MOGENS LÆRKE

SPINOZA and the FREEDOM of PHILOSOPHIZING

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A Note on Texts, Translations, and Abbreviations

As it remains customary in the English-language literature, I reference the original Latin or Dutch texts in the four-volume edition by Carl Gebhardt of 1925. Gebhardt's edition is not without its flaws—indeed, far from it—but it is (or was, at the time of writing this book) still the most currently used one, and many other editions and recent translations are keyed to its pagination. When available, I have, however, constantly consulted the new bilingual Latin-French editions from the Presses universitaires de France for verification purposes (the edition of the TTP by Fokke Akkerman, Jacqueline Lagrée, and Pierre-François Moreau; of the TP by Omero Proietti and Charles Ramond; of the TdIE by Filippo Mignini; of the KV by Michelle Beyssade and Joël Ganault; of the *Ethics* by Fokke Akkerman, Piet Steenbakkers, and Pierre-François Moreau). As for the English rendering of Spinoza's texts, I follow Edwin Curley's generally outstanding translations, although I do frequently diverge from them. When I do, it will be indicated in the notes, often accompanied by an explanation, except when it comes to some general points that I discuss below. For all other texts, both sources and commentaries, and when nothing else is indicated, translations are mine.

Curley reproduces the generous capitalization of words used in Gebhardt's edition which reflects that of the first printed editions of Spinoza's works. However, available autographs of other texts by Spinoza, or manuscript copies made by people close to him,[1] use very little capitalization and, as Curley himself stresses, there is no good reason to think that the capitalizations in print reflect anything but the typographical practices at the original printing house of Jan Rieuwertsz.[2] I have therefore not followed Curley on this point but capitalized according to contemporary norms. Curley also—now moving to the other editorial extreme—adds features to the formatting of the political texts that are absent from the first printings, such as indentations, variations in font size, et al. I have not followed him on this point either. I find the additional formatting—especially indentations and variations in font size that are visually quite striking—disturbing and potentially misleading. I should insist on the word "potentially" in this context. I have no specific examples *that* it is misleading or *how*. But, as Spinoza also knew, it is difficult to defend a text against its readers who more often than not will "only interpret it perversely."[3] Who knows what people might infer from, say, a reduced font size? As in the case with capitalizations, I find it preferable to forestall the problem.

I also deviate from Curley's translations when he relies on typographical peculiarities for conveying terminological distinctions. For example, he adds a prime symbol in front of the term "power" (′power) whenever it translates the Latin *potestas*, as opposed to "power" without the prime symbol, which translates *potentia* and occasionally *vis*.[4] Similarly, he gives both *cognitio* and *scientia* as "knowledge," but adds a prime symbol for the latter term (′knowledge). As another instance of such practices, in order to overcome the fact that the common translation of the two Latin terms *sive* and *vel* by the single term "or" obscures the fact that the first (most often) conveys an equivalence and the second an alternative, Curley adds italics to the term (*or*) whenever it translates *seu* or *sive*.[5] I find these solutions a bit awkward and have everywhere suppressed the prime symbols/italics. In many cases, context makes Spinoza's meaning clear enough. When I felt that it was not the case and that it made a difference, I have provided the Latin term in brackets.

I should in that context make an additional note regarding *potentia*/*potestas*. From Antonio Negri's 1981 *L'Anomalia Selvaggia* onwards, a substantial Spinoza literature considers this distinction essential for making sense of the political theories in the TTP and the TP, and of the relation between them.[6] In the English-speaking world, the reading has been adopted by Lee Rice and Stephen Barbone, Michael Hardt, and many others.[7] The distinction is sometimes in the commentaries rendered in English by giving *potentia* as "power" and *potestas* as "authority." *Potentia*, the argument goes, signifies the power essential to individuals, their *conatus*, while *potestas* corresponds to a more legal authority that individuals can transfer to a sovereign power and that a sovereign power can yield over individuals. Despite all the commentary, I am unconvinced that much hinges on the distinction and I have not systematically indicated when Spinoza uses which term. I have several reasons for taking that position. First, while something like this distinction is perhaps operative in some passages,[8] Spinoza does not implement it systematically or thematize it explicitly.[9] In fact, it is not infrequent that he employs the two terms interchangeably.[10] Second, it is not clear to me that the explanatory work done by this rationally reconstructed distinction outweighs the interpretive problems it creates.[11] Third, as I will show in Chapter 9, the problems relating to Spinoza's social contract theory that the analytic distinction is principally designed to overcome can be better dealt with by other means. Fourth, and finally, with regard to the English rendering of *potestas*, as I shall argue in Chapter 5, Spinoza has a rich theory of *authoritas*, and I believe the English term "authority" is best reserved for that context. Indeed, in many ways, I think we would do better to read Spinoza's theory of political power in the context of more classic (Ciceronian and Gelasian) distinctions between *authoritas* and *potestas*/*potentia*.

Curley has put every effort into finding ways of consistently translating single terms, but it is obviously not possible to always render a single Latin term by a single English translation, or vice versa. I have often been struck by the stylistic and philosophical superiority of his solutions when confronted with such choices. In some cases, however, they obscure what I think are central conceptual connections. It is, for example, the case when he occasionally translates *dogma* by "maxim" rather than, as elsewhere, "doctrine," or sometimes translates the verb *amplecti* by "to accept" rather than, as he most often does, "to embrace." At other times, an identical translation of several terms can invite confusion, for example when the term "authority" translates *authoritas* but also sometimes the intractable term *imperium*. Finally, in some cases, Curley's translations suggest conceptual distinctions that may or may not be implied but that in any case are not discernible via Spinoza's own terminology, as for example when, in the TP, he translates the single Latin term *templum* alternately by "house of worship" or "temple," or, in the TTP, he gives the single Latin term *plebs* sometimes by "ordinary people" and sometimes by "mob." Often I have not found better alternatives and let Curley's choices stand, but I have found it worthwhile to point them out. Generally, addressing such issues of translation has been important for this study where the consideration of lexical fields, their internal constitution within Spinoza's texts, and their external connections to other, contemporary texts play a decisive role. It should, however, be stressed that my own choices of translation—whether they diverge from Curley or not—are often motivated by this text- and term-oriented methodology that other readers of Spinoza might not find palatable. It also explains why I so frequently indicate in brackets the original terms employed by both Spinoza and other philosophers.

I also need to take note of a few additional terms that pose problems and that call for some comments, regardless of whether I have deviated from Curley's choice of translation or not.

Curley translates Spinoza's key virtue *charitas* as "loving-kindness." I have everywhere changed it to "charity," which is also the choice of the first English translation of the TTP of 1689, usually attributed to the English Deist, Charles Blount.[12] Curley takes his cue from the fact that, in a particular passage in TTP XIII, *charitas* translates the Hebrew term *chesed* which, following a practice adopted by certain English Bible translators, should be given as "loving-kindness."[13] But I do not see Spinoza as addressing himself to Hebraists or Bible translators but mostly to a free-thinking non-academic audience, principally of Christian extraction. And I think, in particular for understanding the so-called doctrines of universal faith, one of which stipulates that "the worship of God and obedience to him consist only in justice and charity, or in love toward one's neighbor [*Justitia, & Charitate, sive amore erga Proximum*],"[14] that it is important to maintain everywhere the contextual connection to the Paulinian understanding of brotherly love that doubtless would be the principal connotation of the term *charitas* for Spinoza's intended reader. Curley moreover prefers "loving-kindness" in order to avoid the association to charity work in the sense of providing help to the needy.[15] And certainly, Spinoza was no fan of giving alms but felt, rather perceptively, that "the case of the poor falls upon society as a whole, and concerns only the general advantage," while "the thankfulness which men . . . display toward one another is for the most part a business transaction or [*seu*] an entrapment, rather than thankfulness."[16] Still, as Beth Lord has shown in some excellent work on Spinoza and economic inequality, the association might not be quite as inappropriate as Curley thinks.[17]

By contrast, I have followed Curley in translating *dogma* by "doctrine," as opposed to the more theologically connoted "dogma." While I am unmoved by Curley's explicit reason for shunning "dogma"—that it "now frequently has the connotation, not present in the Latin, of 'an imperious or arrogant declaration of opinion' (OED), of uncritical and unjustified acceptance"—it quickly became apparent to me while writing that using "dogma" became awkward and artificial in many contexts where an English equivalent of *dogma* was necessarily called for. I am, however, not entirely confident that I have made the right choice, so I will register some of my concerns here. First, and most importantly, it makes it somewhat difficult to navigate the lexical field between the terms *dogma* (given by Curley as "doctrine," occasionally "maxim"), *doctrina* ("teaching," but sometimes "doctrine"), *documentum* ("teaching" or "lesson"), and *documenta docere* ("to teach lessons").[18] Next, in the context of Spinoza's discussion of the doctrines of universal faith (*fidei universalis dogmata*) in TTP XIV, translating *dogma* by "doctrine" tends to render less obvious some relations to the theological context of Spinoza's discussion. For example, in the translations I have used of Lodewijk Meyer's *Philosophia S. Scripurae interpres* (by Shirley) or Grotius's *Meletius* (by Posthumus Meyjes), *dogma* is everywhere given as "dogma" in comparable discussions of the foundations of the Christian faith. Spinoza does, however, also occasionally use the expression *dogmata politica* that we must translate as "political doctrines," and translating differently in the theological and in the political context would seriously obscure a crucially important symmetry between the argumentative structures on the theological and political sides of Spinoza's overall development.

Curley gives the expression *summa postestas* as "supreme 'power." I have not changed this choice of translation when quoting Spinoza's text, apart from removing the prime symbol, but it is important to realize—as Curley also makes clear in his glossary[19]—that the appropriate translation depends on what kind of context one wants to place Spinoza in, whether one wants to coordinate with seventeenth-century translations or contemporary translations and critical editions, and so on. For example, the 1689 translation of the TTP gives *summa potestas* as "sovereign power"; Hobbes uses *summa potestas* to translate the English "sovereign" in the 1665 Latin *Leviathan*; the current critical edition of Grotius's *De imperio summarum potestatum circa sacra* gives *summa potestas* as "supreme power"; etc. In my own commentary, I often render the expression by the hybrid "sovereign power" or "sovereign powers," and occasionally by "sovereign" when a single person, i.e., a monarch, is clearly under discussion.

Regarding the translation of the term *respublica*, I follow Curley and translate it by "republic." In some contexts, in particular in relation to Spinoza's treatment of the *respublica Hebraeorum*, this can sometimes come through as misleading: Moses's putatively theocratic regime, lasting even beyond his grave, was hardly "republican" in the sense we would use that term today. Still, as is often pointed out, even this seemingly authoritarian government was originally constituted—or rather imagined by the Hebrews to be constituted[20]—by the common agreement of the people, who established the republic "as with one voice."[21] Moreover, other possible translations create problems. The term "state" is best used as one translation of *imperium*, to be employed when referring to the governmental structure emanating from the *summa potestas*, being sometimes even identified with the latter.[22] The term "commonwealth" must be reserved for the translation of *civitas*, in accordance with a seventeenth-century practice that can be observed, for example, between the English and Latin versions of Hobbes's *Leviathan*,[23] and that Curley also follows.[24]

In TTP XVIII, in his account of the decline of the Hebrew Republic, Spinoza argues that "there were no sects in their religion until after the high priests [*Pontifices*] in the second state had the authority to make [religious] decrees." He explains how, in the first state, "no decree could derive its validity from the high priest [*pontifice*]." Later, however, the Jews fell prey to "the flattery of the priests [*pontificum adulatio*]" after "the priests [*pontifices*] were trying to get the rule at the beginning of the restoration." For this reason, Malachi "reproached the priests [*sacerdotes*] of his time."[25] Throughout these passages, Curley has "high priest" for the two first occurrences of Spinoza's *pontifex*, then "priest" for the following two, and then "priest" again for the single occurrence of *sacerdos*. One section later, however, he reverts back to giving *pontifex* as "high priest" when Spinoza notes that "certainly the high priests [*Pontifices*] were never able to do this so discreetly that the wise did not notice it." [26] Now, *pontifex* is usually translated "high priest," while *sacerdos* is translated "priest."[27] So why does Curley's translation not simply track Spinoza's terms here? From a general interpretive perspective, the choice is not unimportant. Spinoza's analysis of the religious decline of the Hebrew Republic is a foil for his critique of orthodox Calvinism and the question is whether, in this context, he is criticizing the entire class of churchmen ("priests") or only ecclesiastical leaders ("high priests"). Now, Curley does not explain why, on two occasions, he translates *pontifex* as if Spinoza had written *sacerdos*, but I suspect we must seek an explanation in the biblical passage Spinoza is commenting on, namely Malachi 2:7–8. Spinoza, in Curley's rendering, gives these two verses as follows: "The priest's lips keep knowledge safe [*Labia pontificis custodiunt scientiam*], and the law is sought from his mouth, because he is God's messenger; but you have departed from the path."[28] Here as well, Curley retains "priest" for Spinoza's *pontifex*, but it is easier to see why: Spinoza's Latin rendering of Malachi 2:7 is troubling. It is out of tune with both Latin versions of the Old Testament he used: the Junius-Tremellius edition has "Quum labia *sacerdotis* observarent scientiam";[29] the Vulgate has "Labia enim *sacerdotis* custodient scientiam." Spinoza's Spanish Bible—the 1602 Amsterdam edition of the *Biblio del Cantaro*[30]—only has a personal pronoun at Malachi 2:7 ("La Ley de verdad estuvo en *su* boca"), but it is correlated with a *sacerdos* at Malachi 2:1. The Hebrew has ןֵהֹכ, *kohen*, usually given as "priest," not גדול ןהכ, *kohen gadol*, usually given as "high priest." Spinoza's translation is closest to the Vulgate, but changes *sacerdos* to *pontifex*. I can only assume that, on the authority of the single occurrence of the term *sacerdos* we find in Spinoza's text, Curley then makes the choice to correct both Spinoza's rendering of the verse and the directly associated commentary, so that they are in conformity with the editions of the Bible Spinoza uses. I think, however, it is the wrong call to second-guess Spinoza here and have chosen to give all occurrences of *pontifex* in his text as "high priest."[31]

Curley translates Spinoza's *acquiescentia in se ipso*—our highest good according to the *Ethics*—by "self-esteem."[32] His choice is governed by the fact that Spinoza is using Cartesian terminology and that, in Spinoza's Latin edition of Descartes's *Passions de l'âme*, *acquiescentia in se ipso* translates the French *satisfaction de soy mesme*.[33] Curley does, however, recognize that other options are acceptable and offers alternative translations for other, closely related notions.[34] For example, at E5p27 and E5p32d, he translates *mentis acquiescentia* by "satisfaction of mind"[35] and *vera animi acquiescentia* at E5p42s as "true peace of mind." At E4app4 and E5p10s, he translates *animi acquiescentia* by "satisfaction of the mind."[36] He gives this same expression as "peace of mind" in the TTP.[37] While many commentators maintain Curley's choices, they have occasioned some scholarly discussion.[38] Most recently, Clare Carlisle has argued that Curley's translation "distorts and obscures Spinoza's account of the human good," partly because it renders the lexical field constituted around the term *acquiescentia* indiscernible, arguing that it obfuscates the connotations to stillness and quietude implied by the Latin.[39] I, for my part, would not go quite that far, but I have been troubled by the possible confusion the translation creates with the passion called *edelmoedigheid* in the KV, a Dutch term perhaps most naturally translated as "generosity," "nobility," or "magnanimity," but that Curley (advisedly) gives as "legitimate self-esteem."[40] While close connections clearly exist between them, there is no way that *edelmoedigheid* can be considered as straightforwardly equivalent to *acquiescentia in se ipso* and I find it potentially misleading to translate them both as "self-esteem."[41] I therefore opt for "self-contentment" as a safer translation of *acquiescentia in se ipso*.[42]

Finally, I should make a note about gendered pronouns and how they are used throughout this study. Most English translations of Spinoza's principal works, including the almost contemporary 1689 translation of the TTP, and the vast majority of commentaries will translate *homo* in Spinoza by "man" rather than "human being." Since those are translations and commentaries that I will constantly engage with in the following, trying to change that practice has proven impossible. But it is important to realize that, despite the fact that Spinoza was hardly a feminist, no gender attribution is a priori given with the Latin term or, in Spinoza's own context, necessarily implied. For example, if we turn to the 1677 Dutch translation of the *Ethics* in the *Nagelate Schriften*, *homo* is translated by *mensch*, i.e., a human being, rather than *man*. The Dutch version of the *Korte Verhandeling* (which is the only one we have) also employs *mensch*. This given, I have—as, incidentally, the Oxford University Press house style also requires—opted for gender-neutral terms like "human being" or "people" whenever I felt it was possible, but in some cases attempting to do so gave rise to the most infelicitous constructions and circumlocutions. In those cases, in the interest of readability, I have declared defeat to older conventions of language and used masculine nouns and pronouns. This also applies to fixed English expressions like "common man" (*vulgus*), "wise man" (*sapiens*), "honorable man" (*honestus*), etc.

I have employed the following abbreviations:

Spinoza

Texts

CM *Cogitata metaphysica*

E *Ethica*; 1–5 = part numbers; d = definition (when following the part number); a = axiom, p = proposition, d = demonstration (when after a proposition number); c = corollary, s = scholium; l = lemma; app = appendix (followed by chapter number, when applicable); def.aff. = definitions of the affects. E.g., E2p40s2 is the second scholium to proposition 40 in part 2 of the *Ethics*

KV *Korte Verhandeling van God de Mensch en deszelvs Welstand*

PPD *Renati Descartes Principiorum philosophiae*

TdIE *Tractatus de intellectus emendatione* (section numbers by Bruder, also used by Curley)

TP *Tractatus politicus*

TTP *Tractatus theologico-politicus*

Editions

C Spinoza, Benedictus. *The Collected Works of Spinoza*, 2 vols., edited and translated by Edwin Curley (Princeton, NJ: Princeton University Press, 1985–2016)

G Spinoza, Benedictus. *Opera omnia*, 4 vols., edited by Carl Gebhardt (Heidelberg: Carl Winter, 1925)

Descartes

AT *Oeuvres*, 12 vols., translated by Charles Adam and Paul Tannery (Paris: Cerf, 1897–1909)

CSMK *The Philosophical Writings of Descartes*, 3 vols., edited by John Cottingham, Robert Stoothoff, Dugald Murdoch, and Anthony Kenny (Cambridge: Cambridge University Press, 1985–91)

1
Introduction

The End of the Republic

When the Amsterdam municipality in 2008 decided to erect a monument for Spinoza (1632–77) near the city hall at Zwanenburgwal, they chose to engrave onto the pedestal the quote they presumably believed would best capture Spinoza's lasting philosophical legacy and contribution to the history of Dutch political thought. It is a short phrase that can be found in chapter XX of his 1670 *Tractatus theologico-politicus* (*Theological-Political Treatise*, hereafter TTP) according to which "the end of the republic is really freedom" or, as Spinoza writes in the original Latin, *finis… reipublicae revera libertas est*.[1] The philosopher was thus, by reference to the final chapter of his treatise, honored as someone who had primarily defended freedom and who saw freedom as the noblest aim of society.

However, some seventeen chapters earlier in the same book, Spinoza makes an equally unambiguous, but seemingly entirely different, claim about the aim of the state, namely in chapter III when proclaiming that "the end of all society and of the state… is to live securely and conveniently [*finis universae societatis, & imperii est… secure & commode vivere*]."[2] Spinoza writes this in the specific context of a discussion of the ancient Hebrew Republic, while explaining how God's promise to the Patriarchs did not involve any particular privilege of the Jewish people, or imply that they were a chosen people in any strong sense, but only that obedience to the law would bring "continual prosperity."[3] He makes it clear, however, by adding that he intends to "show [this] more fully in what follows"[4] and by, later, in TTP XVII, realigning his thinking with the republican slogan drawn from Cicero, *Salus populi suprema lex est*,[5] that his analysis in TTP III is not limited to the particular context of the Hebrew Republic but has a general application, just as that other phrase in TTP XX.

So what was, in fact, the aim of the republic for Spinoza? Was it freedom or was it security? One important first step toward answering that question involves realizing that the phrase engraved on the Spinoza monument was not originally conceived as a stand-alone motto. It is extracted from a longer passage and its meaning governed by the immediate context in which it occurs. Hence, in the engraving on the pedestal, a word is omitted, indicated by three suspension points in the Latin rendering of the phrase above, namely the conjunction *ergo*. Spinoza in fact wrote: "*So* [*ergo*] the end of the republic is really freedom." This inconspicuous word, *ergo*, is important because it invites us—in fact, obliges us—to

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consider what precedes the phrase in Spinoza's text. Moreover, it also suggests that we should take that preceding passage as something that, for Spinoza, could be described adequately by the term "freedom." And what that preceding passage describes is how the state's role with regard to its citizens is "to enable their minds and bodies to perform their functions safely, to enable them to use their reason freely, and not to clash with one another in hatred, anger or deception, or deal inequitably with one another."[6] Therefore, as becomes clear when correlating the two passages, if freedom and security, i.e., safety, are both the aim of the state, it is because the latter is an integral part of the former, or that security is just one component of a more complex conception of freedom that also incorporates the use of reason, equity, and the absence of hatred, anger, and deception.

The argument of the present work is that this complex conception of freedom also governs the meaning of the notion that Spinoza introduces in the subtitle of the TTP, namely the "freedom of philosophizing," or *libertas philosophandi*. My polemical aim is to do away with a still current but I think misguided understanding of the freedom of philosophizing as something akin to a broad legal permission to express whatever opinion one embraces, comparable to a right to "free speech" in the sense it has acquired especially in the American legal tradition and political culture, enshrined in the First Amendment to the United States Constitution. How to interpret exactly the First Amendment, especially what kind of speech it covers and what its limits are, is of course an exceedingly complex matter that I cannot undertake to discuss in any detail here. However, I think it relatively uncontroversial to say that, in this tradition, "free speech" is understood as an individual right of citizens that the state honors by abstaining from putting legal constraints upon their speech. Free speech is thus understood in terms of the kind of freedom that Isaiah Berlin termed "negative,"[7] paradigmatically stated in Hobbes's definition of liberty as "the absence of externall Impediments,"[8] as opposed to the kind of "positive" freedom as self-determination that Spinoza embraces in the *Ethics*, according to which "that thing is called free which exists from the necessity of its nature alone, and is determined to act by itself alone."[9] Such negatively defined free speech may have its limits; some kinds of speech may not be legally permitted. Still, on this understanding, whether one speaks freely or not is not as such a function of what one says or how one says it, but of whether one is legally allowed to say it or not. What I want to show is that Spinoza's freedom of philosophizing, by contrast, is entirely predicated on what is being said and how. The collective political freedom of philosophizing in the TTP cannot be identified with the kind of individual ethical freedom whose conditions Spinoza explores throughout the *Ethics*. But it is still akin to it and the two distinct conceptions of freedom in the TTP and in the *Ethics* subtly coordinated with each other. The freedom of philosophizing represents a "positive" conception of how to better regulate our mutual interactions in view of collective self-determination, not a "negative" legal conception recommending a mere absence of rules. In fact, whether philosophizing is free or not is not a legal matter at all. It depends on whether those who engage in it interact with honesty and integrity, i.e., whether what they say genuinely reflects what they think and what they think reflects a judgment they can genuinely call their own.

A first important step toward avoiding the assimilation of Spinoza's conception of the freedom of philosophizing to the legal tradition of free speech is to not confuse the "freedom" (*libertas*) of philosophizing with what Spinoza speaks of in terms of a "permission" (*licentia*) to say what we think. This latter term also figures prominently in the TTP, in the title of chapter XX where "it is shown that in a free republic everyone is permitted [*licere*] to think what he wishes and to say what he thinks." On the influential reading that I reject, by "freedom of philosophizing" and "permission to say what one thinks" Spinoza basically refers to the same thing, namely a right to speak freely that citizens in a free republic are granted, and as something that can be legally allowed in the same way as it can also, in an unfree republic, be legally denied. In modern scholarship, this approach to Spinoza's freedom of philosophizing was perhaps first suggested by Leo Strauss in his long article of 1947–8 on "How to Study Spinoza's 'Theologico-political Treatise,'" reprinted as a chapter in his 1952 *Persecution and the Art of Writing*.[10] Reading Spinoza in this fashion requires that the notion of freedom governing the TTP's conception of the freedom of philosophizing is entirely distinct from the more considered notion of freedom that he develops in the *Ethics*. This is, for example, why Strauss insists that Spinoza's plea for the freedom of philosophizing is "based on arguments taken from the character of the Biblical teaching."[11] The importance of this phrase can perhaps best be measured in terms of what it does *not* say, or implicitly denies, namely that the freedom of philosophizing, without necessarily being identical to it, is also informed by Spinoza's positive conception of freedom as self-determination in the *Ethics*.[12]

Strauss, of course, composed his analysis over half a century ago and much has been said since then to deepen, correct, or refute it.[13] Nonetheless, *mutatis mutandis*, the position remains prominent. The reading was already consolidated and further elaborated by Lewis S. Feuer in *Spinoza and the Rise of Liberalism*, published in 1958.[14] Still, the doubtless most influential—and in many ways insightful—example is Steven B. Smith's 1997 *Spinoza, Liberalism and the Question of Jewish Identity*. For him, "the *Treatise* ought to be considered a classic of modern liberal democratic theory," a theory which "is based on the model of the free or liberated individual. This individual is free not only in the philosophical sense…but in the ordinary sense that comes with liberation from ecclesiastical tutelage and supervision."[15] Faithful to that general framework of interpretation, predicated on an "ordinary sense" fraught with anachronism, Smith goes on to argue that "the great theme of the *Treatise* is the freedom to philosophize,"[16] but provides very little by way of explaining what, exactly, the exercise of that freedom consists in. Instead, he puts considerable energy into demonstrating that it is secured by granting "individual liberty and freedom of speech"[17] and for the rest focuses on the "liberated self" resulting from that.[18] A more recent example of a liberalist reading of Spinoza's freedom of philosophizing can be found in Ronald Beiner's 2005 *Civil Religion*, where Spinoza's freedom of philosophizing simply expresses the conviction that a "liberal society requires a protected space for intellectual freedom."[19] In this way, Beiner claims, the appeal to our "natural right to think freely" in chapter XX represents "the consummated statement of Spinoza's liberalism"[20] where he is "trying to open up more space for individual liberty."[21] I find very little to agree with in these characterizations.

A better, but still problematic, understanding of the relation between Spinoza's conceptions of the "freedom of philosophizing" and "permission to say what one thinks" is to consider them as two sides of a single, dialectical notion of freedom. Thomas Cook has argued "that in the first instance *libertas philosophandi* is best understood as negative freedom—i.e. freedom from constraint."[22] This "negative" approach leads Cook to depict the *libertas philosophandi* as being concerned with assigning the "limits of the sovereign's power and right" vis-à-vis the citizens of the state. On this understanding, Spinoza's freedom of philosophizing enshrines a legally protected right of individuals to say what they think and think what they want. Cook, however, then goes on to argue that Spinoza's concept also "points toward a more 'positive' conception that is closer to the freedom of the rational person," echoing what Manfred Walther has described as Spinoza's "dialectics of freedom."[23] This two-sided, dialectical conception of Spinoza's freedom of philosophizing shared by Cook and Walther represents, I think, a significant advance from Strauss, Smith, and Beiner's straightforward liberalist interpretations.[24] The problem, as I will argue, is that it fails to capture Spinoza's systematic distinction between permission and freedom. In fact, there is nothing dialectical about Spinoza's conception of freedom because the notion of a permission to say what one thinks that he develops in TTP XX is not a core part of his notion of the freedom of philosophizing at all, but an auxiliary notion adjacent to it. It is conceived as a political recommendation not to outlaw free philosophizing, as a necessary but far from sufficient condition of *libertas philosophandi*. Being permitted to philosophize is certainly not, for Spinoza, equivalent to doing so freely.[25]

But let me briefly outline in more positive terms the alternative I propose. As I see it, Spinoza's freedom of philosophizing is not grounded in a legal permission enshrined in civil law but in a natural authority inseparable from human nature. As we shall see in Chapter 5, Spinoza describes free philosophizing in terms of an "authority to teach and advise" closely related to a freedom of judgment that belongs to all human beings in virtue of their humanity. Moreover, free philosophizing is the intellectual activity of a community. By contrast to Descartes's putatively solitary meditator, persons who philosophize freely in Spinoza's sense are by definition engaged in an activity relating them to others.[26] This is also, as we shall see in Chapter 4, why Spinoza characterizes free philosophizing as a "mode of speech" or a discursive "style," a style of "brotherly advice" that he opposes to the commanding style of prophetic revelation. This collective nature of the freedom of philosophizing points to what I take to be its fundamental political signification: the notion enshrines Spinoza's attempt to theorize a new republican public sphere. In this respect, the position I advocate is not unlike the one put forward by Julie Cooper when, resisting liberalist readings, she argues that "when Spinoza defends freedom of speech, he endorses a mode of democratic citizenship, and an ethos of public discourse."[27] And I agree entirely with Christophe Miqueu when he presents Spinoza's republican project as one that advances an ideal of "citizenship as collective emancipation."[28]

In a nutshell, my view is that the freedom of philosophizing is not for Spinoza an individual civil right but a collective natural authority constitutive of a particular kind of public sphere.[29] Its constitution requires that citizens collectively take control of their own free judgment in a way that Spinoza believes can be achieved only through "good education, integrity of character, and virtue."[30] This is why, as I analyze it in Chapter 8, his attempt to establish the conceptual foundations of a republican public sphere is intimately related to a rudimentary program for reform of public education.

Bringing out the richer, positive notion of free philosophizing sketched above is the first aim of the present study. A second aim is a reassessment of Spinoza's contribution to the modern conception of toleration. Politically, Spinoza's aim is to show that free philosophizing is not only *harmless*, but *beneficial* for the peace and stability of a republic. As he writes in the preface to the TTP, "the main thing" that he "resolved to demonstrate in this treatise" was not only that "this freedom can be granted without harm to piety and the peace of the republic, but also that it cannot be abolished unless piety and the peace of the republic are abolished with it."[31] This conception has, among present-day commentators, earned Spinoza a prominent place among the important and most forward-looking defenders of "toleration" of the seventeenth century. Spinoza scholars in the English-speaking world who have defended that position include Edwin Curley, Jonathan Israel, Michael Rosenthal, John Christian Laursen, and Justin Steinberg.[32] Moreover, in the broader literature on toleration, including in very influential historical commentaries such as those by Perez Zagorin, Simone Zurbuchen, Philip Milton, or Rainer Forst, Spinoza consistently figures, along with Locke and Bayle, as one of three paradigmatic tolerationists of the early modern period.[33] I have no quarrel with those readings. Spinoza, of course, does not, strictly speaking, have a notion of toleration. The noun *tolerantia* figures only once in his entire work, in TTP XX, in a context where it is most appropriately translated as "endurance."[34] Even if we include his use of the verbal or adjectival forms of the term, none of them suggest "toleration" in the required sense.[35] Still, one could argue that it matters little if the term is present if only the idea is, and some aspects of Spinoza's conception of the freedom of philosophizing certainly resonate strongly with later, modern conceptions of toleration.[36] His political theory incorporates ideals of peaceful coexistence that, for all intents and purposes, amount to something like a political theory of toleration, stressing, for example, that "men must be so governed that they can openly hold different and contrary opinions, and still live in harmony."[37] Moreover, he describes the suppression of the freedom of philosophizing in ways that today can hardly fail to conjure up the term "intolerance." He argues fiercely against those who "try to take this freedom [of judgment] away from men" and who seek to "bring to judgment the opinions of those who disagree with them."[38] And he proclaims those who "censure publicly those who disagree" and "persecute in a hostile spirit" to be "the worst men,"[39] even to be "antichrists."[40]

At the same time, however, when building his theological-political doctrine, Spinoza also appeals, and gives central importance, to theories that are not today usually associated with doctrines of political or religious tolerance. First, in TTP XIX, he develops an Erastian theory of church–state relations, arguing in favor of giving the state firm control over ecclesiastical matters. But today, after Locke, toleration is most often associated with a political regime that does not subject religious opinions to political control. Second, in TTP XVI, he adopts a contract theory clearly informed by Thomas Hobbes who can hardly be said to represent a beacon of modern toleration in the contemporary scholarly literature. Even those commentators who have most successfully attempted to attribute Hobbes a positive role in the elaboration of the modern conception of toleration—such as Edwin Curley or, more recently, Teresa Bejan—struggle to get the theory off the ground, mostly because of the firm control over public worship that Hobbes grants the civil sovereign, limiting toleration to the internal realm of a mute individual conscience.[41] As I shall argue in Chapter 11, I concede that there is a small crack in Hobbes's otherwise hermetically closed theoretical edifice, having to do with his conception of private worship in secret that allows toleration some minimal, additional wriggling room within his basic schema of obligatory external profession and free internal faith.[42] But it is hardly enough to make *De Cive* or the *Leviathan* the go-to place for a positive understanding of modern toleration, and the background of Spinoza's political philosophy in Hobbes gives some reason to at least question his tolerationist credentials and the overall coherence of his political theory from that perspective. Both these aspects of Spinoza's theological politics—his theory of *ius circa sacra* and his apparent Hobbesianism—render it impossible to assimilate his conception of the freedom of philosophizing in any straightforward way to contemporary theories of free speech and toleration in the broadly Lockean tradition, which tends to think about these matters in terms of constitutionally guaranteed individual liberties and the separation of church and state.

Elements of Method

This study is methodologically informed by work I have published elsewhere on the methods, aims, and history of the history of philosophy as a discipline, and I should very briefly give the reader a sense of the programmatic intuitions behind this previous work, of the terminology I have devised in order to implement them, and the bearing they have on the way that I approach Spinoza's work.[43]

As I see it, the history of philosophy, as a discipline, is essentially concerned with the reconstruction of the historical meaning of past philosophical texts. It must attempt to strike a difficult balance between systematic and historical considerations, between reconstruction of arguments internally within the texts and inquiry into the historical circumstances and intellectual context of the writing and subsequent reception of those texts, grounded in a principled notion of what such historical meaning amounts to. The text, rather than the author, constitutes the privileged relay between the conceptual structure on the one hand and the historical situation on the other: the text has one foot in the philosophy it signifies, the other in the history in which it signifies. Now, one way—popular among historians of philosophy and intellectual historians alike—of capturing both the systematic and historical aspects of past philosophical texts, and the interaction between them, has been to study them as contributions to historical controversies.[44] It is a methodological wagon that I am happy to jump on. I fully agree with Susan James that "works of philosophy are best understood as contributions to ongoing conversations or debates."[45]

The controversies within which philosophical texts acquire their meaning are defined partly by an intellectual context, partly by historical circumstances.[46] By the intellectual context of a text, I understand a cluster of other texts that this text responds to, or that respond to it, at a given historical moment and under particular historical circumstances. Within that context, these texts communicate in all conceivable ways, by reinforcing, contradicting, dismissing, overruling, correcting, expanding, re-appropriating, misconstruing, or confronting each other. In this way, the texts within a given contextual cluster form interpretive perspectives on each other—perspectives that can inform us about the historical meaning of each of them within that specific context. By historical circumstances, I understand the non-textual setting of the text, including the institutional framework, the political situation, socio-cultural factors, and so on. My contention is then that the meaning of a past philosophical text can be determined by considering the internal, structured argument of the text as a singular response to a given external context of writing established within particular historical circumstances; in short, by considering the text as a structured contribution to a given philosophical controversy.

This approach, systematically constructed around the past philosophical text, its intellectual context, and the historical circumstances of its reading, has a bearing on two methodological problems specifically related to the reading of Spinoza's TTP, both having to do with the nature of his writing.

First, my focus on the text explains the singular importance I give to Spinoza's *words*, both to the systematic sense they acquire within the conceptual structure of his arguments and to the resonances they have within the intellectual context and historical circumstances of his use of them. I am particularly interested in the ways that those two aspects of their signification work together—or in Spinoza's case, often clash—in singular ways so as to bestow upon the TTP a particular historical meaning. Such a terminology-oriented approach, however, presupposes that the TTP is a carefully written philosophical text containing not just carefully thought-out philosophical arguments, but also a carefully elaborated philosophical language to express them. And this assumption is at odds with at least one prominent commentator on the TTP. According to Theo Verbeek,

> every reader of Spinoza's *Theologico-political Treatise* (1670) will know that it is a difficult book but will also realize that its difficulties are not like those of, say, the *Critique of Pure Reason* or the *Phenomenology of the Mind*. Its vocabulary is not technical at all; nor is its reasoning complicated or its logic extraordinary. If it is difficult it is…because one fails to see how things combine; how particular arguments fit into a comprehensive argument; how a single chapter or couple of chapters relate to the book as a whole and how the book relates to Spinoza's other work.[47]

This is not a depiction of the TTP and of the difficulties associated with reading it that I can recognize. Verbeek's evaluation, it seems to me, underestimates the conceptual precision and complex coherence of Spinoza's argument and, it should be noted, the excellent systematic interpretation of the TTP that follows these introductory remarks in Verbeek's book belies his own assessment. Spinoza is, on the whole, and especially in his later works—the *Ethics*, the TTP, and the *Tractatus politicus* (*Political Treatise*, hereafter TP)—careful, consistent, and systematic about his use of particular terms, and I shall generally assume that he is, unless there is irrefutable proof to the contrary. Apparent inconsistencies should always be considered an invitation to seek out deeper, more complex patterns, and Spinoza's text declared genuinely inconsistent or his writing careless only when all other options have been exhausted.

My reading of the TTP thus relies importantly on two methodological assumptions.[48] First, I operate with a *structural* assumption that an established orderly pattern in the use of some term or set of terms—an ordered lexical field, so to speak—constitutes a formal argument in favor of a given interpretation on a par with explicit textual evidence. For example, my entire reconstruction in Chapter 5 of Spinoza's understanding of "authority" (*authoritas*) is derived from a review of occurrences and their context of use within the TTP. Spinoza never explicitly thematizes the term. The same applies to a number of other terms that have systematic meaning on my analysis, including “doctrine” (*dogma*), “foundation” (*fundamentum*), “standard” (*norma*), “to embrace” (*amplecti*), “integrity” (*integritas*), “collegially” (*collegialiter*), and many others. Second, I operate with a *systematic* assumption that the orderly use of given terms already established in one domain will, in principle, apply to the same terms when employed in relation to other domains as well—a kind of *analogia fidei* of philosophical text interpretation. As the most important example, my analysis of Spinoza’s contract theory in Chapter 10 relies importantly on the idea that the structure of argumentation underlying his doctrine of a social contract is formally similar to the one underlying his account of the so-called doctrines of universal faith—an idea based on the systematic assumption that Spinoza employs the terms “doctrine” (*dogma*) and “foundation” (*fundamentum*) in analogous ways in the political and theological contexts. Without these two methodological assumptions, many analyses in this book will appear merely conjectural.

By insisting on the philosophically careful writing and systematic character of the TTP, however, I do not want to imply that the deepest meaning of the book reduces to the relation it entertains with Spinoza’s systematic philosophy, i.e., the *Ethics*. Spinoza interrupted his work on the *Ethics* in 1665 to work on the TTP. The TTP was completed in 1670, after which he returned to working on the *Ethics*, completing it sometime in 1675.[49] The writing of the TTP took place quite literally in the middle of his work on the *Ethics*. Given this history, considerable correlation and overlap between the two works is only to be expected, and I agree with Susan James that “although these two works vary enormously in style and scope, they are intimately connected.”[50] The TTP and the *Ethics* are, via their common ethical agenda, inseparable.[51] Moreover, it does not take much reading in the TTP to realize how often, in individual passages and in the use of specific terminology, Spinoza draws on conceptions also found in the *Ethics* when elaborating his arguments in the TTP, for example about common notions and knowledge of God,[52] the identity of the power of nature with the power of God,[53] the necessity of the universal laws of nature,[54] the relation between the power of nature and the divine intellect,[55] the conception of man as a “part of the power of nature,”[56] and so on. The connections are countless.[57] Still, as Susan James also stresses,[58] it would be a serious mistake to take one book to be the foundation of the other. We will fail to grasp the systematic argument of the TTP if we simply presuppose that its underlying systematic framework has a form similar to that of the metaphysics of the *Ethics*. The TTP has a systematic character entirely of its own. It is borne out in strikingly precise use of terms and concepts, meticulously elaborated and constructed internally within the text, yet in constant external dialogue both with the *Ethics* and with the terminology and concepts of other, contemporary writers concerned with similar theological, political, and philosophical issues.

The focus I put on the text and its systematic meaning also has an immediate bearing on a topic much discussed by both supporters and detractors of the so-called "esoteric" reading of Spinoza first championed by Leo Strauss, namely whether and to what extent we should read the TTP "between the lines" in order to gain access to the meaning of the text, understood as Spinoza's deliberately hidden, but more authentic intentions.[59] One important aspect of my text-oriented approach is an effort to take seriously an insight which is today a truism among literary scholars but which remains, in practice at least, surprisingly ignored by historians of philosophy. It is that the meaning of a text does not reduce to the intention of its author and that common expressions such as "What Locke wanted to say" or "What Hegel had in mind" refer less to primary intentions of authors than to attributed intentions that are not at the root of the text's meaning but effects of their interpretation.[60] However, by considering author intentions as derivative of text interpretation, a text-focused approach such as mine also tends to mostly neutralize the question of "esoteric" reading. On this level, I fully agree with Jacqueline Lagrée when she suggests that it is "wiser to read the *Theological-Political Treatise à la lettre* and presuppose that Spinoza writes what he thinks and thinks what he writes, even though he probably does not write all that he thinks."[61] For Lagrée, I suspect, the "wisdom" of taking this approach does not lie in knowing where best to search out an author's true intentions, but in realizing what it is our task as historians of philosophy to study in the first place, namely the meaning of *texts*. It obviously makes little sense to look beyond the text to discover what is thought if the text just is, by definition, the place where thinking is effectively produced.[62] Those English-speaking commentators who have taken Lagrée's point up for discussion, whether it has been to endorse it (Steven Nadler) or to reject it (Edwin Curley),[63] have to some extent failed to appreciate these deeper convictions about the primacy of the text and the derivative nature of authorial intentions. And yet the point is foundational for those French historians of philosophy who, like Lagrée, grew up in the shadow of Martial Gueroult whose method of structural analysis rests on a similar textual imperative.[64] On this understanding, to restate Lagrée's point more bluntly, whether Spinoza the historical person thought what he wrote when he wrote it, or whether he thought something else, is a matter of common psychologist conjecture best left to one side by the historian of philosophy whose focus should be on what is written or not written *in the text* and on what the intellectual context and historical circumstances *of the text* can contribute to the reading of it.

The question of strategic writing—including writing involving dissimulation—does, however, return with a vengeance on a second level concerned not with the authorial intention *behind* a text, but with the attributed intention that an author name comes to represent in the interpretation *of* the text. An approach like mine that considers texts as contributions to controversies will necessarily attribute a strategic dimension to them. It will always see them as responding and adapting to other texts that they communicate with, establishing the parameters for an internal play of mutual interpretation among them. The question of strategic writing, then, should not be stated in terms of a distinction between what is on the surface of a text and what is behind it, what is in it and what is not, but in terms of seemingly contradictory strands of argumentation, all placed on the surface of the text and explicitly present within it, but whose reconciliation within a unified interpretive framework requires that we attribute to the author either outright inconsistency or strategic intentions. And on this level, as much as I fundamentally agree with Lagrée's point when correctly understood, I also agree with Curley that she may have missed an important aspect of Strauss's argument, which is perhaps less about going behind the text to make it say something other than what it actually says, and more about finding a way to reconcile conflicting strands of what it actually says so as to produce a unified interpretation.[65] For it is true that, in Spinoza's texts, there are both self-reflective statements pointing in the direction of strategic writing and apparent contradictions within the text that *can* be resolved by appealing to "writing between the lines," even if Strauss grossly exaggerates those contradictions.[66]

It is, however, another matter whether we *should* understand Spinoza's strategies as parts of such a pervasive art of writing deployed for the purpose of avoiding persecution, governed by an esoteric effort to dissimulate more authentic views, or whether better options exist for explaining their function and construction. I, for my part, find little or nothing in the TTP or the related correspondence strong enough to warrant the assumption that fear of persecution was a significant factor in its composition. In 1665, when Spinoza began writing the TTP, he may have been provoked to undertake it by the "excessive authority and aggressiveness" of the preachers.[67] In the event, however, the preachers' aggressiveness led him to speak his mind with remarkable candor rather than the contrary.[68] Moreover, the political conjuncture in 1665 was such that the preachers, no matter how aggressive, had limited means of enforcing their agenda. Except in extreme cases, the public authorities were deeply averse to backing up the orthodox Calvinists with coercive power.[69] More importantly, however, I find that understanding Spinoza's strategies not as attempts to dissimulate but to adapt—to adapt religious terminology to Spinoza's philosophy in terms of content and, conversely, to adapt Spinoza's philosophy to religious terminology in terms of form—most often makes for better and more comprehensive explanations of the TTP.[70] In fact, Spinoza's most explicit statement about dissimulation and caution in the TTP is formulated in the context of his broader theory of adaptation. He thus recognizes that accommodating one's discourse to the mentality of interlocutors can be useful for civil life because "the better we know the customs and character of men . . . the more cautiously we will be able to live among them and the better we will be able to accommodate our actions and lives to their mentality, as much as reason allows."[71]

I should already here mention one particularly complex instance of these strategies of adaptation governing Spinoza's argumentation throughout the TTP. The doubtless most powerful argument in favor of an esoteric reading of the TTP is the exposition of the so-called doctrines of universal faith in TTP XIV. These are doctrines that Spinoza insists people must believe in order to be pious, but many of which, if compared with the position he defends in the *Ethics*, he arguably considered false. Some attempts have been made to demonstrate Spinoza's own commitment to some version or interpretation of those doctrines in order to overcome the Straussian conclusion that they are all smoke and mirrors. I am unconvinced that such interpretive reconciliation is necessary, or even desirable, in order to grasp the overall coherence of Spinoza's philosophical and religious views, or to understand the way that the doctrines constitute a useful theological framework adapted to the mentality of the common man. Instead, in Chapter 9, I offer a reading of the doctrines of universal faith that attempts to overcome these difficulties in another way, by assigning to such doctrines an epistemological status quite different from that of philosophical propositions, but without putting into doubt the kind of practical or functional truth Spinoza in fact attributes to them. Still, despite my resistance to esoteric readings, I will not contest that the TTP is often best analyzed as a strategic piece of writing whose inner tensions are not the result of carelessness, but almost always rhetorical effects of a careful linguistic and argumentative strategy in which the author never loses sight of his prospective "philosophical reader" or, indeed, of those whom he would prefer "to neglect this book entirely" because they would only "make trouble by interpreting it perversely."[72]

Outline of the General Argument

Before delving into the interpretation of Spinoza's text, let me finally provide a brief outline of how my global argument is structured and how the chapters of this book are organized. Putting to one side the introduction in this chapter and the conclusion in Chapter 12, it is constituted by three main chapter blocks.

In the first block, formed by Chapters 2 to 5, I attempt to pin down exactly what Spinoza understands by the expression *libertas philosophandi*.

Chapter 2 is dedicated to a study of the historical circumstances and the intellectual context of Spinoza's conception. I am principally interested in the common meaning and connotations of the expression itself. For Spinoza, the question of the freedom of philosophizing was associated with two distinct controversies. Beginning with the disputes between Italian natural philosophers and the Roman Catholic Church in the wake of Galileo's condemnation in 1633, the expression itself became inseparable from theological-philosophical disputes about academic freedom and the separation of natural science from theology. This was still the principal meaning of the notion in the quarrels between Cartesian philosophers and Calvinist theologians in the Dutch universities during the middle and later decades of the seventeenth century. As I show via an analysis of Spinoza's brief exchange with Ludwig Fabritius regarding a university position in Heidelberg that the philosopher declined, Spinoza widened the scope of the expression, bringing it into contact with another controversy regarding freedom of religious conscience going back to the early years of the Dutch Republic in the later sixteenth century, but which constantly returned in different guises throughout the entire seventeenth century. I argue that it was Spinoza who first managed to bring these two conceptions of academic freedom and freedom of religious conscience together under a single, systematic conception of *libertas philosophandi*.

Chapter 3 contains a more text- and term-oriented analysis of the term "philosophizing" and the meaning it acquires within the argumentative economy of the TTP. I argue that by "philosophizing" we should not understand "to do philosophy" in a narrow sense, but a broader activity—an argumentative style—tied to the use of the natural light common to all and of right and sound reason. It includes not just adequate deductions from certain premises and legitimate inferences from true definitions, but also reasoning from experience and certain principles of interpretation; not just rational analysis of truth, but also historical inquiry into meaning and sound judgment regarding authority. The chapter lays down the groundwork for what I shall argue later, to wit, that when recommending that the state should grant citizens the permission to philosophize freely, Spinoza had something considerably broader in mind than just allowing natural philosophers to pursue their studies without interference from the theologians. The chapter constitutes the systematic counterpart to the historical argument already developed in Chapter 2.

Chapter 4 focuses on chapter XI of the TTP where Spinoza offers an analysis of the Apostles' Letters in the New Testament. On his analysis, the Apostles use a "style" or "mode of speech" in their Letters which is argumentative, candid, non-apodictic, and egalitarian. Contrasting it with the prophetic command used by the Apostles when they spoke publicly as prophets, he also defines the Apostles' epistolary style in terms of giving mutual "brotherly advice." This style, I argue, forms a veritable paradigm of how to engage in free philosophizing. In this chapter, I also show how, by conceiving the collective exercise of the freedom of philosophizing in terms of mutual teaching and the open sharing of knowledge among noble minds, Spinoza draws on common, classical ideals of intellectual friendship.

Chapter 5 studies the kind of authority that free philosophizing is associated with. Who has the authority to give brotherly advice and what kind of authority does such advice come with? In order to answer these questions, it is necessary to reconstruct Spinoza's—largely implicit—theory of *authoritas* which includes numerous both genuine and spurious kinds, including prophetic, scriptural, divine, priestly, private, and public authority. Such a reconstruction eventually allows us to outline exactly the features of the special kind of authority associated with free philosophizing, namely "authority to teach and advise." This authority belongs to all human beings as an inalienable natural right that they can only be denied by turning them into beasts or automata. It is, moreover, a private authority which nonetheless is exercised in relation to others and which therefore also has a public dimension. Next, addressing a key distinction, I discuss how the association of free philosophizing with the style of brotherly advice and the natural authority to teach and advise sets it apart from the legal permission to speak one's mind that, in TTP XX, Spinoza recommends the sovereign powers should grant citizens in a free republic. Finally, I discuss his conception of "violent rule," defined as any political attempt to deprive citizens of their inalienable natural right to teach and advise.

In the second block of chapters, formed by Chapters 6 to 8, I address a serious concern in Spinoza's model of the freedom of philosophizing. It arises from the fact that free philosophizing is defined in terms of a natural authority rather than a civil right. Nothing in Spinoza's conceptualization of our authority to teach and advise stipulates that it can be used only to engage in candid exchanges with equals in view of our common advantage, and not to deceive and manipulate others in order to gain control over them and seek our own private benefit. In other words, since the authority to teach and advise does not fall under civil law, and since the concept itself contains nothing to prevent it, Spinoza's conception provides him with no conceptual resources for excluding uses of our natural authority to teach and advise that are directly adverse to the freedom of philosophizing.

Chapter 6 studies in some detail these "unfree" uses of our natural authority to teach and advise. They take two basic forms: submissive and abusive. In submissive uses, we ourselves reinforce our lack of control over our own free judgment. They are associated with what Spinoza describes as "preoccupied" or "prejudiced" minds. Such preoccupation and prejudice are contrasted with the integrity and self-contentment of minds in control of their own free judgment. In abusive uses, we prevent others from exercising their freedom of judgment. Spinoza discusses them as "deception with evil intent" and "flattery." The chapter resituates these notions in a complex context of classical sources and contemporary accounts of similar vices, most importantly humanist discussions of fraudulent political counsel. The chapter finally offers an account of how the submissive and abusive uses of the natural authority to teach and advise relate to violent rule and the political instrumentalization of the mob.

In Chapters 7 and 8, I turn to the remedies that Spinoza proposes to counter both submissive and abusive uses of our natural authority to teach and advise and thus curb the "unavoidable disadvantages" of prejudice, deceit with evil intent, and flattery. The first remedy, studied in Chapter 7, is associated specifically with the authority to *advise*. It consists in drastically expanding the structures of political counsel to encompass the entire citizenry. Denouncing the traditional courtly systems of privy counselors, Spinoza envisages a broader public sphere of free philosophizing as a source of political advice for the public authorities. He thus lays down the groundwork of a normative theory of active citizenship and democratic participation. This forms the basis for discussions of absolutism, political resistance, and the principles of democratic deliberation and collegiality.

The second remedy, specifically concerned with the authority to *teach*, is the topic of Chapter 8. It consists in a rudimentary program for public education, intended to ensure that citizens receive sufficient instruction in the arts and sciences to be worthwhile consulting, but also enough civic education for them to feel obliged to participate in free philosophizing with a view to public benefit. Spinoza's theory of education is frustratingly underdeveloped. A conjectural reconstruction of his views on the topic can, however, be made, partly via internal reconstruction of his use of education-related terminology in the TTP, partly via context, taking into account theories of popular and civic education elaborated by Dutch republican thinkers very close to him. Finally, Spinoza's combined views on counsel and education are brought into sharper focus by being systematically contrasted with those of Hobbes.

The third and final block of chapters comprises Chapters 9 to 11. They discuss how to organize a free republic with citizens who are less than fully rational and whose actions are not always guided by reason, but often by the imagination. In order to ensure that such citizens consistently respect certain "standards" (*normae*) of communal life, they must learn—as an important part of the public instruction of all citizens, to be taught in the schools and from the pulpits—so-called doctrines (*dogmata*). The way that Spinoza conceptually relates standards to doctrines is at the very core of his theological-political model. Standards are practical in the sense that they consist in precepts or moral lessons about how to *act*. Doctrines, by contrast, help ensure that people adhere to those standards, but are themselves "speculative" in the sense that they consist in propositions that people are required to *believe*. Doctrines, however, need not be *true* in order to fulfill their practical purpose. They do not aim at making people understand or at communicating adequate knowledge. They aim at structuring the collective imagination of citizens, at shaping their mental life in such a way that they will act according to their own rational self-interest even when they do not have the requisite knowledge to adequately understand what that consists in. Spinoza envisages two sets of such doctrines, one theological and the other political.

In Chapter 9, I consider the theological side of Spinoza's doctrinal model, concerned with the so-called doctrines of universal faith discussed in TTP XIV. The theoretical truth or falsity of such doctrines is irrelevant to their purpose. They only serve to structure the collective religious imagination of common people according to a certain practical standard which consists in the exercise of justice and charity alone, also called "true religion." If theoretical truth is irrelevant to the function of such doctrines of faith, it is, however, still necessary that those who profess them should *believe* them to be theoretically true in order for them to fulfill their practical purpose. No one will act in accordance with a doctrine that they do not believe to be true. In the second half of the chapter, I show how these epistemic complications eventually prompt Spinoza to break with the model of doctrinal minimalism otherwise favored by tolerationist thinkers in his intellectual context, such as Hugo Grotius and Isaac d'Huisseau. As they do, Spinoza argues that excessive focus on inessential doctrinal divergences among different religions, confessions, and sects, at the expense of an otherwise common religious message of brotherly love, is one of the principal causes of theological hatred. Contrary to them, however, Spinoza does not argue that we should simply do away with such "indifferent things," but recognizes that they play a significant role in ensuring that people embrace their doctrines of faith with the fervor required to render their beliefs practically efficacious. This argument is at the heart of Spinoza's cautious and in some respects conflicted defense of religious pluralism.

In Chapter 10, now turning to the political side of Spinoza's doctrinal model, I explore his "political doctrine" of the social contract as developed in TTP XVI, ostensibly as an account of how republics are originally established. The analysis I offer relies on the systematic assumption that, in this political context, Spinoza understands the notion of a "doctrine" in a way that is structurally analogous to the way in which he employs that same notion in the theological context. This implies in particular that I attribute a greater role to the imagination in my account of the contract theory than TTP XVI might otherwise suggest. Contrasting Spinoza's views with those of Hobbes, I thus interpret the social contract not as a logical, historical, or causal account of the state's foundations, but as a fictional narrative, grounded entirely in the imagination, that citizens in a free republic must embrace in order to prevent mutual persecution and ensure collective security. I show how such a reading of the social contract can help explain otherwise inconsistent assertions in the TTP. Finally, I suggest how it can help resolve, in a new way, fundamental tensions between the TTP and the later TP regarding the utility of a social contract that until now have been most convincingly explained in terms of a fundamental development between Spinoza's two political treatises.

Chapter 11 studies how Spinoza's theory of doctrines comes together in an integrated theological-political model of church–state relations. TTP XIX proposes a theory of *ius circa sacra* along broadly Erastian lines. Later, in TP VIII, Spinoza prolongs this theory with an argument in favor of establishing a national religion. These closely connected texts raise questions regarding the coherence of his overall model, especially about how to reconcile his defense of religious freedom with the establishment of a state-controlled national religion. Comparing Spinoza's position with those of Hobbes and Lucius Antistius Constans (pseud.), the chapter attempts to solve these tensions by showing how Spinoza's national religion is conceived as a general framework for safeguarding the *definition* of true religion, while still allowing for a plurality of forms of worship to exist within that framework. The chapter concludes with an analysis of the specific situation of the Jews in the ancient Hebrew Republic which prompted Moses to impose religious uniformity, contrasting it with the historical circumstances of Spinoza's contemporary Dutch Republic.

The general conclusion in Chapter 12 offers some perspectives on Spinoza's understanding of the freedom of philosophizing. It argues how Spinoza's conception responded to the need for new normative theories of public debate and civic engagement in the seventeenth-century Dutch Republic. It also confronts Spinoza's conception of collective free philosophizing with Jürgen Habermas's classic account of the bourgeois public sphere. While pointing to essential similarities between their conceptions, it also shows how Spinoza's model of *libertas philosophandi*, based on democratic realignment of the structures of political counsel and sovereign command, and on a model of public speech driven by the pursuit of intellectual joy, offers a theoretical alternative to Habermas's dialectical understanding of the relations between the state and the public sphere, and to his consensus-oriented conception of public debate.

2

Circles and Spheres of Free Philosophizing

Two Controversies

In 1665, around the time he began writing the TTP, Spinoza explained to Henry Oldenburg, secretary to the Royal Society in London, how one of the principal aims of this new book project was to speak up for "the freedom of philosophizing and saying what we think, which I want to defend in every way."[1] True to this original intention, the notion of "freedom of philosophizing" figures prominently in the subtitle of the work published some five years later, describing the contents of the work as "several discussions showing that the republic can grant freedom of philosophizing, without harming its piece and piety, and cannot deny it without destroying its peace and piety."[2]

When readers contemporary with Spinoza heard of such an intention—defending the freedom of philosophizing—what were they likely to take that to mean? How do Spinoza's intellectual context and historical circumstances illuminate what he meant when using that particular expression? In the Netherlands at the time when the TTP was published, freedom of thought was an important notion in the context of two distinct spheres of controversy. One sphere was concerned with academic freedom and the liberation of scientific research from the constraints of theology in the wake of Copernicanism and the introduction of the new Cartesian science in the Dutch universities. The other sphere was concerned with the question of freedom of religious conscience. This freedom was enshrined in the foundational texts of the young Dutch Republic but subject to a wide variety of interpretations and implementations throughout the long seventeenth century. Spinoza's approach to the freedom of philosophizing was characterized by an original ambition to integrate these two distinct spheres of debate about academic freedom and freedom of religious conscience, bringing them together in a single conception of the freedom of philosophizing.

Academic Freedom

The notion *libertas philosophandi* is not originally Spinoza's. It was coined by Italian natural philosophers around the end of the sixteenth century in the controversies about post-Copernican natural philosophy.[3] In his letter to the rector of the University of Paris of 1588, Giordano Bruno already referred to himself as

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someone "at liberty to reason freely, philosophically in philosophy, and to express his own opinion."[4] A few decades later, in his famous 1615 Letter to the Grand Duchess Christina, first published in 1636, Galileo also employed the notion while discussing natural philosophy's liberation from the constraints of theology, stressing that "one must not . . . block the way of freedom of philosophizing about things of the world and of nature, as if they had all already been discovered and disclosed with certainty."[5] Tommaso Campanella took up the expression in a similar context in his *Apologia pro Galileo* (written 1616; published 1622), here claiming to have shown that "the freedom of philosophizing is more vigorous in Christian than in other nations."[6] Campanella's conception, as also Galileo's, relied on a distinction between two domains of human knowledge, nature and Scripture, seen as mutually exclusive and governed by distinct epistemological norms.[7] In his 1624 *Exercitationes paradoxicae adversus aristoteleos*, Pierre Gassendi, the foremost among the "new Epicureans" as Gottfried Wilhelm Leibniz later called them,[8] adopted a closely related conception of *libertas philosophandi*. He used the phrase while defending a new notion of intellectual integrity and independence, as opposed to the submission to Aristotelian orthodoxy characterizing the old scholastic philosophy.[9] In Gassendi as well, the separation of two domains of, on the one hand, reason and nature and, on the other, revelation and Scripture played a crucial role in his attempt to liberate natural philosophy from the authority of a heavily theologized philosophical tradition.[10] In all three authors, "freedom of philosophizing" referred to the independent pursuit of truth in natural philosophy and was associated with the freedom to judge according to one's own reason without regard for a given authority, be it theological or philosophical. As Galileo wrote,

> it seems more advisable to first become sure about the necessary and immutable truth of the matter, over which no one has control, than to condemn one side when such certainty is lacking; this would imply a loss of freedom of decision and of choice insofar as it would give necessity to things which are presently indifferent, free, and dependent on the will of the supreme authority.[11]

These discussions were still very much alive in the later seventeenth century. For example, while traveling in Italy in 1689–90, Leibniz got caught up in the still ongoing controversies about Galileo's condemnation and defended the *libertas philosophandi* promoted by the Italian natural philosophers. In October 1699, he thus recounted to Antonio Magliabechi how, while in Rome, he had encouraged "certain distinguished men with authority" to "favor philosophical freedom in matters of no great danger."[12] He firmly opposed the censorship of Galileo and defended the right to freely inquire into natural philosophy, which he saw as harmless to true religion: "I have no objections to refuting authors whose opinions are dangerous, but I do not know whether it is suitable to establish a sort of inquisition against them, when their false opinions have no influence on morality."[13]

10. For a decisive example, see the preface to the TTP, where Spinoza explains how everyone "transfers his power [*potestatem*] to defend himself" (G III.11|C II.74). However, in TTP XVI, we learn that they "transfe[r] to the sovereign power all their power [*potentiam*] to defend themselves" (G III.193|C II.287). For the *Ethics*, see for example E5p29d and E5p42d. See also Curley's glossary at C I.561.
11. See Steinberg, *Spinoza's Political Philosophy*, sect. 3.6.
12. See Steenbakkers, "The Text of Spinoza's *Tractatus*," pp. 37–8.
13. TTP XIII, G III.171|C II.261; see Curley's Glossary, C II.641. Spinoza is discussing Jeremiah 9:24 (mistakenly given as 9:23) which he renders as "ego Jehova facio charitatem, judicium, & justitiam in terra." Curley does not name the English translators he has in mind, but the practice can be observed, for example, in KJV: "I am the Lord which exercise lovingkindness, judgment, and righteousness, in the earth." Note that Spinoza's rendering differs from the Latin translations he used. Junius and Tremellius have "me esse Jehovam, exercentem benignitatem, ius, & justitia in terra"; the Vulgate has "ego sum Dominus qui facio misericordiam, et judicium, et justitiam in terra."
14. TTP XIV, G III.177|C II.269.
15. See Curley, Glossary, C II.641.
16. E4app17, G II.271|C I.591; see also E4p71, G II.264–5|C I.586.
17. Lord, "The Free Man," pp. 300–1.
18. See Curley, Glossary, C.II.624, 661.
19. C II.649–50.
20. See Chapter 10, sect. "Security as the Standard of Contract."
21. TTP XVII, G III.205–6|C II.302–3; see also James, *Spinoza*, p. 270.
22. See e.g. TP III.2; and Curley's glossary at C II.558–9.
23. See e.g. Hobbes, *Leviathan*, XVII, pp. 254–5.
24. See e.g. TP III.1–2, G III.284–5|C II.517.
25. TTP XVIII, G III.222–3|C II.323–4. I shall have occasion to discuss the episode several times. See Chapter 6, sect. "Flattery"; Chapter 11, sect. "The Hebrew Republic."
26. TTP XVIII, G III.223|C II.324.
27. See Curley, Glossary, C II.651.
28. TTP XVIII, G III.223|C II.324.
29. The Junius-Tremellius edition was in Spinoza's library. See Servaas van Rooijen, *Inventaire*, vol. in-quarto no. 5, pp. 138–9.
30. See Servaas van Rooijen, *Inventaire*, vol. in-folio no. 11, p. 127.
31. This is also the choice of Moreau and Lagrée who everywhere give *pontifex* as "pontife." On Spinoza's terminology for describing various kinds of priests, see Moreau, *Problèmes du spinozisme*, pp. 131–7.
32. See E3p30s, G II.163|C I.510; E3def.aff.25, G II.196|C I.536; E4p52&d, C II.248|C I.575; E4p58s, G II.253|C I.578.
33. Spinoza owned a copy of the 1650 Elzevier edition of Descartes's *Opera philosophica* (see Servaas van Rooijen, *Inventaire*, vol. in-quarto no. 24, pp. 152–3). I have consulted the fifth edition of 1672. The Latin translation of the *Passions de l'âme* was made by Henri Desmarets. See Descartes, *De Passiones, sive De affectibus animæ*, III, art. 190: "De satisfactione sive Acquiescentia in se ipso," in *Opera*, vol. III, pp. 83–4. For the French, see Descartes, *Passions de l'âme*, AT XI.471–2.

34. See Curley, Glossary, C I.655.
35. G II.297|C I.609 and G II.300|C I.611.
36. G II.267|C I.588 and G II.288|C I.602.
37. TTP VII, G III.111|C II.185.
38. See Rutherford, "Salvation as a State of Mind"; LeBuffe, *From Bondage to Freedom*, pp. 22–3, 198–200.
39. Carlisle, "Spinoza's *Acquiescentia*," pp. 210–11. In Descartes, *satisfaction de soy même/acquiescentia in se ipso* is defined as "un habitude en leur ame qui se nomme tranquilité & repos de conscience / habitus in eorum anima qui vocatur tranquilitas & Quies Conscientiæ" (Descartes, *Des Passions de l'âme*, III, 190, AT XI.471/*De Passiones, sive De affectibus animæ*, in *Opera*, vol. III, p. 83). Pierre-François Moreau indicates that, even before Desmarets appropriated the notion of *acquiscentia* for his translation of Descartes, this non-classical term had acquired the double sense of contentment and quietude in Calvinist scholasticism. Retaining both the Cartesian and Calvinist resonances, he gives the term in Spinoza as "satisfaction de soi-même" (see note 172 in Spinoza, *Éthique*, ed. Steenbakkers and Moreau, pp. 563–4).
40. KV II, vii, §3 and §7, G I.69|C I.111. Curley does not spell out the reasoning behind his choice, but it can perhaps be reconstructed as follows. In Glazemaker's translations of Descartes's *Passions de l'âme*, the Dutch *edelmoedigheid* and the Latin *generositas* both correspond to the French *générosité* (to compare the three, see Descartes, *Les passions de l'âme*, III, art. 153 and 156, AT XI.445–6 and 447–8; *Lydingen van den ziel*, pp. 169 and 172; *De Passiones, sive De affectibus animæ*, in *Opera*, vol. III, pp. 69–70). The term has a technical sense in Descartes from which Curley takes his cue: a person, writes Descartes, has *generositas* when he "esteems himself to the highest point as he legitimately can [*s'estime au plus haut point qu'il se peut legitimement estimer*]" (Descartes, *Les Passions de l'âme*, art. 163, AT XI.445–6). Hence, on the (correct) assumption that Spinoza's classification of the affects in the KV owes a great deal to the *Passions de l'âme*, *edelmoedigheid* becomes "legitimate self-esteem."
41. Glazemaker's Dutch version of Descartes's *Passions de l'âme* translates *satisfaction de soi-même* by *vernoeging van zich zelf* (Descartes, *Lydingen van den Ziel*, art. 190, p. 205). In the *Nagelate Scriften*, Glazemaker gives Spinoza's *acquiescentia in se ipso* as *gerustheit in zich zelf*. By contrast, *edelmoedigheid* translates *generositas* in Glazemaker's Dutch version of the *Ethics*, i.e., the term that Curley gives in English as "nobility" (see the *Nagelate Schriften* at E3p73s, E3def.eff.58exp., and E4p46).
42. "Self-contentment" is George Eliot's choice for *acquiescentia in se ipso* in her 1856 translation of the *Ethics*, the first complete English version (see *Spinoza's Ethics*, trans. Eliot, ed. Carlisle, pp. 185 and 214). In his recent commentary, Michael LeBuffe also opts for "self-contentment" but still sometimes follows Curley (see *From Freedom to Bondage*, pp. 22–3 and 198–9). Donald Rutherford acknowledges that "self-contentment" is an attractive option, but maintains Curley's choice (see "Salvation," pp. 451–2).

Chapter 1

1. TTP XX, G III.241|C II.346.

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