of political thought beyond Rousseau, born out of the failings of the French Revolution, in Burke and more completely in Hegel, is to argue that what is lost in the Rousseauian immediacy of direct self-government is the education towards enlightenment and insight in and through the concrete circumstances and divisions of existing, historically-contingent social forms. What Hegel and Burke warn us of is that, without such an educative aspect, enlightened self-government readily becomes terror. The need, then, is to think together Montesquieu and Rousseau: to unite inner self-government and the educative power of social and political forms, so that our freedom is not only inner integrity, but also actual and effective in the world. In this way, in spite of Rousseau’s insistence to the contrary, the science of “political right” and the science of “positive right” can be seen as forming one

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30 Pensées, #1798(943), Callois, 1430.
31 This is captured in the relation between what Montesquieu refers to as the principle of the state and the nature of the state. See Montesquieu, 10-30.
32 On this difference between Montesquieu and Rousseau, see Keohane, 442-3.
science. From such a standpoint, equality and inequality need not be seen to be mutually exclusive, but rather as aspects of a larger freedom comprehensive of their difference.

34 An interesting parallel to the Montesquieu/Rousseau debate is the debate in the American colonies around the case for the American Revolution. In particular, see Charles Inglis’ critique of Thomas Paine’s *Common Sense*, entitled *The True Interest of America Impartially Stated In Certain Strictures On A Pamphlet Intitled Common Sense* (Philadelphia, 1776). Inglis cites Montesquieu to criticize Paine’s simple, egalitarian republicanism. He saw revolution as leading to a kind of constitutional abyss. The Constitutional Convention of course came to build into the American Republic precisely those elements of complexity and differentiation that Montesquieu had praised in the English constitution and Paine so vigorously criticized in *Common Sense*. 
‘Absolute Negativity’: Community and Freedom in Hegel’s 
*Philosophy of Right*

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Twenty years ago, in his *Political Theory and Modernity*, William E. Connolly developed a striking thesis regarding Hegel’s theory of community and freedom. With reference mainly to Friedrich Nietzsche, he maintained that no philosophy before Hegel had so clearly revealed the internal contradiction in the modern system of beliefs. He argued that the modern self is committed to reconciliation with others in institutional life, but that, as Hegel showed, this commitment entails certain religious and metaphysical assumptions. Because these assumptions cannot be sustained, the modern will to reconciliation, the politics of community and inclusion, must appear in a very different light - not as a positive and liberating activity, as Hegel believed, but ‘as a set of subtle tyrannies applied by the world to the individual and by the individual to itself’.¹

This paradoxical and ironic thesis, offered with much erudition and wit, helped to clarify what had long been said by a wide range of thinkers, including Martin Heidegger, Karl Löwith, Georges Bataille and Michel Foucault. All had maintained in different ways that Hegel’s theory of community and freedom was an extreme - perhaps ultimate - version of the same one-sided, abstract subjectivity that he himself had exposed in modern philosophy and that could be seen everywhere in modern political institutions. But what then could be said on behalf of these institutions? The characteristically modern will to live in harmony with others under conditions of freedom for all appears (in this post-Nietzschean perspective) to be either naive or malicious, or both.

More recent studies have looked at these issues in a different light. The Nietzschean outlook has been subjected to criticism, and many commentators on the history of modern philosophy and politics, and especially on Hegel’s relation to that history, have made us more aware of the depth and power of modern political institutions.²

Jürgen Habermas has perhaps made the most significant contribution to studies of this type. While his numerous and always many-sided accounts of modern philosophy, and of the relations between philosophy and institutions, can in no way be called ‘Hegelian,’ they do frequently highlight the cardinal importance of Hegel’s philosophy and seem inevitably to be led back to Hegel as a prime source for our understanding of modern freedom. In one of his recent books, *Time of Transitions*, Habermas acknowledges the perceived conflict in modern Europe between the ‘collective identity’

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of particular states, on the one side, and a universalistic ‘self-critical’ reflection, on the other, and adds that Hegel was the first modern philosopher to express ‘fear’ regarding ‘the destabilizing implications of moral universalism.’

The remark is interesting. It highlights an important controversy in Europe and invites us to reconsider Hegel’s thoughts on the conflict between the modern state and the moral freedom of individuals. In doing so, we will look at the Philosophy of Right - Hegel’s masterpiece of political theory - and recall at least some of the larger historical, religious and philosophical context in which he forged his understanding of community and freedom.

In the concluding passage of the Philosophy of Right, Hegel speaks of the Christian spirit of the modern European world. The Christian union of divine and human, he says, exists not only in the inner ‘realm of mind’, but also in the ‘mundane realm’ of the political community. In the laws and institutions of the state, the human mind finds ‘its heaven’, its ‘reconciliation’ with the divine, in ‘an earthly here and now’ (sec. 360). But there is a dreadful complexity at the heart of the state: it exists in empirical actuality, in the external world, and at this level the self-conscious individual does not know or will its own ideal truth.

This is, for Hegel, a matter of huge significance. He makes it clear that the state is embodied in time and conditioned by the external world. It is essentially ideal and universal, but also in its manifestation particular and limited. So, for example, it is always a single state, ‘a unit, exclusive of other units’ (sec. 321). The other side of this exclusive state is the freedom of individuals to oppose it in the name of a higher ideal. The result is an all-too-familiar clash of morals and politics, and the demand ‘that the latter should conform to the former’ (sec. 327). It seems, then, that the modern state has in it two radically different kinds of conscience, one moral and another political.

Hegel thought that the eighteenth-century Enlightenment was a time when this clash between morals and politics became explicit. Europeans could be so moralistic because for them human knowledge and free will were related to, and conditioned by, a material presupposition. On this view, any state, any political community, can be understood as the result of the interaction, the interchange, of free individuals with the external world. In other words, humans have their freedom, and a state of their own, by means of their own power to change and transform - to work on, to negate - their immediate surroundings. But the freedom is subjective, and the unity of the state is compromised by the negation present in it, i.e. the antithesis of free will to external

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things. The consequences of this conception of freedom are extremely destabilizing. For Hegel, however, this instability points not only to the unlimited freedom of the will, its infinite potential, but also to its real presence. Free will is not just infinite, but the ‘infinite in actuality’, in the same way that ‘externality is inwardness itself’ (sec. 22).

The external and the internal, the real and the ideal, pass into one another and are ultimately inseparable. To think otherwise is to make the union of individuals with the state, and indeed the union of the state with the divine, unintelligible. But Hegel does not simply insist on that union. Rather, he lets it appear on the side of individuals who at first have no knowledge of it. Everything turns on the negative factor. To begin with, Hegel says, the single will of individuals is characterized by ‘immediacy’, and as such is ‘a negative actuality, an actuality contrasted with the real world’ (sec. 34). True, the individual in this negative mode seeks stability in relation to external things, and to some extent achieves it, for in possessing property it is ‘an actual will’ for the first time (sec. 45). This is the ‘abstract right’ of John Locke and his eighteenth-century followers. But property and the contracts that go with it involve comparison and competition and thus the same negative or destructive energy that gives rise to ‘crime’. Crime in turn calls for ‘punishment’, that is, a limit to this negativity and destructiveness, in a will to justice distinct from revenge, ‘a will which, though particular and subjective, yet wills the universal as such’ (sec. 103). Locke and the Enlightenment no doubt wanted a justice distinct from revenge, but Hegel thinks that the ‘external formation’ he has described makes necessary a higher and more inward form of will, namely ‘morality’ (sec. 104).

Of course, this kind of moral reflection, which finds its clearest expression in Kant and Fichte, is directed exclusively at the universalization of interests. And this is its fatal flaw. Hegel’s extended critique of this moral point of view is devastating (secs. 105-56). He argues that a universalistic ethics of duty, in contrast to an Aristotelian ethics of the good life, or even a Lockeian ethics of self-preservation, is too empty to inspire real commitment. It puts priority on good intentions, as opposed to bad outcomes, and is oblivious to the conflict of norms with each other. It has no connection with present reality, with deep feeling or with the self-understanding of others in the political community. Indeed, it can experience nothing but its own ‘vacuity’ and ‘gradual evaporation’ (sec. 141).

Hegel clearly had no sympathy for high-minded, moral individuals who were willing to sacrifice and negate themselves in this way. But he is not saying that this

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5 In contemplating this destabilizing conception of freedom, commentators often set up an antinomy between liberal and communitarian attitudes, putting Hegel on one side or the other. For a thoughtful critique of this tendency, see Frederick Beiser, Hegel (New York: Routledge, 2005), 224-33.


negative will requires compensation or relief of some sort - that it is excessively negative, so to speak. Certainly, the emptiness of morality must be made good at the level of institutional life. But the moral will itself can come to this insight. It abolishes and destroys its own particular interests, but only insofar as they are separate from the good of institutions. The moral self-consciousness which only ought to be good, but is not, which denies the good its actuality, comes to nothing, and thereby negates itself. In its impotence and emptiness, however, it is already ‘implicitly’ at one with the institutions of ‘ethical life’ (sec. 141).

The moral subject that is strong enough to will and experience its own nothingness is thus the turning-point; it is the ‘infinite form’ in which the ‘objective ethical order… comes on the scene’. It can now be known that only ‘laws and institutions’ give the will to goodness ‘a stable content’. Indeed, Hegel says that ethical order can now be seen as ‘independently necessary and subsistent’ over against ‘subjective opinion and caprice’ (sec. 144). This is clearly not an individualistic standpoint. But individuals here are not like empty rooms which have to be furnished from without by separately existing objects. Subjectivity is dialectical: it breaks through its own emptiness and into objectivity by means of its own will as well as the already existing ethical-political institutional order.⁸

The central institutions of society and state elevate individuals above their arbitrary opinions and preferences, and yet it is these same individuals that make these institutions active and fully present. This conflict-ridden integration between institutions and free individuals harmonizes the community and its diverse interests, and makes the good will of individuals real and vital by transforming it into something definite and specific: ‘In an ethical community, it is easy to say what man must do, what are the duties he has to fulfill in order to be virtuous: he has simply to follow the well-known and explicit rules of his own situation’ (sec. 150R). The immanent substance of the community, ‘put in the place of the initial, purely natural will’, exists now as a ‘second nature’ (sec. 151).

Hegel’s vision of political community is at one with the modern idea of freedom. The self-conscious or rational subject is not required to affirm anything that he finds unacceptable or unjustified in the light of his own reason: ‘The principle of modern states has prodigious strength and depth because it allows the principle of subjectivity to progress to its culmination in the extreme of self-subsistent personal particularity, and yet at the same time brings it back to the substantive unity and so maintains this unity in the principle of subjectivity itself’ (sec. 160). The substantial unity of the state appears in relation to the extreme individuality of the multitude of fragmented individuals, whose independence it is able (by virtue of a long history) to control and regulate from within.

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There is a two-way convergence. On the one hand, in accordance with the principle of actualizing the equal freedom of all, institutions themselves assume a rational form. On the other, each individual, while keeping to himself and taking care of his own interests, feels the underlying substance of the state to be his very own being; he looks upon the state as his ultimate final end.

Yet Hegel transcends the usual modern point of view - e.g. that of Locke or Kant - when he says that the state as a political entity presupposes an already existing constitution, which should be regarded not ‘as something made’, but as ‘divine’ and ‘constant’. Like Aristotle, Hegel sees the substance of a political community as superior in authority to the subjective opinions of ‘atomic individuals’ (sec. 273R). He does not endorse the modern understanding of ‘representation’ even with regard to representative parliamentary assemblies; here too he appeals to an Aristotelian concept of substantial presence: ‘Hence representation cannot now be taken to mean simply the substitution of one man for another; the point is rather that the interest [of society] is actually present in its representative’ (sec. 311R). The good of the state is an objectively existing good.9

To be sure, as mentioned above, Hegel says that the national spirit stands in a wider world of conflict and contingency. In relation to other national spirits, other particular states, it finds itself in ‘a maelstrom of external contingency and the inner particularity of passions, private interests and selfish ends, abilities and virtues, vices, force, and wrong. All these whirl together, and in their vortex the ethical whole itself, the autonomy of the state, is exposed to contingency.’ This is a dramatic and unfortunately much neglected aspect of Hegel’s political thought. At issue is the ‘dialectic’ of finite states. Out of it Hegel develops his conception of ‘world history’, that is, his vision of a historical process free of the restrictions and temporal limitations of particular national ‘deeds and destinies’ (sec. 340). Out of it too he develops the concept of ‘absolute,’ as opposed to ‘objective,’ spirit. In absolute spirit, humans come to a higher knowledge of the divine, beyond the necessity of nature and the necessity of history.10

But Hegel’s God is not the old Neoplatonic idea of an absolute other, a hidden God, utterly beyond nature and history.11 So the starting-point of this transition to a

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11 Hegel admired the all-inclusive, systematic logic of Neoplatonism, but thought that it was limited by the ‘unhappiness of the Roman world’. Unlike modern Europeans, the pagan Neoplatonists did not (and could not) know themselves as free in the world, i.e. in ‘nature’ and ‘citizen life’. See History of Philosophy, vol. II, 386-7. German: Geschichte der Philosophie, in Werke, vol. 19, 416-18. For the important differences between Hegel and the Neoplatonists, see Klaus Düsing, Hegel und die Geschichte der Philosophie: Ontologie und
higher knowledge of the divine is the particular national spirit itself, which from its earliest beginnings already (and always) contains the concrete activity of God. In Europe, the strife among states is endless. But the negativity of history, the sheer violence and contingency of it, purges the national spirit of its particular form so that its individual members may grasp their own ideal truth, the substantial content of their starting-point. In this process, individuals rise both to the objective standpoint of the state and to the absolute standpoint of religion. They come to see at once the substantial presence of God in the world and the freedom of humans in union with him. This happens in different ways, depending on the time and the place, the country and the century. But, for Hegel, modern Europeans really do come to a certain completion: they move to ‘absolute’ self-knowledge and thus to a form of consciousness free of ‘natural immediacy’ (sec. 352).

Hegel now enters more deeply into a discussion of the union of the divine and the human, of objectivity and subjectivity, as it appears in northern Europe, the so-called ‘Germanic’ realm. As is well known, he traces the source of northern European freedom back to the rise of Christianity in the ancient world. Less well known is his view that the Jews are more significant in this context than the Greeks or Romans. He states emphatically that the Christian religion arose from out of the ancient Jewish experience of ‘infinite grief’. The meaning of this expression is not hard to fathom. After all, in the course of their subjection to the Roman Empire, the Jewish people suffered the destruction of their homeland and particular way of life. They were stripped of their possessions and dignity and, most importantly, found that they were powerless to save themselves. As individuals, they knew themselves to be null and void, both outwardly and inwardly. As Hegel says, ‘Mind is here pressed back upon itself in the extreme of its absolute negativity.’ But this is what made the rise of Christianity both necessary and possible: ‘mind rises out of this situation and grasps the infinite positivity of this its inward character, i.e. it grasps the principle of the unity of the divine and the human’ (sec. 358).

As opposed to the pagan conception of fate, we have here the consciousness of grace and the movement of the mind to God. This state of mind Hegel finds ‘most purely and beautifully’ expressed in the Prophets and in the Psalms of David, ‘the chief burden of whose utterances is the thirst of the soul after God, its profound sorrow for its transgressions, and the desire for righteousness and holiness’. The Jewish consciousness of ‘evil’, of human ‘wretchedness’ and ‘nothingness,’ is the pivot, the hinge, on which the whole of world history turns. From this unrest and sorrow - in which God seems to have abandoned the world - there is developed the Christian doctrine of the reconciliation of the world. The isolated individual, in ‘the fullness of Time,’ discovers that his ‘infinite loss’ is actually his ‘infinite gain.’ Such is, for Hegel, the epoch-making appeal, ‘the

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inherent vital movement’, of the Christian religion: ‘Suffering itself is henceforth recognized as an instrument for producing the unity of man with God.’

It easily appears that this account of the affirmative aspect of the divine-human relation makes God’s activity, his freedom, somehow dependent on the world. But Hegel is not saying that there are conditions for what is unconditioned; he is not making God’s relation to the world dependent on the world or on the human interaction with it. On the contrary, he uses the phrase ‘absolute negativity’ in order to correct this impression.

The process Hegel brings to light is one in which humans, in the throes of their own pain and suffering, turn inward away from the external world. That inward turn of the mind means that the external world and the human relation to it have no ultimate value, no absolute truth. Simply put, the external world comes to nothing in the end. But because the being of the world is annulled in this way, it cannot serve as the means of reaching God. There is no ‘dualism’ here; the apparent means and process of working through the ‘finite’ to the ‘infinite’ is cancelled in the very activity by which it proceeds (sec. 6R). For Hegel, this simple and pure negativity is the truest and most adequate basis of belief in the union of divine and human. True religion takes its starting-point not in the given world and the finite understanding of it, but in that activity, that negativity, by which humans annihilate the natural and the temporal in their spirit and elevate themselves to God.

The truth of Hegel’s God is manifested in the world in deed. That is why it can become the object of human knowledge and will. Like Aristotle’s God, Hegel’s God is the self-revealing, fully present good in nature and history. Yet Hegel comes to his vision of God, and holds to it, by way of the modern principle of subjectivity. He declares that the ‘right of the subject’s particularity, his right to be satisfied,’ is both Christian and the ‘centre of difference between antiquity and modern times’ (124R).

According to Hegel, Aristotle regarded the knowledge of God as ‘the highest truth’, but did not present this knowledge as the point of unity from which all other knowledge is developed. Aristotle left the impression that, from the human point of view, knowledge of God and knowledge of the external world are unrelated. This opened the way for the dogmatic and sceptical schools of ancient philosophy, in which all consciousness of the unity of the external world and the human, of the objective and the subjective, was lost. The objective and subjective were ‘mutually distinguished,’ and human freedom appeared only ‘formally and abstractly,’ that is, as a hopelessly ‘one-sided’ principle. This was the inevitable result of pagan culture.

Hegel’s God is not only the ground - the absolute unity - of all things, but the free spirit that reveals this unity to individual human beings. From this point of view, the finite external world cannot serve as the starting-point of Hegel’s philosophy. The ancient Greek and Roman could accept such a condition, but the modern European is too willful.

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14 See the Logic, sec. 50.
and restless to tolerate anything simply given. This is why the actual starting-point of Hegel’s (thoroughly Christian, thoroughly modern) philosophy is the infinitely inward world of human freedom.\(^\text{16}\) And, truly, one always finds Hegel eager to affirm the ‘right of subjective freedom’, though never in a merely human or ‘psychological’ form (sec. 124R).

Again, it is important to see that Hegel arrives at the goal that he advances through negations that are ever more extreme and thoroughgoing. But this is not to say that he leaves no space for alternative interpretations of the same natural and historical phenomena. On the contrary, alternative, even radically conflicting, interpretations - ancient and modern, Western and non-Western - are crucial to his project of showing how defective and subordinate standpoints can be integrated into an ever expanding - and intensifying - system of knowledge. For Hegel, it is always the lower standpoint that makes the higher standpoint necessary and possible; just as the higher standpoint always contains the lower. The defective and subordinate standpoints that are ‘annulled’ are also affirmed as ‘moments’ of the system. Only in this way, Hegel says, can one claim to have ‘proved’ one’s system, instead of merely asserting it on the basis of some private intuition or ‘feeling’ (sec. 141R).

This is what makes the Philosophy of Right so fascinating and instructive. It does not merely expose the debilitating antagonisms lurking within modern political institutions. It shows how this instability, this ‘evil,’ is itself the means by which moderns can discover a higher principle of harmony and reconciliation (sec. 140). It does not merely reveal the extremes of self-negation to which thought must go if it falls short of the eternal and the substantial. It teaches that the eternal substance is present in ‘the temporal and transient,’ that ‘what is, is reason’ (Preface, pp. 10-11).

Critics, including Habermas and Connolly, often complain that Hegel’s philosophy was a dogmatic attempt to cover up and suppress the deep-seated conflicts of the modern European state. Hegel himself, however, as we have seen, spoke of the natural and temporal limitations of the modern state and looked beyond them to the wider - and higher - process of ‘world history’ as well as to the ‘absolute,’ i.e. eternal and substantial, content of religion and philosophy. With the levelling power of history, its destructiveness, fully in view, he exhorted his readers to elevate themselves in mind to the divine.

It is true, though, that Hegel was not satisfied with the view that history is a levelling power. Such a view, he says, implies that God is a dark, unintelligible, purely destructive agent in the world - the ‘Nemesis’ of mankind. By contrast, if one elevates oneself in mind to God, one will discover, as Plato and Aristotle did, that ‘God is not envious.’\(^\text{17}\)


\(^{17}\) The Philosophy of Mind, sec. 564. The reference is to the well-known passage in Plato’s Timaeus, 29-30: ‘God is the Good’, and ‘goodness has no jealousy of anything’. And ‘being free from jealousy, God desired
As Hegel puts it, a true knowledge of God involves God’s ‘revelation’ of himself. In other terms, God’s ‘self-knowledge’ is present and at work in human ‘self-consciousness,’ with the result that ‘man’s knowledge of God’ is actually ‘man’s knowledge in God.’ Here again, though Hegel is always ready to invoke the authority of Plato and Aristotle, we can see the Christian doctrine of the ‘reconciliation’ of the world.

In all this, it is clear at the very least that Hegel did not ‘fear’ ‘the destabilizing consequences of moral universalism’; his sense of self and trust in the world were absolutely grounded. Nor would he allow that the modern synthesis of community and freedom could dissolve into a ‘set of subtle tyrannies’ without revealing ever more intense forms of disorder and demoralization, of antithesis and negativity. Indeed, he relentlessly followed the path of this negativity to the point where everything natural, everything human, appears to be nothing, merely temporary and fleeting, in relation to the irresistible power of God. At the same time, he saw nature and humanity, however temporally conditioned, as positive and adequate expressions of the all-affirming goodness of God.

Whatever one thinks of this philosophical theology, whether one ultimately accepts it as credible or not, one must admit that it was very finely attuned to the conflicts of modernity. Though not the last, Hegel was the first philosopher to see with such clarity the contradictory nature of the modern world - the negative, which is implied in the affirmation of it. He developed his conception of unity and reconciliation from out of the deepest divisions of divine and human, of community and freedom. And he did this so well, in so many varied (and variable) contexts, that his philosophy will undoubtedly continue to serve as a source of inspiration for genuine reflection on these issues.

18 Philosophy of Mind, sec. 564.
19 Ibid., sec. 566.
21 For this reason, Hegel criticizes Spinoza’s ‘acosmism’. Again, see the Logic, sec. 50.