JSS Journal of Spinoza Studies





# Journal of Spinoza Studies

ISSN: 2773-0107

3 no. 2 (2024)

### **Journal of Spinoza Studies**

Published By: Editors-in-Chief:

University of Groningen Press Kristin Primus (University of California, Berkeley)

Andrea Sangiacomo (Rijksuniversiteit Groningen)

ISSN: 2773-0107 (Online)

ISSN: 2773-0093 (Print) **Production Manager:** 

Francesco Toto (Università di Roma 3)

Website:

Harmen Grootenhuis (Rijksuniversiteit Groningen)

General journal DOI: Vincent Lee (Toronto University)

https://doi.org/10.21827/jss

**Typesetting:** 

LINE UP boek en media

### **Editorial Board:**

Aurelia Armstrong (University of Queensland)

Zsolt Bagi (University of Pécs)

Timon Boehm (Spinoza-Gesellschaft)

María Luisa de la Camara (Universidad de Castilla-La Mancha)

Andre Santos Campos (Universidade NOVA de Lisboa)

Clare Carlisle (King's College London & London Spinoza Circle)

Filippo Del Lucchese (Alma mater studiorum - Università di Bologna)

Alexander Douglas (University of St Andrews)

Sandra Field (Monash University)

Susan James (Birkbeck College London & London Spinoza Circle)

Chantal Jaquet (Université Paris 1, Panthéon-Sorbonne & Association des Amis de Spinoza)

Mogens Lærke (Maison Française d'Oxford, CRNS, École Normale Supérieure de Lyon)

Beth Lord (University of Aberdeen)

Noa Na'aman-Zauderer (Tel Aviv University)

Steven Nadler (University of Wisconsin-Madison)

Ohad Nachtomy (Technion, Israel Institute of Technology)

Luís César Oliva (Universidade de São Paulo)

Aurelio Sainz Pezonaga (Universidad de Castilla-La Mancha)

Daniel Pino (Universidad de Sevilla)

Bouke Posthuma (Vereniging Het Spinozahuis)

Michael Rosenthal (University of Toronto)

Paola Rumore (Università di Torino)

Martin Saar (Goethe-Universität Frankfurt am Main)

Pascal Sévérac (Université de Paris-Est Créteil & Association des Amis de Spinoza)

Hasana Sharp (McGill University)

María Jimena Solé (Universidad de Buenos Aires)

Olivér István Tóth (Karl-Franzens-Universität Graz)

Francesco Toto (Università di Roma 3)

Sarah Tropper (Karl-Franzens-Universität Graz)

Valtteri Viljanen (University of Turku)

Stefano Visentin (Università di Urbino)

Dror Yinon (Bar-Ilan University)



## **Contents**

A Decolonial Spinoza:

**An Interpretation in Tension**/3

Emerson Bodde

**Interwoven Threads:** 

Sympathetic Knowledge in George Eliot and Spinoza / 27

Dan Taylor

Spinoza's Really Confused Ideas / 49

**Ruben Noorloos** 

Benjamin and Spinoza on Time and History:

**Some Reading Paths** / 66

Paolo Quintili

To Conserve is To Create:

a Review of Spinoza's Paradoxical Conservatism / 80

Fabio Carnevali



# Benjamin and Spinoza on Time and History: Some Reading Paths

Paolo Quintili\*

### **Abstract**

Only recently have philosophical historiography and Benjaminian studies turned their attention to the relationship between Benjamin's and Spinoza's philosophies, with their possible links of affinity (and distance) regarding their conceptions of time and history. Here I would like to follow some reading paths recently proposed by various interpreters, and specifically those centering on Benjamin's reflections in *Toward a Critique of Violence* (1920) and the *Theological-Political Fragment* (1921–22). This analysis reveals a different conception of historical temporality in the two philosophers, which circumvents in different ways both the unilinear, "Oedipal" and Platonic-Christian conception of time and the cyclical and recursive conception of Stoic origins, both of which are the basis of the central western vision of historicity.

**Keywords:** history, historicity, violence, myth, time, right, politics.

### 1. Walter Benjamin's Spinoza: Law and Power

In this essay, it's my intention to outline the brief analytical framework of recent interpretations that have begun to examine the relationship between the two great 'heretics' of the modern and contemporary ages, both of Jewish origin, Baruch Spinoza and Walter Benjamin. First of all, it's necessary to note the absence of Benjamin among the reference authors that have been compared in the studies coordinated by Carlo Altini in two recent Italian volumes dedicated to the subject, to which I have had the honor and pleasure of contributing. As Altini himself rightly observes in his

<sup>1</sup> Carlo Altini, ed., *La fortuna di Spinoza in età moderna e contemporanea* (Pisa: Edizioni della SNS, 2020, vol. 1: "Tra Seicento e Settecento"; vol. 2: "Tra Ottocento e Novecento"). The relationship between Benjamin and Spinoza is briefly mentioned by Günther Mensching, "Spinoza dans l'École de Francfort," in *Spinoza au XX<sup>e</sup> siècle*, ed. O. Bloch, (Paris: PUF, 1993), 345–359.

<sup>\*</sup> Departments of Literary, Philosophical and Art History Studies, University of Rome «Tor Vergata», quintili@uniroma2.it; https://orcid.org/0000-0002-4248-298X

*Introduction* ("Notes on the Reception of Spinoza in Modernity"), after noting the controversial fortune of Spinoza's thought ("profound admiration" or "fierce criticism"):

Books have a history that escapes the will of their authors when they are alive, even more so when they are dead. The reader of the *Ethics*, or of the *Theologico-Political Treatise*, in the nineteenth century—or at any other time—generally has different problems from those of Spinoza and approaches these texts with different aims, thus making them instruments for his own ends and not ends in themselves.<sup>2</sup>

We agree on the fact that the preliminary question that needs to be asked about Benjamin in relation to Spinoza is this: what different ends and purposes did Benjamin set himself in referring to the Amsterdam heretic at some key instances in his work? Only recently have some interpreters touched upon this question, defining different paths of interpretation. In the following, I will first focus on the major interpretations in advanced by Louis Carré and Massimo Palma; I will conclude by broadening the discussion to other interesting readings advanced on this topic.

### 2. Toward the Critique of the Violence

The question in the title of Carré's paper ("Benjamin spinoziste? Droit et violence à partir du *Traité théologico-politique*") is posed in relation to the famous early work of 1921, *Zur Kritik der Gewalt (Toward the Critique of the Violence*), written in the aftermath of the tragic events of the Berlin Spartacist League (that is, when, in January 1919, during the first tragic years of the Weimar Republic, R. Luxemburg and K. Liebknecht were slaughtered in Berlin by the Freikorps militia with the complicity of the Social Democrats).<sup>3</sup> With the aim to "identify the hidden posterity of Spinozism (one more, one might be tempted to say)," Carré concentrates on the specific place in Benjamin's writing where the Spinoza of the *TTP* is mentioned, namely the critique of the natural law theses according to which violence/*Gewalt* would be considered as a purely 'natural' means to achieve the just ends of the constitution of the state, in the *pactum subjectionis*. Here Spinoza, in fact, seems to be taken as an example of the natural law tradition—one wonders why him and not Hobbes, Grotius, Locke or, even more so, the Rousseau of the *Contrat social*, given that the French Revolution and the Terror are evoked by Benjamin. However, according to Carré, it is necessary to 'calibrate' (*nuancer*) Spinoza's position within this natural law tradition, as he is eccentric, compared for instance to Grotius and Hobbes. Benjamin states:

The natural law. This sees in the use of violent means for just ends nothing more problematic than human beings see in their "right" to move their bodies toward an intended goal. According to this view (which provided the ideological foundation for

<sup>2</sup> Altini, La fortuna," vol. 1, 9.

<sup>3</sup> Louis Carré, "Benjamin spinoziste? Droit et violence à partir du *Traité théologico-politique*," in *L'actualité du* Tractatus *de Spinoza et la question théologico-politique*, eds. Quentin Lantenne, Tristan Storme (Brussels: Éditions de l'Université Libre de Bruxelles, 2014), 203–216.

PAOLO QUINTILI

68

the terrorism during the French Revolution), violence is a natural product, a raw material, as it were, the use of which is entirely unproblematic unless one were to misuse it for unjust ends. If, according to the natural-law theory of state, persons give up all their violence for the sake of the state, this is done on the assumption (which Spinoza, for instance, explicitly maintains in his *Tractatus Theologico-Politicus*) that the individual, in and for itself and before the conclusion of a contract in accordance with reason, would exercise de jure any violence whatsoever that it de facto has at its disposal.<sup>4</sup>

Even the opposite tradition, that of historical-legal positivism, to which, according to Benjamin, Hegel and the German jurists of the early nineteenth century belong, violence appears hidden in law as the product of a historical becoming aimed at overcoming it in the state of positive legality, thus positing a *partage* between legitimate violence and illegitimate violence, one violence contrary to law and another in conformity with law, aimed at preserving it. Both positions, the naturalistic and the positivistic, tend to conceal the presence and persistence of violence in the law itself as its founder, a concealment that occurs in terms of what Benjamin calls a "mythical violence." That is, it is a *Gewalt* based on the myth of the original foundation of law from itself, which does not need further explanation or foundation and is therefore variously 'justified' precisely through myths of origin. Nonetheless, regarding Spinoza Carré observes:

However, the fact that Benjamin indicates in parenthesis that Spinoza *explicitly* (*ausdrücklich*) recognised the prior existence, before any positive institution of law, of a 'natural right' to the exercise of violence opens the way to another interpretation of the only passage in Benjamin's corpus where the *TTP* is mobilised. In Spinoza's view, to explain the implicit natural right to violence is to show the fundamental precariousness of the pact through which the state (*imperium*) is instituted. Indeed, one of Spinoza's famous theses is that the 'natural right,' far from being abandoned at the time of the pact of institution, on the contrary endures within it.<sup>5</sup>

In this precise sense, Spinoza's position in the *TTP* agrees with the general perspectives of Benjamin's writing that aim to demonstrate the persistence of violence "through any agreement (civil or private)," Carré observes, and this would allow Spinoza's eccentric account of natural law to be assessed from a different perspective, in which, Carré continues,

The 'natural right' of individuals to the exercise of violence, rather than referring to a 'natural given,' would rather refer to that which always already resists the positive institution of law. In Benjamin's terms, the 'natural ends' that oppose the 'legal ends' are said to be 'natural' only insofar as they are recognised as illegitimate by the existing legal order. On this assumption, Spinoza would escape Benjamin's wholesale criticism

<sup>4</sup> Walter Benjamin, *Toward the Critique of the Violence*, a Critical Edition, eds. Peter Fenves, Julia Ng (Stanford: Stanford University Press, 2021), 40.

<sup>5</sup> Louis Carré, "Benjamin spinoziste?," 205.

of modern natural law theory for the 'naturalisation' of violence and the lack of historicity.<sup>6</sup>

What is more, as Étienne Balibar in *Spinoza et la politique* rightly states, "the 'nature' with which we are dealing here is nothing more than a new way of thinking history, according to a method of rational explanation that aims at explanation *per causas* [...] the 'naturalist' theoretical language must thus be able to be translated at all times into that of a theory of history." And here, we touch on the central point of Carré's argument, which effectively brings the two thinkers together on the subject of the historicity of law, to which the character of violence belongs from the beginning, like the historical paradox provided by the French Revolution that Benjamin evokes, and not by chance. Law is founded and legitimises itself on the basis of non-law, that is, of revolutionary *Gewalt*, which intrinsically belongs to history, a non-linear history made up of ruptures and leaps. A parallel discourse can be made regarding the use of the Latin terms (*violentia*, *vis*) and German terms (*Gewalt*), which can mean, depending on the context, force, power, the power of law, or the excess of this force out of bounds, in an abusive use that a (historical) judgement of law renders unjustifiable and unjust. The theme of the inevitable precariousness of the so-called 'rule of law' and legal-state power is linked to the mutual "intrication" of violence and law.

From the overall framework of Carré's very, in my opinion, convincing reading, one can derive a series of four points of convergence (or "théorèmes") of the two doctrines of the theological and the political of Spinoza and Benjamin, which draw a common philosophical programme, definable in Benjaminian terms as "a politics of pure means":

- 1. The way in which Spinoza and Benjamin conceive of the close links of violence (*violentia/potentia/*
- 2. Spinoza and Benjamin contest (to Hobbes and Hegel respectively) the idea according to which violence in law would be relegated to the rank of a mere primitive means at the service of an end that would be deemed superior to it, that is, the establishment of a stable legal order based on the state. Precisely this is the intended meaning of Spinoza's famous assertion or equation that the right of everyone (*ius uniuscujus*) extends to and is equivalent to exactly the measure of power (*potentia sive* violence) that belongs to him.<sup>8</sup> For his part, Benjamin distinguishes between a *rechtsetzende Gewalt* (law-positing violence) and a *rechtserhaltende Gewalt* (law-preserving violence), where the former is pure manifestation of the power/*potestas* of a human community. In Spinoza, too, the conjunction of individual powers in a "collective law" founds the power of the state not so much as a mere means to its establishment, but as the persistence of the various individual *conatus* within it. There is no longer, in Spinoza, as is well known, a true *pactum subjectionis à la Hobbes*. Instead, each individual retains intact his individual *potentia*, augmented

<sup>6</sup> Louis Carré, "Benjamin spinoziste?," 205 (continued).

<sup>7</sup> Étienne Balibar, *Spinoza et la politique* (Paris: PUF, 2011), 48–49 [my translation], in Carré, "Benjamin spinoziste?" 207.

<sup>8</sup> Baruch Spinoza, *Theological-Political Treatise*, ed. Jonathan Israel (Cambridge: Cambridge University Press, 2007), ch. XVI, 195–196 (TTP XVI/ G III 189).

- and strengthened by the *ius collectivus*. From this emerges the idea of "a politics of pure means," i.e., a "teleological conception without final end," according to the title of an unfinished and lost work by Benjamin himself, preparatory to *Toward the Critique of the Violence*.
- 3. In such a perspective, law can no longer appear as a mere instrument destined to realise the Kantian "kingdom of ends" on earth outside of history. Both distancing themselves from the Kantian theme of progress towards the moral realm of ends, Spinoza and Benjamin conceive of politics, not in terms of a path and stage of progress (Kant), but rather in terms of an interruption, i.e., a *rupture* whose effect (not purpose) is to immobilise the movement of "to and fro" between the different historical forms assumed by "legal" violence.
- 4. Finally, the centrality of the theological-political problem, the conjunction of the two concepts, is at the heart of the critique of "superstition" (Spinoza) and "myth" (Benjamin, Theological-Political Fragment—we will return to this). In Benjamin's case, the prefiguration or continuation of Marx and Engels' critique of ideology unmasks the historical structures of political power through the analysis of the effectiveness of its imaginary representations. For both of them, as for the late Marx in Capital, ideology is not a mere "reflection" in the service of particular class or caste (priestly) interests, but more profoundly an effect of power and the relations of domination it establishes on the basis of the ends and means schema (Ethics I, Appendix). Power draws on the imagery of divine "fortune" and "glory" (Spinoza) or mythical "destiny" (Benjamin) to legitimise its domination. The ideology of the "theological-political" as an imaginary of political power, however, does not erode the controversial question of the religious or the "sacred," because the perspective from which their critique of superstitious/mythical violence develops can also be qualified as "religious." The reference goes here to the experience of beatitudo as the "true religio" in Spinoza (E4p73s; E4appIV) and, even more surprisingly, to Benjamin's revolutionary messianism, which is already apparent in this 1921 paper. In the contemporary Theological-Political Fragment, Benjamin states:

Only the Messiah himself completes all history, in the sense that he alone redeems, completes, creates its relation to the messianic. For this reason, nothing that is historical can relate itself, from its own ground, to anything messianic. Therefore, the Kingdom of God is not the telos of the historical dynamic; it cannot be established as a goal. From the standpoint of history, it is not the goal but the terminus [*Ende*]. Therefore, the secular order cannot be built on the idea of the Divine Kingdom, and theocracy has no political but only a religious meaning. To have repudiated with utmost vehemence the political significance of theocracy is the cardinal merit of Bloch's *Spirit of Utopia*. <sup>10</sup>

Carré's essay concludes on a seemingly risky juxtaposition between the critique of the two political regimes, the theocratic (embodied by Moses) and the parliamentary (the Weimar Republic), carried

<sup>9 &</sup>quot;If we also reflect that without mutual help, and the cultivation of reason, human beings necessarily live in great misery, as we showed in chapter 5, we shall realize very clearly that it was necessary for people to combine together in order to live in security and prosperity. Accordingly, they had to ensure that they would collectively have the right to all things that each individual had from nature and that this right would no longer be determined by the force and appetite of each individual but by the power and will of all of them together" (TTP XVI 197 / G III 191).

<sup>10</sup> Walter Benjamin, *Theological-Political Fragment*, in *Selected Writings, Volume 3: 1935-1938*, ed. Edmund Jephcott (Cambridge MA and London: The Belknap Press of Harvard University Press, 2006), 305.

out by Spinoza and Benjamin, both of whom mention, with regard to the precariousness of the foundation of power on superstitious/mythical violence, the same biblical episode (Numbers, 16–17) of the revolt of Korah, Datan and Abiran, crushed by Moses with a supernatural intervention of the "Glory of God." In Spinoza's case, the "moderate" theocratic power of Moses, in the sort of "wild democracy/theocracy" established during the wandering of the Hebrew people in the desert, shows all its flaws, first with the fall into the idolatry of the worship of the Golden Calf then with the election of the Levites, the priestly caste, and the iron laws that instead of providing the salvific means of organising a collectivity" (populi salus) were now to appear as instituting penalties and punishment, the effect of the "wrath of their God." Ultimately, the revolt of Korah, challenging the priestly privilege of Moses and Aaron, annihilated by the intervention of "the glory of God," marks the intervention of "divine violence" to restore the legitimacy of the theocratic pact between God and Moses. But herein lies the beginning of the downfall of the State of Israel: the discord cast by the priestly caste within God's people and their *potestates* and the ambiguity of the sentiment of "devotion," on which the theocratic policy was founded, an amalgam of two different attitudes or passions—the free and autonomous love that the people feel by virtue of their divine election and unconditional, heteronomous obedience, both of which, when united, do not cease to arouse fear and distrust in the souls of the governed.

Benjamin also mentions the same Korah's episode in the Holy Scriptures—alongside the evocation of the pagan myth of Niobe and Apollo—as examples of a divine, "pure" and lawestablishing violence of new law, which curbs the mythical violence of the political imposture of superstition and does not fail to suggest its proximity to the violence of the "pure means" of revolutionary action. In the context of the Weimar Republic, in fact, the actors—which in the Spinozian context were three, the Jewish people, God and his prophet Moses—are two: the class of the proletariat (the people) and the political class (the elite) elected to govern the state. The young Weimar Republic fell into ruin precisely when it lost "consciousness of the latent presence of violence" that founded it. The fragility of the Weimar regime is, therefore, explained by the fact that the parliaments and their elites lost "the sense of the law-positing violence" (rechtsetzende Gewalt) that is represented in them," and instead of replacing it, parliamentarism tried in vain to establish the culture of "compromise," a principle that was to exert even greater violence all the greater and be more objectionable in that it claimed to regulate real conflicts, experienced on the skin of the people, in the peaceful, non-violent mode of mercantile negotiation and "chatter" (Geschwätz). To these forces of compromise, the young Benjamin, who will soon become a Marxist, opposes the revolutionary forces manifested in the Sorellian movement of the "proletarian general strike" (or "revolutionary strike"), a "pure means" par excellence (the famous "emergency brake of revolution"), different from the "political general strike," aimed at achieving economicist ends, yet leaving intact

<sup>11 &</sup>quot;Nor can I sufficiently express my amazement that there was so much anger in the divine mind, that He should actually make laws (which are normally designed to protect the honour, safety and security of all the people) to avenge himself and punish them, and thus the laws seemed to be not laws (i.e., a protection for the people) but penalties and punishments. Everything always reminded them of their impurity and rejection: all the gifts they were obliged to donate to the Levites and the priests, their obligation to redeem their first-born and pay a poll-tax in silver to the Levites, the exclusive privilege of the Levites to approach whatever was sacred" (TTP XVII 226 / G III 218).

the iniquitous regime of class oppression, which becomes increasingly intolerable and inhumane.<sup>12</sup> Benjamin concludes his essay on this image of "divine violence":

The critique of violence is the philosophy of its history. The "philosophy" of this history because only the idea of its ending [Ausgang] makes possible a critical, incisive, and decisive attitude toward its temporal data [...]. Once again, all eternal forms that myth bastardized with law stand free and open to pure divine violence. Divine violence may appear in the true war [wahrer Krieg] exactly as it does in the divine judgment of the multitude [Menge] upon the criminal. To be rejected [verwerflich], however, is all mythic violence, the law-positing kind, which may be called attending [schaltende] violence. Also to be rejected is the law-preserving kind, the expended [verwaltete] violence that serves it. Divine violence, which is the sign and seal but never the means of sacred dispatch [Vollstreckung], may be called pending [waltende] violence.

### 3. The Spinozist Aura of Benjamin's Political Notes

Alongside Carré's notable contribution, another recent piece of research by Massimo Palma, one of the finest Italian interpreters of the Frankfurt philosopher, highlights the Spinoza-Benjamin connection in a 2019 essay entitled "The Curious Case of Baruch Spinoza in Walter Benjamin's *Toward the Critique of Violence*," which proceeds in the same research direction followed so far. In fact, it begins: "The aim of this article is to suggest that Benjamin's critique of law and of something like subjective rights retains Spinozist traits." The case is "curious" in that, as Palma observes, there are few places where Benjamin seems to make direct reference to the Amsterdam philosopher and when he does, he seems to be rather severe and critical. However, the 1921 writing, as we have seen, "shows that a certain Spinoza informs Benjamin's concept of the political sphere—his understanding of freedom as freedom with others—more than Benjamin himself wants to admit." There is therefore no precise philological connection between the two thinkers "but a Spinozist aura that runs through Benjamin's notes on the political and that can help to clarify the shape that his constructive theorization of politics [...], which went missing in the mid-1920s, might have taken." 14

What would this *aura* consist of? In short, Spinoza makes two important appearances in *Toward the Critique of the Violence*: 1) The first appearance is the exemplar of the thesis of natural law (*ius = potentia*) and violence as a just means for just ends; but in a deeper way and according to a more refined reading, Palma observes, "The whole treatise can be read as a sort of twentieth-century, post-World War I staging of a Spinozist conflict between *potestas* and *potentia*," an aspect that emerges from an appropriate contextualization of the implicit references to Spinoza in the text. 2) The second appearance is the one in which Spinoza's greatest merit is to have understood well that law (*ius*, as a constitutive modality of collective being together) "remains *Gewalt*, outside the State" because "it

<sup>12</sup> Walter Benjamin, Toward a Critique of Violence, 44-49.

<sup>13</sup> Benjamin, *Critique*, 59–60 (the italics are mine).

<sup>14</sup> Massimo Palma, "The Curious Case of Baruch Spinoza in Walter Benjamin's *Toward the Critique of Violence*," *Critical Times* 2, no. 2 (August 2019): 221–222.

does not constitute an *État de droit*" in itself, but because it's absolute, free from any "State." As Palma observes, *ius* "is outside the monopoly of legitimate violence, and outside the other appropriation that Benjamin mentions: the state's monopoly on the production of law," specifically in its democratic form, which Spinoza, as is known, considers the best of all because it is "the most absolute." <sup>15</sup>

In this democratic modality of living together (ius)

Benjamin and Spinoza both refuse to accept the state's monopoly on violence. For Spinoza, natural law, defined as the drive to persevere and to increase *potentia*, can never become positive law and be totally alienated. In Benjamin's terms, the same goes for justice, which sometimes literally 'happens,' and when it occurs is outside the law, against the law. Might there thus be a way to understand 'Toward the Critique of Violence' as a peculiar, and in its way 'Spinozist,' reaffirmation of the right to resistance?<sup>16</sup>

The answer is uncertain. It must not be forgotten that Benjamin, a historical materialist, does not accept that what Spinoza calls *potentia* could ever belong to a catalogue of natural laws, that is, he rejects "juridification" as a way of resolving conflicts through the expansion of law.<sup>17</sup> Nonetheless, Spinoza is the thinker who has come closest to the target along this direction: revealing the character of "pure means" proper to *Gewalt*. Palma goes so far as to state that "Indeed, it is possible that Benjamin does not mention Spinoza because it is Spinoza who has in fact suggested something of his own concept of 'nature'."<sup>18</sup>

At this point, the discussion on the law/power of resistance can be reopened, since, according to the Spinozian principle of *ius*, in its meaning, the *imperium* or the State grants security to achieve just ends. But if, for Benjamin, the network of correspondences between *conatus* and *potentia* cannot be made law in any sense, then this can be extended to *Cupiditas*, to the desire and the movement in a physical, corporeal sense, and the Spinozist context would enrich our understanding of Benjamin's rather esoteric statements. There is a *Gewalt* that is neither "destructive" nor "constructive," and that remains outside the law. The specific case law of this *Gewalt* would allow us to read the problem, for example, of migration in the twenty-first century, as an extra-legal problem that cannot be regulated or that resists regulation against all the claims of the current legal positivist Catos. Finally, Palma observes (and I agree with the Spinozist character of the judgment):

According to Benjamin, the question of migration—the inalienable, Spinozist right to move one's body toward a desired goal, to preserve and expand one's power—cannot be treated as a legal problem. Just as resistance cannot be codified, neither can movement.

<sup>15</sup> Palma, "Curious Case," 229.

<sup>16</sup> Palma, "Curious Case," 229.

<sup>17</sup> On this specific point, Gilles Deleuze's reading is a good example: *Spinoza. Philosophie pratique* (Paris: Éditions de Minuit, 1981 [PUF, 1970<sup>1</sup>]).

<sup>18</sup> Palma, "Curious Case," 230.

Movement is not a legal problem, to be defined by norms and sanctions; it is instead a matter of the constitution of a collective self as political body.<sup>19</sup>

In conclusion, the problem of history and the philosophy of history remains open: only on the level of the philosophy of history can violence be understood in its proper sense. Benjamin's aim in *Toward the Critique of the Violence* is to find a way out of the aporias of *ius*, an escape route from the vicious circle of positive law and transgression, as indicated by Paul in the *Letter to the Romans* 4, 15: "Where there is no law, there is no transgression either." Spinoza's texts, the *TTP* and the *TP*, are useful for this purpose. As Palma observes:

Both texts insist on the permanence of natural right in the civil state (the *imperium*, the city). If we do not consider the remainder of *potentia* a right in the modern sense of subjective rights, then Spinoza's views appear to resemble Benjamin's. The *imperium* cannot lay claim to this power, which we could also call *Gewalt* in Benjamin's sense (but not a right, lest we return to the dogmatic circle). Given the sovereign and, in Antonio Negri's terms, the 'savage' ambiguity of the constitutional term *right* in Spinoza, we could push the analogy further and say that Benjamin revisits and revives key aspects of Spinozist politics throughout *Toward the Critique of Violence*.<sup>20</sup>

Indeed, the core of Benjamin's argument, expressed in the strange formulation of a "teleology without final end," which sums up Benjamin's conception of politics, can be read as fundamentally Spinozist, as an understanding of *Gewalt* as *potentia* without being *ius*. Violence/*Gewalt* is therefore, in history, the product of the irruption of an immanent natural end (*Naturzweck*, using Benjamin's Kantian terms but in a Spinozist way), such as, for example, the revolutionary "proletarian (or revolutionary) general strike," which breaks the historicist temporal linearity of positive law. <sup>21</sup> Palma thus reaches the following conclusion, which I certainly feel I can endorse:

At the core of his analysis of violence, Benjamin's reading approaches Spinoza's paradoxical theory of the foundations of democracy, starting from the problematic duplicity of its main concept, which is at the same time *violentia* and *potentia*, even while it also tends to take the form of *jus* and therefore *potestas*.<sup>22</sup>

<sup>19</sup> Palma, "Curious Case," 230.

<sup>20</sup> Palma, "Curious Case," 231.

<sup>21</sup> Palma, "Curious Case," 232–233: "If *Gewalt* is neither a natural datum (natural law) nor a product of history (positive law), its more consistent definition could be that of "natural end" in this teleologically limited sense. A *Naturzweck* is like a violence that is exterior to law and therefore has in itself only its concept as its goal."

<sup>22</sup> Palma, "Curious Case," 233.

### 4. Another Tradition: "Brushing History Against the Grain."

A third, very interesting reading path regarding Spinoza was offered, again recently, by the collection of essays titled *Spinoza and History*, edited by Nicola Marcucci and Cristina Zaltieri.<sup>23</sup> Despite the heterogeneity of the contributions, which do not all shine for philological precision and interpretative novelty, a couple of useful ideas should be highlighted to clarify the controversial relationship in Spinoza between time, eternity and history. The limitation of this work in relation to our topic is in the fact that Benjamin is almost never mentioned along a line of reading where, nevertheless, many of the themes we have encountered so far emerge, in particular the "model" of singular political history that represents Spinoza's thought across the *TTP* and the *TP*.

Vittorio Morfino's research deserves credit for having initiated this historiographical directive in Italy. As is known, Hegel considered Spinoza's philosophy an "acosmism," in which the finite of the historical world is annihilated in the totality *nunc stans*, or *tota simul*, of Substance (which is not also thought of as a Subject). Against this Hegelian reading, Morfino sees Spinoza's politics as a particular form of history of the "non-contemporary,"<sup>24</sup> or plural history of the singular, i.e. of a multiple or plural temporality (which concerns the Jewish people and the criticism of their sacred books), in light of Althusser's "aleatory materialism." It is curious, however, that Morfino does not seem to have crossed paths with Benjamin along this line of reading, also pursued in his eponymous essay, contained in and bearing the same title ("Spinoza and History") as the volume Spinoza e la storia, which itself is a compendium of his previous readings on the subject ("Against ahistorical reading"). The sixteen essays in the volume touch on the same theme of "historicity" in Spinoza's thought from different perspectives, but only Mariana de Gainza at the beginning of her essay "Spinoza: history and politics in perspective" takes Benjamin into consideration on methodological grounds, as a reference model for a materialist historiography to appeal to in the critical consideration of the so-called "universal history" and its totalizing/totalitarian tendencies—Hegel again: "The point of view of universal history is the totality of points of view" (Lectures on the Philosophy of History)—for a critical philosophy of idealist philosophies of history:

The belief that Spinozian ontology contributes to such a critical philosophy can be conceived as a sort of premise for this work. It constitutes, indeed, a useful perspective for a thought determined to face the dilemmas, always different, that each conjuncture represents for each people; thought that must recall, once again, what Benjamin will say about the need for the "destructive energies of historical materialism" to be oriented

<sup>23</sup> Nicola Marcucci, Cristina Zaltieri, *Spinoza e la storia*, texts by Bottici, Caporali Cavazzini, de Beistegui, de Gaiza, Hippler, Illuminati, Ipar, Marcucci, Morfino, Pozzi, Santiago, Sibilia, Toto, Visentin, Walther, Zaltieri (Mantua: Negretto Editore, 2019).

<sup>24</sup> Vittorio Morfino, *Spinoza e il non contemporaneo* (Milan: Ombre Corte, 2009); *Genealogia di un pregiudizio. L'immagine di Spinoza in Germania da Leibniz a Marx* (Hildesheim-Zürich-New York: Georg Olms, 2016); *Hegel e l'ombra di Spinoza. I concetti di organismo e violenza* (Pistoia: Petite Plaisance, 2022).

<sup>25</sup> Vittorio Morfino, *Plural Temporality. Transindividuality and the Aleatory Between Spinoza and Althusser* (Leiden-Boston: Brill, 2014); Vittorio Morfino and Giuseppe D'Anna, eds., *Ontologia e temporalità. Spinoza e i suoi lettori moderni* (Milano: Mimesis, 2010); Vittorio Morfino, ed., *Tempora multa. Il governo del tempo* (Milan: Mimesis, 2013).

76 PAOLO QUINTILI

against the ideas of universal history: "The idea that the history of the human race is composed of the histories of peoples is an escape from the pure and simple laziness of thought, today when the essence of peoples is obscured both by their current structure and by their current mutual relationships."<sup>26</sup>

For our examination, the most interesting essay in the collection *Spinoza and History* is by Francesco Toto: "Between Nature and History: the Case of Uses and Customs." He touches on a central conceptual crux: the reciprocal intertwining of universal human nature, "or common to all men" (eam esse universalem, sive omnibus hominibus commune, TTP IV 61 / G III 61) and singular nature, "actual, 'determined,' different in each individual according to the diversity of his history, that is to say of the relationships in which he participates and of the mutations that they induce in his way of feeling, thinking and acting." Customs and traditions are the place where the two poles of human nature intertwine and, thus intertwining, they open up to "a true historicity of human nature," such as that of the events of the Jewish people and state, led to ruin, a ruin "that should be attributed to a vice of the laws or received customs" (TTP, XVII, 26 / G III 218). On this point, the "classic" discourse on the criticism of prejudices, of received ideas and of authority opens. This had such success in the diffusion of Spinozian thought through the thousand streams of clandestine philosophical literature across the seventeenth and eighteenth centuries, up to the famous *Traité des trois imposteurs*, whose chapter 2, as is known, translates into French the *Appendix* of Part I of the *Ethics*.<sup>28</sup>

Finally, a last useful avenue to follow is the recent volume by Idit Dobbs-Weinstein, *Spinoza's Critique of Religion and its Heirs* (2015), which is devoted to a detailed analysis of the Spinoza-Benjamin relationship within the framework of the Marxist philosophy of the Frankfurt School between the 1920s and the 1950s-1960s and at the same time in the context of twentieth-century Jewish intellectual culture.<sup>29</sup> According to Dobb-Weinstein, Spinoza's legacy has been doubly obscured, first, by its incorporation into the single Western philosophical canon, shaped and imposed by theological-political condemnation. And finally, it has been further obscured by controversies whose secular guise would hide their religious origins. By placing Spinoza's thought in a materialist Aristotelian tradition, this original book sheds new light on those who inherited Spinoza's thought and its consequences materially and historically rather than metaphysically. Focusing on Marx, Benjamin, and Adorno, Dobbs-Weinstein explores how Spinoza's radical critique of religion informs early materialist critiques of the philosophy of history, from Marx to Benjamin. Dobbs-Weinstein argues that for these thinkers, two radically opposed notions of temporality and history are at stake: one ontotheological, future-oriented, and linear-direct, and the other political, past-oriented and

<sup>26</sup> Walter Benjamin, *Materiali preparatori per le Tesi*, in *Sul concetto di storia*, eds. G. Bonola, M. Ranchetti (Turin: Einaudi, 1997), 77 (cited in *Spinoza e la storia*, 280, my translation).

<sup>27</sup> Francesco Toto, "Tra natura e storia: il caso degli usi e dei costumi," in Spinoza e la storia, 76 (my translation).

<sup>28</sup> Francesco Lodoli, Paolo Quintili, "Spinoza nella letteratura clandestina francese," in Altini, La fortuna.

<sup>29</sup> Iris Dobb-Weinstein, *Spinoza's Critique of Religion and Its Heirs. Marx, Benjamin, Adorno* (Cambridge: Cambridge University Press, 2015). Dobb-Weinstein is Professor of Philosophy and Jewish Studies at Vanderbilt University in Nashville, Tennessee, and the author of the book: *Maimonides and St. Thomas on the Limits of Reason* and coeditor of *Maimonides and His Heritage* (with Lenn E. Goodman and James A. Grady). Her major works have appeared in the journals *Epoché* and *Idealistic Studies*.

according to a multiple temporality. The latter aims at the present and is embodied in the present, or, more precisely, it aims to actively resist the persistent barbarism that is still alive at the heart of contemporary culture.

The book is particularly interesting for the reading path I am following in that it poses the problem of the Spinozian legacy in broader historical-philosophical terms, that is, within the framework of a broad 'materialist tradition' interpreted in the light of, as Dobbs-Weinstein titles it, a Clash of Traditions, 30 which embodies this Spinozian legacy. This legacy is seen—from the perspective of 'Critical Theory' and its presuppositions, but with much philological relevance—at the losing' line, I would daresay, of the Western philosophical tradition, the materialist line and, in particular, the Benjaminian one which intends (according to a well-known expression) "to brush history against the grain." And it is in this historical-conceptual line that Spinoza's philosophy should also be placed, contrary to the use that the main manuals of History of Philosophy still make of it today. As Dobbs-Weinstein rightly states: "The critique of religion is the exemplary form of critique, be it of ideology or of political economy, and hence it is also the basis for a materialist political philosophy." I would also add: it is also the basis for a materialistically founded history of philosophy.

One of Dobbs-Weinstein's observations seems particularly useful to me due to its very simplicity, and it allows us to 'see' Spinozian ethics and politics as already woven with history ( $\dot{a}$  la Benjamin) and, therefore, useful for reconsidering the conception of history outside the idealistic tradition. We start from the fact that both are not a new form of metaphysics—to ask why Spinozian *Ethics* is an ethics. Some authoritative interpreters (such as Matheron and Balibar) have lost sight of this question since:

They ignore Spinoza's major 'metaphysical' claim, namely, that nothing exists *meta ta physica*, that is, outside nature, a claim whose political implications set Spinoza as far apart from modern political theory as is possible. For, to the same extent that Spinoza insists that there is nothing outside nature, and there can be no dominion within a dominion, to that same extent he considers the civil state (*status civilis*) as coextensive

<sup>30</sup> Dobb-Weinstein, Spinoza's Critique, 28-40.

<sup>31 &</sup>quot;7. [...] According to traditional practice, the spoils are carried along in the procession. They are called cultural treasures, and a historical materialist views them with cautious detachment. For without exception the cultural treasures he surveys have an origin which he cannot contemplate without horror. They owe their existence not only to the efforts of the great minds and talents who have created them, but also to the anonymous toil of their contemporaries. There is no document of civilization which is not at the same time a document of barbarism. And just as such a document is not free of barbarism, barbarism taints also the manner in which it was transmitted from one owner to another. A historical materialist therefore dissociates himself from it as far as possible. He regards it as his task to brush history against the grain."; "14. History is the subject of a structure whose site is not homogenous, empty time, but time filled by the presence of the now [Benjamin says 'Jetztzeit' and indicates by the quotation marks that he does not simply mean an equivalent to Gegenwart, that is, present. He clearly is thinking of the mystical nunc stans]. Thus, to Robespierre ancient Rome was a past charged with the time of the now which he blasted out of the continuum of history. The French Revolution viewed itself as Rome incarnate. It evoked ancient Rome the way fashion evokes costumes of the past." Walter Benjamin, On the Concept of History (often referred as) Theses on the Philosophy. Of History (1940), ed. Lloyd Spencer, on the website of the Simon Frazer University, https://www.sfu.ca/~andrewf/CONCEPT2.html.

with the natural state (*status naturalis*), so that claims to their real distinction turn nature upside down. For Spinoza, nature is always already political and historical.<sup>32</sup>

That "nature" in Spinoza is, therefore, already intrinsically political and historical, in the sense of a non-linear history made of ruptures and interruptions, is attested not only by the *TTP* and the *TP*, but also by the dynamic theory of affects in *Ethics* IV-V, whose internal formations and transformations and psychodynamic interactions imply that there is a temporal-historical dimension to their constitution and determination, also in virtue of the strategy of "liberation" offered by E 5, if it is not interpreted in a metahistorical or mystical key. To better enter into this interpretive perspective, Dobb-Weinstein proposes to reconsider the "minor canon" of the Western tradition of materialist stamp, the Aristotelian Averroist, Judeo-Arabic one—from Maimonides (Moshe ben Maimon, 1135-1204) to Gersonides (Levi ben Gershon, 1288-1344)—, in which Spinoza finds a more adequate and coherent position.<sup>33</sup>

To conclude this brief analysis of some reading paths of the Spinoza-Benjamin parallel, I will limit myself to proposing some further paths, beyond the interpretations considered here. From my research emerges the figure of a heterodox conception of historical temporality in both philosophers, which bypasses in different ways both the unilinear "Oedipal conception of time" (of Christo-Platonic origin), as well as the cyclical and recursive conception of Stoic origin. Benjamin's Thesis 7, mentioned above, resonates with Spinozian chords of the *TTP* to the extent that the critical approach of the Jewish religion used is a construction or reconstruction that literally blows up the pillars of theological dogmatics, discovering and assigning a new meaning to a past that was thought to be immutable.

This is neither the unilinear processuality of historicist "empty time" nor the circularity of an "eternal return of the same" but, to put it briefly, a new messianic time. There are many examples of this ideal, historical and conceptual proximity between Spinoza and Benjamin, but this is not the place to develop them. In a forthcoming essay, *Spinoza, Benjamin, Between History and Eternity: Transversal Perspectives*, I will consider the major theoretical implications of this connection.

### References

Altini, Carlo, ed., *La fortuna di Spinoza in età moderna e contemporanea*. Pisa: Edizioni della SNS, 2020, vol. 1: "Tra Seicento e Settecento"; vol. 2: "Tra Ottocento e Novecento."

Balibar, Étienne. Spinoza et la politique. Paris: PUF, 2011.

Benjamin, Walter. *Toward the Critique of Violence*, a Critical Edition, edited by Peter Fenves and Julia Ng. Stanford: Stanford University Press, 2021.

<sup>32</sup> Dobb-Weinstein, Spinoza's Critique of Religion, 25.

<sup>33 &</sup>quot;The culmination during the Renaissance of the Western, Christo-Platonic appropriation of Aristotle's work, in particular the *De Anima*, the *Nicomachean Ethics*, and the *Metaphysics*. The overwhelming success of this process, a success greatly aided by the ecclesiastical/political attempts to silence all aspects of the Latin Averroist so-called heresies, foremost among which was the denial of individual immortality, inevitably assured the occlusion or loss of another Aristotelian tradition, the Arabic and Jewish-Arabic one." Dobb-Weinstein, *Spinoza's Critique of Religion*, 29.

Benjamin, Walter. *Theological-Political Fragment*. In *Selected Writings. Volume 3: 1935-1938*. Edited by Edmund Jephcott. Cambridge MA and London: The Belknap Press of Harvard University Press, 2006.

Benjamin, Walter. *Materiali preparatori per le Tesi*, in *Sul concetto di storia*, edited by Gianfranco Bonola and Michele Ranchetti. Turin: Einaudi, 1997.

Benjamin, Walter. *On the Concept of History (often referred as) Theses on the Philosophy. Of History* (1940). Edited by Lloyd Spencer, on the website of the Simon Frazer University, URL: https://www.sfu.ca/~andrewf/CONCEPT2.html.

Carré, Louis. "Benjamin spinoziste? Droit et violence à partir du *Traité théologico-politique*." In *L'actualité du* Tractatus *de Spinoza et la question théologico-politique*. Edited by Quentin Lantenne and Tristan Storme, 203–216. Bruxelles : Éditions de l'Université Libre de Bruxelles, 2014.

Deleuze, Gilles. Spinoza. Philosophie pratique. Paris: Éditions de Minuit, 1981 [1st edition: PUF, 1970].

Dobb-Weinstein, Iris. *Spinoza's Critique of Religion and Its Heirs. Marx, Benjamin, Adorno.* Cambridge: Cambridge University Press, 2015.

Dobb-Weinstein, Iris. *Maimonides and St. Thomas on the Limits of Reason*. New York: State of New York University Press, 1995.

Dobb-Weinstein, Iris, Goodman, Lenn E., Grady, James A., editors, *Maimonides and His Heritage*. New York: State of New York University Press, 2009.

Lodoli, Francesco and Quintili, Paolo. "Spinoza nella letteratura clandestina francese." In *La fortuna di Spinoza*. Edited by Carlo Altini, 115–131. Pisa: Edizioni della SNS, 2020, vol. 1.

Marcucci, Nicola and Cristina Zaltieri eds. Spinoza e la storia. Mantua: Negretto Editore, 2019.

Mensching, Günther, "Spinoza dans l'École de Francfort." In *Spinoza au XX*<sup>®</sup> siècle. Edited by O. Bloch, 345–359. Paris: PUF, 1993.

Morfino, Vittorio. Spinoza e il non contemporaneo. Milan: Ombre Corte, 2009.

Morfino, Vittorio. *Plural Temporality. Transindividuality and the Aleatory Between Spinoza and Althusser.* Leiden-Boston: Brill, 2014.

Morfino, Vittorio. *Genealogia di un pregiudizio. L'immagine di Spinoza in Germania da Leibniz a Marx*. Hildesheim-Zürich-New York: Georg Olms, 2016.

Morfino, Vittorio. Hegel e l'ombra di Spinoza. I concetti di organismo e violenza. Pistoia: Petite Plaisance, 2022.

Morfino, Vittorio. ed., Tempora multa. Il governo del tempo. Milan: Mimesis, 2013.

Morfino, Vittorio. and Giuseppe D'Anna, eds. *Ontologia e temporalità. Spinoza e i suoi lettori moderni*. Milan: Mimesis, 2010.

Palma, Massimo. "The Curious Case of Baruch Spinoza in Walter Benjamin's *Toward the Critique of Violence*." *Critical Times* 2, no. 2 (August 2019): 221–238.

Spinoza, Baruch. *Theological-Political Treatise*, edited by Jonathan Israel. Cambridge: Cambridge University Press, 2007.

Toto, Francesco. "Tra natura e storia: il caso degli usi e dei costumi." In *Spinoza e la storia*. Edited by Nicola Marcucci and Cristina Zaltieri, 75–98. Mantua: Negretto Editore, 2019.