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VIOLENCE: CRIME AND COLLECTIVENESS**

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**LA NÉGATIVITÉ COMME OBSTACLE À LA COMPRÉHENSION DE LA VIOLENCE
CONTEMPORAINE : CRIME ET COLLECTIVITÉ**

性格负面倾向性问题是正确理解当代暴力犯罪的障碍：犯罪和集体性

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ABSTRACT

Psychologist, Psychiatrists and other specialists often give explanations to crime based on the existence of internal tendencies toward anti-social behavior, either located “inside” certain individuals, genetically or constitutionally determined, or in poor areas of cities, associating poverty and crime. Some of them are inheritors of Freud’s theory of the death instinct; others are based on current biological psychiatry which proposes diagnostic categories such as anti-social disorder, in which genetic causes can be attributed to anti-social behavior. What we aim to discuss is that these conceptions, based on primary negative tendencies, do not explain crime, but are obstacles to build any valuable understanding or practical intervention upon the phenomenon. The knowledge of specialists must overcome this limit imposed by ideas that are only capable of seeing negative tendencies inside the individuals or in collective life which can only lead to false

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solutions. Exclusive penal and police solutions to crime have proved to be highly ineffective and also unethical. If we believe in the existence of a primary tendency to crime and destructiveness, there can be no other solution than opposing a barrier to this threatening tendency, either in the field of psychotherapy or treatment or in the field of public security policies. A contemporary approach to the philosophy of Baruch Spinoza can lead us to a different direction, by thinking crime as a secondary effect of multiple causes.

Key words: Spinoza; transdisciplinarity; crime; violence, collectiveness.

RESUMO

Psicólogos, psiquiatras e outros especialistas frequentemente fundamentam as suas explicações sobre o crime na existência de tendências inatas a um comportamento antissocial, presentes quer seja em alguns indivíduos, genética ou constitucionalmente determinados, ou nos bairros pobres das cidades, mediante a associação entre crime e pobreza. Alguns dentre eles são os herdeiros da teoria freudiana do instinto de morte; outros se baseiam na atual psiquiatria biológica que propõe categorias diagnósticas, tais como os distúrbios antissociais, para os quais causas genéticas podem ser atribuídas aos comportamentos antissociais. O que pretendemos aqui demonstrar é que essas concepções, fundadas em tendências negativas inatas, não explicam o crime, sendo antes obstáculos a uma melhor compreensão do fenômeno, assim como ao seu devido tratamento. Os conhecimentos dos especialistas devem superar esses limites impostos por ideias que não levam em conta senão as tendências negativas inerentes aos indivíduos e à coletividade, somente oferecendo, em última análise, falsas soluções. A luta contra o crime exclusivamente baseada em medidas penais e policiais mostrou os seus limites em termos de eficácia e de ética. Se acreditarmos na existência de uma tendência inata para o crime e a destruição, a única solução que nos restará será erguermos barreiras contra essa tendência ameaçadora, tanto ao nível da psicoterapia e do tratamento terapêutico, quanto no âmbito das políticas de segurança pública. Uma abordagem contemporânea da filosofia de Baruch Spinoza pode mostrar-nos outra via, em que o crime é pensado enquanto efeito colateral de múltiplas causas.

Palavras-chave: Spinoza, Transdisciplinaridade, Crime, Violência Coletividade.

RESUMEN

Psicólogos, psiquiatras y otros especialistas suelen dar explicaciones del crimen basadas en la existencia de tendencias innatas para una personalidad antisocial, instaladas, o “dentro” de algunos individuos, determinados genética o constitucionalmente, o en áreas pobres de las ciudades, asociando la pobreza con el crimen. Algunos de ellos, son los herederos de la teoría freudiana de la pulsión de muerte; otros se basan en la psiquiatría biológica actual, que propone categorías diagnósticas como el trastorno antisocial y donde causas genéticas pueden ser atribuidas a una personalidad antisocial. Lo que buscamos demostrar es que estas concepciones, basadas en tendencias negativas innatas, no explican el crimen, si no que son obstáculos a una mejor comprensión y a una reacción adaptada a este fenómeno. Las reflexiones de los especialistas deben superar este límite impuesto por ideas que sólo toman en consideración tendencias negativas dentro de los individuos o de las colectividades, lo que lleva inevitablemente a decisiones erróneas. Soluciones exclusivamente penales y policiales para combatir el crimen se han destacado por su ineficiencia y su falta de ética. Si creemos en la existencia de una tendencia innata para el crimen y la destrucción, la única solución posible consiste en erigir una barrera contra esta tendencia amenazante, tanto en el campo de la psicoterapia o del tratamiento terapéutico, como en el campo de las políticas de seguridad pública. Una perspectiva contemporánea de la filosofía de Baruch Spinoza puede llevarnos hacia otra concepción, donde el crimen es pensado como un efecto colateral de múltiples causas.

Palabras clave: Spinoza, Transdisciplinariedad, Crimen, Violencia, Colectividad.

RÉSUMÉ

Psychologues, psychiatres et autres spécialistes basent souvent leurs explications du crime sur l'existence de tendances innées à un comportement antisocial, présentes soit chez certains individus, génétiquement ou constitutionnellement déterminés, soit dans les quartiers urbains pauvres, en associant crime et pauvreté. Certains d'entre eux sont les héritiers de la théorie freudienne de l'instinct de mort ; d'autres se basent sur la psychiatrie biologique actuelle, qui propose des catégories diagnostiques comme les troubles antisociaux, pour lesquels des causes génétiques peuvent être attribuées aux comportements antisociaux. Ce que l'on souhaite montrer ici est que ces conceptions, basées sur des tendances négatives innées, n'expliquent pas le crime, mais sont plutôt des obstacles à une meilleure compréhension du phénomène, ainsi qu'à sa prise en

charge adéquate. Les connaissances des spécialistes doivent dépasser ces limites imposées par des idées qui ne prennent en compte que les tendances négatives inhérentes aux individus et à la collectivité, n'offrant en définitive que de fausses solutions. La lutte contre le crime sur des bases exclusivement pénales et policières a montré ses limites en termes d'efficacité et d'éthique. Si l'on croit en l'existence d'une tendance innée au crime et à la destruction, la seule solution qui s'offre à nous est d'ériger des barrières contre cette tendance menaçante, aussi bien au niveau de la psychothérapie et du traitement thérapeutique que dans le cadre des politiques de sécurité publique. Une approche contemporaine de la philosophie de Baruch Spinoza peut nous montrer une autre voie, où le crime est pensé comme un effet collatéral de causes multiples.

Mots-clés : Spinoza, Transdisciplinarité, Crime, Violence, Collectivité.

摘要：

心理学家、心理分析家和其他领域的专家对犯罪的解释通常都强调个人的内在性格倾向导致了反社会行为，某些个人的内源性因素要么是天生的，有基因决定的，要么因为他们处于城市的贫困区，那里贫穷，犯罪多。有些专家继承弗洛伊德的死亡本能理论，有的相信生物心理分析学，提出反社会综合症和相关诊断理论，用基因学解释反社会行为。我们所要讨论的是，这些概念关于原发性负面倾向，不但不能解释犯罪，反过来阻碍我们了解这些犯罪现象，并对现象进行有效的实践干预。专家的知识应该克服其专业缺点和局限，否则他们只能看到单个人性格上的负面倾向，或集体生活中的负面倾向，进而得出错误的结论和解决方案。单纯的惩戒和警戒对犯罪预防没有效果，同时，在社会伦理方面上也是有问题的。如果我们相信存在原发性犯罪倾向和破坏倾向，那我们在心理疗法和公共安全政策方面，除了使用威慑警戒的方法之外，就无法对付犯罪。如果用当代新方法去解析斯宾诺莎的哲学，就可以带我们去另外一个方向，把犯罪当作是多种因素作用下产生的次生性后果。

关键词：斯宾诺莎 (Spinoza); 跨学科; 犯罪; 暴力; 集体性

In the present debate about contemporary violence, numerous specialists come to the media to present different views about the existence of primary negative tendencies in individuals and in certain groups in society.

The historical source of these views could be traced back in Freud's theory of the death instinct or in modern theories in biological psychiatry or neuroscience. Some diagnostic categories such as anti-social disorder are proposed, in which genetic or constitutional causes may be attributed to anti-social behavior.

We aim to develop in this paper the idea that the belief in the existence of negative tendencies – individual, instinctive, subjective – instead of explaining the so called phenomenon of violence or crime, constitutes itself as an obstacle to understand or to build any constructive strategy to deal these phenomena. The word violence is like an umbrella that shelters different facts or experiences, such as drug traffic, murder, robbery, terrorism and political protesting. Very recently, in June, 2013, we have experienced in Brazil a wave of protests all over the country. It started with protesting against the bad conditions of public transport, which is expensive and ineffective, and soon turned into protest against the expenses of government with the World Cup of Football, against police violence, corruption and the coverage of the protests by the media. It is very interesting to see how the media started condemning the protesting and was later forced to change its attitude, as the protesting grew stronger. It started to be described as peaceful, except for some “infiltrated vandals” that disturbed this peacefulness by promoting violence. The existence of the “vandals”, different from everyone for their violent nature, was what justified police intervention, which became more and more violent. In this example we can see that the belief in internal negative tendencies does not refer only to individual psychic life, but also to collective life, as we can see in this “new” negative category created by the media.

Some authors tend to see nothing but negative traits in group or collective behavior, relating it to regression, lack of emotional control and other types of emotional disturbances. In this perspective, collective action would only manifest irrational or disorganized tendencies, as in 19th century Ferri's² theory of the “cultural broth” of criminality, present in poorest sectors of society, where education, health and family conditions acted as ferment to the “bacteria” of crime. The Italian criminologist was perhaps one of the first to talk about a negative social life as an explanation to crime. One of the first to see crime emerge from some areas of the cities, the ones where everything lacks: from jobs to moral standards, discipline, education, etc.

The history of Brazilian criminology brings many examples of the negative way by which collective life is seen, only capable of producing crime and barbarism. According to Bevilaqua³ “*a great number of violent crimes begin in the sambas, or are practiced during*

² Ferri, Enrico.(1884) *Sociologia Criminal*. Madrid: Góngora, 1907.

³ Bevilaqua, Clóvis. “Criminologia e Direito”(1896) apud Rauter, Cristina. *Criminologia e Subjetividade no Brasil* 2003, p. 37.

them". Hoffbauer⁴ thinks later that "*popular motives have always the adherence of the worst social elements*". Gameiro⁵ sees in "*miscegenation*" a privileged *cultural broth* to crime, which turns Brazil into a perfect environment to the growth of this *social disease*, due to the presence of inter-racial mixture, seen as negative. These ideas, unfortunately, do not belong to history, but are present today, sometimes disguised, justifying repressive measures and police violence.

We believe that the phenomenon of crime can only be truly understood from the point of view of collective experience and, what is more important, only by taking in consideration this dimension of experience we are able to build constructive strategies toward it. It is necessary to abandon these negative views, widely spread among specialists, which constitute obstacles and are particularly visible when they make their "technical" analysis in the media about dramatic events related to violence and crime.

In the philosophy of Spinoza, social life is strengthened when human potency expresses itself and at the same time, it is the enlargement of social life which permits the strengthening of potency. It is from collective life that creation emerges, bringing the possibility of re-invention of human body and mind. Spinoza says: "*Human body has, in order to conserve itself, the necessity of many other bodies, by which it is continuously regenerated*"^{6,7}.

Certain interpretations of Freud's⁸ theory of the death instinct⁹ lead to a conception where law is viewed as an organizer of human collective life, that would be in itself chaotic, in a negative conception of chaos. Law is thought as something separated from society, external to it. This conception is based on a negative view of collective life, in which civilization is built against instinct. The "animal" portion of mankind, present in basic drives, must be "humanized" by institutional and social rules.

In Winnicott¹⁰, we find another perspective, very close to that of Spinoza, in which no law or rule is necessary to organize the basis of psychical and collective life since this basis is to be found in creation, which is also creation of rules. *Playing* is the root of later

⁴ Hoffbauer, Nelson Hungria (1935) "O Crime de Sedução". apud Rauter, Op. Cit.p.65.

⁵ Gameiro, Mario (1935), "Pena de Morte", Apud, Ibidem, p.38.

⁶ The translation into English from Brazilian editions of the work of Spinoza is mine.

⁷ Spinoza, Benedictus de (2008). *Ética*. Belo Horizonte: Autêntica. Part II, Postulate 3. [The translation into English from Brazilian editions of the work of Spinoza is mine].

⁸ Freud, Sigmund.[1930]. *Civilization and its Discontents*. London: The Hogarth Press and The Institute of Psycho-Analysis, 1975, The Standard Edition of The Complete Work of Sigmund Freud, Vol. XXI, p.64-148.

⁹ Martins, André.(2009) *Pulsão de Morte? Por uma clínica psicanalítica da potência*. Rio de Janeiro: Editora da UFRJ.

¹⁰ Winnicott, Donald Woods.(1975) *O Brincar e a Realidade*. Rio de Janeiro, Imago.

social life, for it is by playing that the child establishes relations with others. It has also to do with being active and able to interfere in the environment, simultaneously widening inventive or creative abilities. In the thinking of Winnicott, playing implies in creating rules, not just in obeying them, as it is implicit in Freud's idea of a civilization built against instinct. This is why in this theory law can only be thought as something external, imposed upon society.

There are at least two opposite ways to think the problem of collective life in the field of psychoanalysis: one that emphasizes the role of law and institutional control in order to build social life, and another one, which departs from an ontological basis for creation and production. In this second perspective, there is no necessary opposition between Law, institutions and the collective dimension of life, for laws and rules are productions of human collective experience. Although an opposition between law and society is frequently observed in empirical life, this should not be thought to be necessarily so, or any social and political change would be impossible. It is possible (although hard and rare) to build a society in which collective needs can prevail.

If we adopt the belief in the existence of innate or internal tendencies in the individual which lead to crime, we will necessarily have to adopt the imposition of limits to this tendency as the main objective of any treatment, therapeutic or educational intervention. Penal and police interventions became perfectly harmonic with this point of view, being thought as complementary to all therapeutics. There are also specialists who even think that in some cases prison is itself therapeutic, for example in the case of psychopathy or anti-social disorder.

We see in the Philosophy of Spinoza the possibility to build other perspectives to a comprehension of contemporary crime, different from the ones we just mentioned, which view in subjective internal causes or in certain social environments de sole explanation to criminal or violent acts. How has present reality become what it is now? How has someone become a murderer? How is someone capable of committing suicide? These are questions to be answered by searching in a genealogy of subjective, institutional and historical processes. One only substance creates both positive and negative phenomena, including the destructiveness present in violent acts, either directed to oneself or to others.

A *plane of immanence*¹¹ thought as a single plane of univocity of being is beyond good and bad, and it is not possible to think of any negative primary tendency present in it. The negative is always secondary and it is certainly present in acts such as suicide, murder, torture.

*The negative is an illusion of reason*¹², a consequence of a limitation of knowledge. The “evil” taken as a general concept, has not any real existence. On the other hand, good and bad are related to concrete experimentation in collective life. It is not because we consider something good that we strive for it, want it, desire it, but on the contrary, it is because we strive for it or desire it that we judge that it is good¹³.

The idea of killing is always secondary, a result of constraints and tyrannies which can be later internalized, corresponding to what Spinoza calls inadequate ideas. Therefore, they cannot be given in advance, considered as innate or constitutional tendencies. All the ideas we have come from life experience. The idea of killing, for example, is an inadequate one and a bad solution to a conflict, for it annihilates one of the parties in a relationship, eliminating or interrupting interaction. But it does not express a primary tendency.

No doubt, Spinoza’s perspective brought to the field of criminology is very far from the defense of penalty and police repression as solutions. In the same direction, for Jock Young, penalty and police are *symptoms rather than solutions*¹⁴. They are in fact incompatible with democracy, especially if we consider the astonishing growth of prison population in Brazil today and the inhumane conditions of prisons and institutions for young offenders here and in other parts of the world.

In addition to that, an educator or therapist who is always expecting the emergence of a destructive drive, blocks with this attitude his contact with the potency which exists, according to Spinoza’s definitions, in every human being. With this negative attitude, he is only capable of producing negative responses. Human affections are everywhere the same, says Spinoza¹⁵. For this reason, we cannot rely on the existence of an individual *entirely* incapable to change in a different direction, or to differ from an act he has done in the past.

¹¹ Deleuze, Gilles (1995) *Mil Platôs: Capitalismo e Esquizofrenia*. Rio de Janeiro: Editora 34.

¹² Deleuze, Gilles. (2002) *Espinosa e a Filosofia Prática*. São Paulo: Escuta.

¹³ Spinoza, Op. Cit. Part III, Scholium, proposition 9.

¹⁴ Young, Jock. (1999) *The Exclusive Society: Crime and Difference in Late Modernity*. London: Sage.

¹⁵ Spinoza, Benedictus de (2009) *Tratado Político*. São Paulo: Martins Fontes. V, 2.

An individual is composed of many individuals and for this reason, anyone can always be driven into unpredictable directions. Spinoza thinks collectivities, institutions, cities, countries, also as individuals composed of various individuals: *"The whole nature is one individual whose parts, or all the bodies, vary in infinite ways"*¹⁶ [...]. *The human body is composed of many individuals [...], each one of them being also highly composed"*¹⁷.

A contemporary reading of these definitions of Spinoza help us to think problems of XXI century, as they propose a comprehension of social life that is not separated from the comprehension of individual life. One of the consequences of this method which seem very useful to the field of Social Psychology and also to Criminology is that, from the point of view brought about by Spinoza's philosophy, individual life is immediately political.

Let's search in Spinoza's last work, the Political Treaty, other elements to think violence and contemporary criminality, making an operative use of philosophy to think contemporary questions. With the philosophy of Spinoza, says Laurent Bove, *it is possible to include individual psychology in social psychology*¹⁸. It is possible to consider that both individuals and collectivities are subject to variations of their affective life and variations of their potency.

To Spinoza, the function of state is to guarantee peace and security of life, but through penalty it will fail to achieve these objectives. Spinoza warns us that *"a city is ill ordered where every day are announced penalties for offenders. These events should be surely very rare"*¹⁹, ...

Spinoza thinks that politicians have a practical knowledge about human affections. They are superior to philosophers that can only propose utopic political models that have little to do with practical life. On the other hand, politicians use this knowledge *"[for] plotting against mankind, rather than consulting their interests"*²⁰. Politicians know that men are better conducted by fear than by reason, and they usually govern men by fear.

What could be the causes of criminality, for Spinoza?

(...) The best regime for each state is determined by [...] its relation with the general aim of civil order which is peace and security of life. As a consequence, the best state is the one where men pass their lives in concord and where their rights are observed [...] for contempt or breach of laws are not so much to be imputed do

¹⁶ Spinoza, Benedictus (2008). *Ética*. III, Scholium of lemma 7, proposition 13.

¹⁷ Spinoza, Benedictus. Op.Cit.Part II, postulate 1.

¹⁸ Bove, Laurent. (2010). *Espinoza e a Psicologia Social*. Belo Horizonte: Autêntica.

¹⁹ Spinoza (2009) *Tratado Político*. São Paulo: Martins Fontes. VIII, 41.

²⁰ Spinoza (2009), Op.Cit. I, 2.

the wickedness of the people as to the bad organization of the state. [...] Besides, men's natural passions are everywhere the same, and if wickedness prevails, and more offences are committed in one city than in another, it is certain that the former has not pursued the end of concord, has not framed its laws with sufficient prudence²¹.

We can consider that Brazilian state has not been able, throughout history, to adequately promote peace or to “*pursue the end of concord*”, just by looking at the enormous economical distance among different strata of society that prevails today, or taking into consideration the country's late abolition of slavery, occurred only in 1888. No public policy such as education or labor was ever directed to the ex-slaves in the new republic proclaimed one year later, and black population was left to itself, with no place to live except the “favelas”, or slums. If we want to talk about a public policy directed to the black population in Brazil, we need to talk about police and prisons, what is clearly expressed in a short but meaningful speech of a president of the beginning of 20th century, Washington Luis. “*In Brazil, the social question is a police question*”. Taking a look around the world in today's neoliberal capitalism, we can also see governments that “*do not pursue the end of concord and do not frame their laws with enough prudence*”, deepening social inequalities everywhere, following models dictated by international organisms that control globalized economy, divorced from the real needs of each society where these models are applied.

To Spinoza, a democratic state must guarantee rights, not in the strict juridical sense, but in the sense it must ensure the expression of a fundamental desire of individuals and collectivities: the desire not to be dominated. In his conception, a state which is not able to enforce this fundamental urge that can never be completely suppressed is always threatened by its own people. The duration of a state or government is related to its ability to guarantee the needs of its population. The more a state or government is able to act in this direction, establishing laws with this objective, the longer it will last.

New ideas about the role of state in neoliberalism propose it to be minimum when it comes to ensure public health and education, but maximum when it comes to security. The number of prisoners rises around the world, configuring what could be viewed as the

²¹ Ibidem. V, I2.

main public policy of neoliberalism²². This is particularly visible in Brazil, as well as in the United States, and can be described as a tendency in many other countries. In the state of Rio de Janeiro, from 2002 and 2006 there has been an astonishing growth of 45% of the imprisoned population²³. At the same time, the constant announcement on television of violent acts, police operations, trials and convictions contribute to generalize in the country the fear of crime and the desire of punishment as a solution to it²⁴. j

What are the limits of a government based on fear? To Spinoza, a fearful collectivity is in a low level of potency and it could more easily adhere to a tyrant. Nevertheless, it may not be easy to personify a tyrant nowadays, although we are all submissive to a faceless tyranny, the tyranny of consumption²⁵.

The multiplication of fear is a way to govern, intending to produce submission. We are incited to fear, for example, through the terrifying images of everyday news broadcasts, reporting a great number of violent facts of different kinds, and this way our imagination also becomes negative and dominated by sadness. Our affective life varies in degrees, from joy to sadness, corresponding to degrees of potency, from the lowest level of potency (sadness) to the higher (joy). By the daily repetition of violent images, we are affected by violent facts even though we haven't experienced them personally.

*"Efforts to remove a tyrant are made, when the causes by which a prince becomes a tyrant cannot be removed and on the contrary, impose themselves the more reasons to fear are offered"*²⁶ The maintenance of tyrannies, says Spinoza, are due to mistakes of human imagination. By these mistakes, men fight for their submission as if they were fighting for their freedom. Maybe it is not possible to completely overcome fear or submission to tyrannies, but what it is certain is that a multitude conducted by fear and threat will not be able to build a stable peace and a true democracy. Another consequence generated by a government of fear, according to Spinoza, is that everyone starts to fight for their own interests leaving behind common interests. We can observe this process of weakening of the struggle for common causes, this turning movement to individual

²² Wacquant, Loïc.(2001). *As Prisões da Miséria*. Rio de Janeiro: Jorge Zahar.

²³ Diuana, Vilma et al. (2008). "Saúde em prisões: representações e práticas dos agentes de segurança penitenciária no Rio de Janeiro, Brasil". *Cad. Saúde Pública*, Rio de Janeiro, 24(X):XXX-XXX, xxx, pp.105-113.

²⁴ Batista, Vera Malaguti(2012). "O Alemão é muito mais complexo". In *Paz Armada*. Rio de Janeiro, Revan.

²⁵ Schérer, René (2009) "Qual modernidade?" In *Ética e Subjetividade*. Porto Alegre: Sulina. 2009. p. 12-23.

²⁶ Spinoza (2009), Op.Cit. V, 7.

interests in contemporary societies. It corresponds also to the failure of social institutions, unable to adequately promote common interest.

As a way to combat violence, it could be said that through penalty or police we can produce perhaps a multitude without vices, but also without virtues. Obedient, submitted, it will be incapable to reach a truthful peace. *“The one who abstains from crime just because of punishment does not act for love and does not have any virtue”²⁷*

What would a truthful peace be? Certainly the kind of peace we want is not the peace of the cemeteries. We refer here to the so called Pacification Policy of Brazilian Police, in poor areas of Rio de Janeiro and also to the astonishing rates of deaths during police actions in these areas.

Individual solutions such as living protected by bars in gated communities do not bring this kind of peace to which Spinoza refers. Reaching peace could not correspond to human impotency, expressed in a life obsessed by fear, in constant search for security. A true peace can only be based on the potency of collective life expressed in concord.

In the Axiom of Part IV of the Ethics, Spinoza refers to a state of war present in nature: *“there isn’t in the nature of things, any singular thing in relation to which there isn’t another one more potent and stronger. Given anything, there always exists something more potent, by which the first can be destroyed”*. The only solution to this state of things, if we take this axiom in a political perspective, is in the relations we can establish with other human beings, through which we can regain potency. The solution to the state of war present in social life is the construction of political strategies, the establishment of social bonds, the expression of will the multitude.

There isn’t anything better to a man than another man, in the se sense that it is by establishing common bonds that men are able to overcome the limits of their individual potency in the fight against domination or destruction. Even if human beings frequently fail to establish these collective ties, the reasons for this failure must be searched in the nature of the relations they establish in everyday life and not in any basic negative tendency that would be present in individual or social life.

²⁷ Spinoza. (1973) Carta a Blyenberg, número 21. Os Pensadores, Vol. XVII. São Paulo: Abril Cultural, 1973.

References

Batista, Vera Malaguti. "O Alemão é Muito Mais Complexo". In Batista, Vera Malaguti (org) *Paz Armada*. Rio de Janeiro: Revan.

Bove, Laurent. (2010) *Espinosa e a psicologia social. Ensaios de ontologia política e antropogênese*. Belo Horizonte: Autêntica.

Deleuze, Gilles (2002). *Espinosa e a Filosofia Prática*. São Paulo: Escuta.

Diurana, Vilma et al. (2008) Saúde em prisões: representações e práticas dos agentes de segurança penitenciária no Rio de Janeiro, Brasil. *Cad. Saúde Pública*, Rio de Janeiro, 24(X):XXX-XXX, xxx, pp.105-113.

Ferri, Enrico.(1884) *Sociologia Criminal*. Madrid: Góngora, 1907.

Freud, Sigmund (1975). *Civilization and its Discontents*. [1930]. Standard Edition of The Complete Psychological Work of Sigmund Freud. London: The Hogarth Press and The Institute of Psycho-Analysis, Vol. XXI, p.64-148.

Martins, André (2009). *Pulsão de Morte? Por uma clínica psicanalítica da potência*. Rio de Janeiro: Editora da UFRJ.

Rauter, Cristina (2003). *Criminologia e Subjetividade no Brasil*. Rio de Janeiro: Revan, 2003.

Schérer, René (2009). "Qual modernidade?" In Tedesco, Silvia e Nascimento, Livia (orgs). *Ética e Subjetividade*. Porto Alegre: Sulina. 2009. pp. 12-23

Spinoza, Benedictus de. (1973) "Carta a Blyenberg, número 21". In Os Pensadores, Vol. XVII. São Paulo: Abril Cultural.

_____. *Ética*. (2008) Belo Horizonte: Autêntica.

_____. *Tratado Político*.(2009) São Paulo: Martins Fontes.

Wacquant, L.(2009) *As Prisões da Miséria*. Rio de Janeiro: Jorge Zahar Editor.

Winnicott, D.W. (1975) *O Brincar & a Realidade*. Rio de Janeiro, Imago.

Young, Jock. (1999) *The Exclusive Society: Crime and Difference in Late Modernity*. London: Sage.

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