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# *LIBERTAS PHILOSOPHANDI AND FREEDOM OF MIND IN SPINOZA'S TRACTATUS THEOLOGICO-POLITICUS*

by Thomas COOK (United States of America)<sup>1</sup>

The topic of Spinoza and religion is fraught with scholarly controversy.<sup>2</sup> Leo Strauss and his followers argue that the author's real (esoteric) doctrine is concealed behind a smoke-screen of intentional contradictions. Others disagree. We struggle to reconcile Spinoza's view that superstitious beliefs leave us wretched victims and his claim that it really does not matter at all what people believe about God's nature or how He works. Scholars argue about how to understand Spinoza's claim that one can achieve "salvation" through obedience alone, without need of rational understanding. Is Spinoza positing two different notions of salvation — one for the philosopher (in the *Ethics*) and another for the faithful believer (in the *Tractatus theologico-politicus* [= *TTP*])? Or are there two ways to achieve one and the same salvation? Or might he just be dissembling?

The following paper will focus on a question that bears some superficial similarity to the question of salvation in the *Ethics* and the *TTP*, for I will be examining Spinoza's conception of freedom (specifically *libertas philosophandi*) as it appears in the *TTP* and asking about its relation to the freedom that is at the heart of the *Ethics*. Invoking Isaiah Berlin's useful distinction between negative and positive liberty I will argue that in the first instance *libertas philosophandi* is best understood as negative freedom — i.e. freedom from constraint. This familiar territory will be covered in the first section (below), with some reference to the historical/political background in the Netherlands. But this negative liberty does not, I think, exhaust the freedom that a well-structured and well-governed polity can offer its citizens. At several points in the *TTP*, in less conspicuous passages, Spinoza points up theoretical and practical problems with this negative conception and points toward a more 'positive' conception that is closer to the freedom characteristic of the rational person in Parts 4 and 5 of the *Ethics*. (This argument will occupy us in section 2 below). Section 3 will reflect on the relationship between these two kinds of freedom, concluding that they may often be in tension. Granting negative liberty to all leaves ordinary citizens at the mercy of those who would undermine their positive liberty. In section 4 we will consider the special case of religious liberty, focusing on the steps that Spinoza takes to rein in the freedom of the meddlesome and superstition-mongering clergy. I will conclude (in section 5) that the proposed reading helps to resolve the otherwise troubling tension between the celebration of *libertas philosophandi* and the very intrusive and controlling role that Spinoza recommends to the sovereign vis a vis religious practice in the state.

## 1. *LIBERTAS PHILOSOPHANDI* IN THE *TRACTATUS THEOLOGICO-POLITICUS*

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<sup>2</sup> On the topic of Spinoza and religion, cf. H. DE DIJN, F. MIGNINI and P. VAN ROODEN (Eds.), *Studia Spinozana* 11/1995. Central Theme: *Spinoza's Philosophy of Religion*.

In the subtitle of the *TTP* Spinoza writes of *libertas philosophandi*, and of the importance of this liberty for ensuring piety and peace in the state.<sup>3</sup> The reader is told that not only is the freedom of philosophizing compatible with piety and the public peace; it is a *sine qua non* for these. If this freedom is abolished, impiety and discord will ensue.

A letter to Henry Oldenburg (Ep. 30 — from 1665) underscores again Spinoza's view of the importance of the liberty of philosophizing. Explaining why he has stopped work on the *Ethics* and undertaken to write a book about scriptural interpretation (the *TTP*), Spinoza mentions first that he wants to rebut the prejudices of the theologians which serve as an obstacle to prevent people from applying themselves to philosophy. Secondly, he wants to fend off the charge of atheism insofar as he can. But the final consideration that moves him to write the *TTP* is “the freedom of philosophizing (*libertas philosophandi*) and saying what we think; here it is suppressed as much as possible because of the excessive authority and aggressiveness of the preachers.”<sup>4</sup>

‘Freedom of philosophizing’ is not a familiar phrase these days, and there is some debate about the precise nature and extent of the liberty that Spinoza has in mind here.<sup>5</sup> Given the centrality of freedom as a normative concept in the *Ethics*, it is important, if we would understand the relationship between these two works, to get clear on the meaning of this ambiguous term as it appears in the two contexts.

### 1.1. Berlin's Distinction

In a well-known essay first published in 1958<sup>6</sup> Isaiah Berlin offers a helpful conceptual distinction. Berlin differentiates between what he calls ‘negative liberty’ — the absence of external restraints — and ‘positive liberty’ — which he defines in terms of active self-determination.

The former — negative liberty — taken as a political ideal, is identified with thinkers in the classic liberal tradition such as John Stuart Mill or Wilhelm von Humboldt. To be free, in this sense, is to be unconstrained by others in doing what one wants to do. As Mill famously says, “The only freedom which deserves the name is the freedom to pursue our own good in our own way.”<sup>7</sup> In the seventeenth century we find Hobbes writing in the same vein: “A free man is he that [...] is not hindered to do what he has a will to do.”<sup>8</sup> One may be prudently

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<sup>3</sup> Unless otherwise noted, English-language quotations from the *Tractatus theologico-politicus* will be taken from the translation of Samuel Shirley: B. SPINOZA, *Theological-Political Treatise* (2<sup>nd</sup> edition). Trans. S. SHIRLEY, Indianapolis, Hackett Publishing, 2001. E.M. Curley has kindly made his unpublished translation available to me as well, and occasionally (as noted) I have preferred his version. Both of these are based on the Gebhardt edition, and I have included passage location information for the Gebhardt edition: BARUCH DE SPINOZA, *Opera*. Hrsg. von C. GEBHARDT, Heidelberg, Carl Winters, 1925, 4 Bände (in parentheses — G followed by volume number in Roman numerals followed by page number). Original Latin will be included in the footnotes when it seems important.

<sup>4</sup> B. SPINOZA, *The Letters*. Trans. S. SHIRLEY, Indianapolis, Hackett, 1995, pp. 185-186.

<sup>5</sup> See, for example, R.B. SUTTON, ‘The Phrase *Libertas philosophandi*’, *Journal of the History of Ideas* 14/1953, pp. 310-316.

<sup>6</sup> The essay, entitled ‘Two Concepts of Liberty’ was Berlin's inaugural lecture as Chichele Professor of Social and Political Theory at Oxford. It was first delivered in 1958 and thereafter published by the Clarendon Press. A revised version appeared in the collection *Four Essays on Liberty*, Oxford, Oxford UP, 1969. Perhaps the most readily available version now is in the recent collection entitled simply *Liberty*, Oxford, Oxford UP, 2002. This collection contains the previously published *Four Essays on Liberty* plus additional material — including the essay entitled ‘From Hope and Fear Set Free’ (pp. 252-279), mentioned in note 10 below.

<sup>7</sup> J. S. MILL, *On Liberty*, Indianapolis, Hackett Publishing, 1978, p. 12.

<sup>8</sup> Th. HOBBS, *Leviathan*. Ed. by E.M. CURLEY, Indianapolis, Hackett, 1994, p. 136.

pursuing the true human good, one may be following one's passions, or one may be wasting one's time indulging in trivial pleasures, but if one is not hindered or restricted by others in doing what one wants to do, one enjoys negative liberty.

The concept of 'positive liberty', on the other hand, is related to a person's desire to be his or her 'own master'. It is focused not only on the absence of external constraints, but also on limitations that might be thought of as located within. Defining positive liberty for myself usually requires that I draw distinctions between my 'higher' and 'lower' self — i.e. between (on the one hand) my reason, "the self that calculates and aims at what will satisfy it in the long run [...] my 'real' or 'ideal' or 'autonomous' self" and (on the other hand) "[...] irrational impulse, uncontrolled desires, my 'lower' nature, the pursuit of immediate pleasures, my 'empirical' or 'heteronomous' self [...]".<sup>9</sup> I enjoy positive freedom to the extent that my actions issue from my conscious, rational, 'higher' self and are not the product of the blindness, obsessions and passions of my 'lower' self.

The bulk of Berlin's long article is devoted to defining and explaining the two contrasting concepts, but his main point is that these two kinds of liberty can be at odds with each other such that pursuit of the one precludes or undermines the realization of the other. The effort to create a society that is conducive to the realization of positive liberty has often led (according to Berlin) to the sacrifice of negative liberty. Likewise, to grant negative liberty may require that one forego the active attempt to produce citizens who are free in the positive sense. Berlin is sympathetic to the appeal of the ideal of positive liberty,<sup>10</sup> but he warns against the totalitarian temptation that he sees lurking in this appeal.

The distinction between negative and positive freedom is a helpful analytical tool in any discussion of freedom, but it is especially relevant to a discussion of Spinoza. Basing his claim mostly on the *Ethics* Berlin himself names Spinoza as a (or even *the*) classic proponent of the concept of positive liberty (and of the claim that that freedom is the highest human good).<sup>11</sup> On the other hand, based on explicit arguments in the *TTP*, Spinoza is often classified as a kind of early liberal devotee of negative freedom — specifically with regard to speech and thought. Neither of these interpretations or classifications is wrong in itself, but if there is anything to Berlin's fear that negative and positive liberty are often at odds with each other, it makes sense to get clear on Spinoza's view of the two — especially if (as I will argue) they both appear in the same work.<sup>12</sup>

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<sup>9</sup> I. BERLIN, *Liberty*, p. 179.

<sup>10</sup> In reply to an article by David West in *Political Studies* (1993) Berlin says that "Positive freedom or liberty is an unimpeachable human value" and that only "perverted interpretations" of it threaten to lead to tyranny. Given his analysis, I am not sure why Berlin thinks that one would have to interpret positive freedom perversely to give rise to the problem. West's original article is D. WEST, 'Spinoza on Positive Freedom', *Political Studies* 41/1993, pp. 284-296. Berlin's response is found on pp. 297-298 of the same volume of the journal.

<sup>11</sup> 'Two Concepts of Liberty'. Berlin provides a more detailed case for his classification of Spinoza as a theorist of positive liberty in a later article entitled 'From Hope and Fear Set Free', in: I. BERLIN, *Liberty*, p. 264. He says, "The clearest exposition of classical self-determinism is probably that given in his *Ethics* by Spinoza."

<sup>12</sup> Manfred Walther has directly addressed the relationship between positive and negative freedom in Spinoza, labeling the former 'ethische Freiheit' and the latter 'politische Freiheit'. He argues that the putative conflict is mostly a perspectival difference, and that the two freedoms are quite similar at a deep level in that both involve "Einsicht in die Gesetzmäßigkeit" of human affects and social community (respectively). Walther's approach is interesting and characteristically insightful, but his theoretical solution does not address the direct intra-textual tensions within the *TTP* that will engage us here. See M. WALTHER, 'Politische und Ethische Freiheit oder Spinozas Dialektik der Freiheit', in: M. SENN and M. WALTHER (Eds.), *Ethik, Recht und Politik bei Spinoza. Vorträge gehalten anlässlich des 6. Internationalen Kongresses der Spinoza Gesellschaft vom 5. bis 7. Oktober 2000 an der Universität Zürich*, Zürich, Schulthess, 2001, pp. 89-103. S. NADLER, too, directly calls attention to this issue in

## 1.2. Historical Background

In the Preface to the *TTP* Spinoza claims that he has “[...] the rare good fortune [to] live in a Republic where everyone is granted complete freedom of judging and freedom to worship God according to his understanding [...]”<sup>13</sup> He goes on to say that he plans to show that, “[...] this freedom can be granted without harm to Piety and the peace of the State” and that it “[...] cannot be abolished unless Piety and the peace of the State are abolished with it.”<sup>14</sup> This turn of phrase echoes exactly the subtitle of the work as a whole, suggesting that “this freedom” — i.e. “[...] freedom of judging and freedom to worship God according to [one’s] understanding” — is what he means when, in the subtitle, he refers to “freedom of philosophizing” (*libertas philosophandi*). The title of the last chapter of the work (Chapter 20) offers a variation on this theme: “[...] in a Free State every man may think as he pleases and say what he thinks.”<sup>15</sup> Here there is no explicit reference to worship, but instead an emphasis on the freedom to judge and to give public voice to one’s judgments.

We will have occasion to focus explicitly on the freedom to worship in what follows, but for the moment we can identify freedom of thought, of expression and worship as parts or aspects of the freedom of philosophizing. All of these were also central topics in the highly-charged political struggle that was raging in the Netherlands at the time of the *TTP*’s composition and publication.

On the one side of this struggle were Monarchists, supporting the aspirations of the young Prince William of Orange, allied with the conservative Calvinist clergy who were seeking to keep a check on various unorthodox theological and philosophical tendencies that were afoot. Though not directly in power during the 1650’s and 1660’s the clerical forces were able to ensure the passage of laws prohibiting the publication of religious views criticizing or openly questioning Trinitarianism. These prohibitions were called ‘anti-Socinian’, but in fact they also targeted works of Collegiants, Quakers and of course deists and atheists. Meanwhile, from the 1640’s on, especially in Leiden and Utrecht, the new Cartesian philosophy, allied with Copernican astronomy, was making inroads into the universities, bringing a new mechanical physics, destabilizing the traditional Aristotelian consensus and suggesting difficult and contentious theological questions. Conservative forces, under the leadership of Gisbertus Voetius, Calvinist cleric and Utrecht university rector, opposed Descartes himself in the 1640’s and continued to oppose the inclusion of his philosophy in the universities in succeeding decades.<sup>16</sup>

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his recently published *A Book Forged in Hell: Spinoza’s Scandalous Treatise and the Birth of the Secular Age* (Princeton: Princeton Univ. Press, 2011, p. 198.

<sup>13</sup> Curley’s unpublished translation of G III, 7. Curley notes (as do others) that there is some irony here, since Spinoza obviously does not feel free enough to publish his thoughts openly under his name.

<sup>14</sup> *Ibid.*

<sup>15</sup> Shirley’s translation, p. 222.

<sup>16</sup> An excellent overview of these developments is found in chapters 25-30 of J. ISRAEL, *The Dutch Republic. Its Rise, Greatness and Fall 1477-1806*, Oxford, Clarendon Press, 1995. (I have drawn heavily on Israel’s account here). Recent work on the rise and influence of Cartesianism in the Netherlands has cast new and revealing light on this period. Cf. the contributions by T. NYDEN-BULLOCK, ‘Radical Cartesian Politics. Velthuysen, De La Court, and Spinoza’ and H. KROP, ‘Spinoza and the Calvinistic Cartesianism of Lambertus van Velthuysen’, in: W. VAN BUNGE (Ed.), *Studia Spinozana* 15/1999. See also W. VAN BUNGE, *From Stevin to Spinoza. An Essay on Philosophy in the Seventeenth-Century Dutch Republic*, Leiden, Brill, 2001. Valuable background discussion can also be found in chapter 12 of S. JAMES, *Spinoza on Philosophy, Religion and Politics* (Oxford, Oxford University Press, 2012).

On the other side were the supporters of the republican form of government, centered around Johan De Witt in Holland, and favoring a diminished role for the Church, the marginalization of the House of Orange, greater religious tolerance and greater freedom of expression. Republicans, adherents of unorthodox religious views and proponents of the new Cartesian philosophy were natural allies of the De Witt faction. Effectively in control of the government through most of the 1650's and 1660's, the republicans instituted what they called the 'True Freedom', and were effective in reducing the power of the clergy and reining in the more draconian tendencies of the censors. But they were always mindful that if the freethinkers and religious dissenters became too provocative in their pronouncements and publications, the people could be stirred up by the clerics into repressive reaction.

Throughout the 1660's these two factions opposed each other with intrigue, political machination, violence, propaganda and argument. Spinoza intended the *TTP* to be a contribution to this ongoing struggle. He intended it to provide support for the republican cause (1) by refuting the Church's scripture-based claim to having a divinely-ordained role in government; (2) by defending state control over religious practice (we will return to this); (3) by supporting the freedom of philosophizing. In a context in which anti-Socinian laws threatened non-trinitarian authors with imprisonment and professors ran the risk of being hounded out of the academy for teaching Cartesianism, the plea for freedom of philosophizing was a plea that people be permitted to think, speak and write without coercion, restraint or censorship from the powers that be.<sup>17</sup> In Berlin's terms, this is essentially negative liberty, and it was at the center of the political struggles in the Dutch Republic in these years.

### 1.3. *Defending 'libertas philosophandi' -- The Limits of the Sovereign's Power and Right*

Spinoza provides arguments of two kinds in support of *libertas philosophandi*. The first is embedded in the larger discussion of scripture, faith and piety that comprises the first fifteen chapters of the *TTP*. This argument seeks to show that religion (and its important contribution to the domestic peace of the state) will not be undermined by open argument and public discussion of philosophical questions. The second argument is based on the theory of the state presented in Chapter 16. It seeks to show that the citizens must be left at liberty to think and say what they will because it is impossible to stop them and because the state will undermine itself if it tries. We will focus on the second of these arguments.

Spinoza's account of the origins of the state follows the general lines of Hobbes's theory. Individuals in the state of nature have the supreme right to do anything and everything that they have the power to do. While Spinoza does not depict this natural state with Hobbes's rhetorical flourish, it is clearly a state in which people will at times come into mutually destructive conflict. In order to stop the conflict and to acquire peace and security, the individuals agree by covenant "[...] to do to no one what they would not want done to themselves, and to uphold another's right as they would their own".<sup>18</sup> But since such a

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<sup>17</sup> I am interpreting *libertas philosophandi* to encompass freedom of thought and expression broadly understood. Limitations will be discussed shortly. It should be mentioned that others read the phrase more narrowly to cover the specific reflective rational activity we know as 'philosophy'. Verbeek argues that Spinoza means specifically *his* kind of philosophizing. Cf. T. VERBEEK, *Spinoza's Theological-political Treatise. Exploring 'the Will of God'*, Hampshire (England), Ashgate Publishing, 2003, p. 6.

<sup>18</sup> Shirley's translation, p. 175 (G III, 191).

covenant would have no force unless there were an overwhelming power to enforce it, the individuals pool their strength, creating a supreme power capable of overwhelming anyone who might attempt to act in a way contrary to the covenant. This supreme power is then vested in a group or in an individual — the sovereign — whose every command must be obeyed upon pain of powerful punitive sanction (including death, when ordered by the sovereign). In the *TTP* Spinoza favors a democratic form of government in which sovereignty is lodged in “a united body of men”.<sup>19</sup>

Like the aforementioned individuals, the sovereign naturally has the right to do anything and everything that it has the power to do. “[T]he sovereign power is bound by no law, and all must obey it in all matters.”<sup>20</sup> The only constraints on the right of the sovereign are the limitations on its power — and the only limitations on its power are those that result from the very nature of things. The sovereign does not have the right to order impossible things. The sovereign can command the citizens to draw square circles, but it cannot rightfully do so, for it does not have the power to enforce its command by coercing the citizens to obey. Since it is impossible for the subjects to draw square circles, it is impossible for them to obey the sovereign’s command, and hence impossible for the sovereign to enforce compliance with that command. Thus the sovereign would be seeking to do something that exceeds its power and would thereby exceed its right.

Another way the sovereign could seek to do something that exceeds its power is by issuing commands that would engender great resentment on the part of the subjects. If, in response to such commands, the people judge that it is no longer in their interest to support the sovereign, and if they thus collectively withdraw their support, the sovereign can cease to be the supreme power. In this way too, then, the sovereign has sought to do something that exceeded its power, for its effort led to the destruction of its power and of its status as sovereign.<sup>21</sup>

Both of these limitations upon the power and right of the sovereign are central to Spinoza’s argument in favor of *libertas philosophandi*. Just as the sovereign does not have the power or right to force the subject to do that which is metaphysically impossible (draw a square circle), so too it does not have the right to command the subject to do that which is psychologically impossible. Employing principles familiar to those of us who have read the *Ethics*, Spinoza points out that,

It would be vain to command a subject to hate one to whom he is indebted for some service, to love one who has done him harm, to refrain from taking offense at insults [...] or numerous similar things that follow necessarily from the laws of human nature.<sup>22</sup>

Human emotions such as love and hate happen in accordance with universal laws of human psychology, and it is pointless to try to command an individual to be emotionally affected in a way that is contrary to those laws.

In Chapter 20 Spinoza refers back to the discussion of emotions and argues that our judgment and reasoning are similarly beyond the reach of the sovereign’s control. “[...] [N]o one is able to transfer to another his natural right or faculty to reason freely and to form his

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<sup>19</sup> *Ibid.*, p. 177 (G III, 193).

<sup>20</sup> *Ibid.*, p. 177 (G III, 193).

<sup>21</sup> This scenario provides a much-discussed Spinozistic account of the right to resist tyranny — presented not as a normative justification of resistance, but as a description/explanation of what in fact occurs in such cases. The issue is discussed in Chapter 16 and again in Chapter 20.

<sup>22</sup> *Ibid.*, p. 185 (G III, 201).

own judgment on any matter whatever, nor can he be compelled to do so.”<sup>23</sup> Given the previous discussion of the emotions and the detailed science of the mind developed in Part 2 of the *Ethics*, we might have expected Spinoza to invoke something like the universal laws of human thought at this point (presumably a subset of the aforementioned “laws of human nature”), arguing that it is useless to command anyone to think anything other than that which he will necessarily think given these universal laws. But instead we hear only of the “faculty to reason freely and to form his own judgment”. In any case, the argument clearly requires that the subject’s thought-processes not be directly controllable by the sovereign. In addition, though (as was the case with the emotions), it requires that the subject’s reasoning and judgment be beyond the subject’s own voluntary control. If the subject were able to control her own reasoning and judgment, she could be induced — via promise of reward and threat of punishment — to think and judge as the sovereign commands. But Spinoza wants to rule that out. The sovereign cannot control the subject’s thoughts and judgments — and this is in part because the subject herself cannot control them.<sup>24</sup> (We will have occasion to return to this issue below).

If the sovereign seeks to control the citizens’ reasoning and judgment, it seeks to do something that exceeds its power and hence exceeds its right. And in addition, as outlined above, the attempt to coerce people to do things that they are incapable of doing (i.e. to think in accordance with the commands of the sovereign) will likely engender resentment and lead citizens to withdraw support from the sovereign, thus lessening its power and ultimately even endangering the whole state. Only an imprudent sovereign would seek to do the impossible by trying to control the thoughts and judgments of the subjects.

With this, Spinoza has made the case for freedom of thought. But *libertas philosophandi*, as we are interpreting it, requires also freedom of expression — not only the freedom to think as one pleases, but the freedom to say what one thinks. Spinoza uses two ingenious arguments to derive this further freedom from the first. For one thing he claims that most people are no more able to control their tongues than they can control their own thought and judgment. So if the attempt to control the thinking of the subjects would be imprudent overreach on the part of the sovereign, so would — *mutatis mutandis* — an attempt to control the subjects’ tongues.

[...] [T]he supreme powers of a state will get only the most unfortunate result if they try to make men who have different and contrary views always speak according to what they prescribe. Not even the most knowledgeable know how to be silent, much less the common people.<sup>25</sup>

And of course, as outlined above, when the citizen finds himself unable to be obedient he will become resentful of the sovereign and less loyally supportive — thus chipping away at

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<sup>23</sup> *Ibid.*, p. 222 (G III, 239).

<sup>24</sup> This is, I think, what the argument requires. But it does not fit well with the various passages in which Spinoza speaks in terms of an individual’s being able to “think what he wants” (most notably the subtitle of Chapter 20 of the *TTP*). Though Part 3 of the *Ethics* talks repeatedly of an individual’s “endeavoring to imagine” something, voluntarism regarding thoughts and beliefs is not part of Spinoza’s psychology. If it were possible for a person to “think what he wants,” it would present a problem for the argument of the *TTP* that we are considering here. Curley has helpfully explored this issue in E.M. CURLEY, ‘Descartes, Spinoza and the Ethics of Belief’, in: E. FREEMAN and M. MANDELBAUM (Eds.), *Spinoza. Essays in Interpretation*, La Salle (Ill.), Open Court, 1975, pp. 159-189, and has discussed it briefly in ‘The *TTP* as a Prolegomenon to the *Ethics*’ in: J. A. COVER and M. KULSTAD (Eds.), *Central Themes in Early Modern Philosophy*, Indianapolis, Hackett, 1990, pp. 128-130.

<sup>25</sup> Curley’s translation (G III, 240).



the collective solidarity that underlies the sovereign's power. A "most unfortunate result" indeed.

A second (and better) argument is based not on the individual's inability to hold his tongue, but on the damage that it does to a person's character if he is forced to speak contrary to his thoughts and beliefs. It has been established that thoughts cannot be controlled. If one nonetheless, through draconian means, sought to control what people say,

It would thus inevitably follow that in their daily lives men would be thinking one thing and saying another, with the result that good faith, of first importance in the state, would be undermined, and the disgusting arts of sycophancy and treachery would be encouraged.<sup>26</sup>

Assuming that the sovereign does not want to govern a populace of liars and sycophants, it will not seek to control the citizens' speech.

It goes without saying that the sovereign's chief obligation and first aim is always to maintain its power and maintain the peace and security of the state. It will consequently prohibit any actions on the part of the citizens that seriously threaten the unity and stability of the polity. Sedition or rebellion cannot and will not be tolerated. And to the extent that the expression of one's beliefs threatens to undermine the covenant that underlies the state, such expression will of course be prohibited. But normally, in a well-governed state, mere disagreement with state policy or with certain laws does not yield sedition but can easily be conjoined in the citizen with a steadfast commitment to obedience — including obedience to the law with which the citizen disagrees.

## 2. POSITIVE LIBERTY

With such arguments Spinoza defends his claim that a prudent sovereign will allow its subjects *libertas philosophandi* — free and unrestricted thought and expression. The arguments are strong, and the conclusion provides what was wanted — good reason to support the Republican cause, to eliminate the anti-Socinian laws and to cease efforts to suppress Cartesians in the universities and the public sphere.

But alongside these arguments there is a different line of reasoning that assumes a different notion of liberty — an implicit recognition that even citizens who are allowed to think and speak without governmental interference or constraint, might nonetheless lack essential elements of a more 'positive' kind of freedom. Those of us who are familiar with the doctrines of the *Ethics* should of course not be surprised at the suggestion that freedom requires more than being left alone by the powers that be. But the readers for whom the *TTP* was originally intended did not have the benefit of familiarity with the *Ethics*. In the spirit of Spinoza's guidelines for scriptural interpretation, we will try not to import doctrines taken from other sources and other works. Rather, we will look for evidence of concern for a different kind of freedom in the *TTP* itself. Direct evidence of this kind can be found in at least three different places in the work.

In the Preface and elsewhere we find references to the way in which prejudice and superstition can undermine an individual's ability to think freely. A person who immoderately desires something that is uncertain will often turn to superstition in order to divine or control the course of future events. Spinoza does not hesitate to say that such a person is "in

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<sup>26</sup> Shirley's translation, p. 226 (G III, 243).

the grip of superstition” and indeed “thoroughly enslaved to every type of superstition”.<sup>27</sup> There is no overt suggestion that this individual is being constrained or coerced from without. Such a person might well enjoy complete negative freedom of thought and expression (as we have been discussing it), yet he remains “enslaved to [...] superstition”. A couple of pages later we learn that faith has become nothing but “credulity and biased dogma [...] degrading rational man to beast completely inhibiting man’s free judgment and his capacity to distinguish true from false, and apparently devised with the set purpose of utterly extinguishing the light of reason”.<sup>28</sup> Again, there is no suggestion that the prejudices in question were forcibly imposed on the citizens. Indeed, they might have enjoyed all of the freedom that we have thus far discussed, and yet they are quite evidently (according to these passages) not free.

In Chapter 16 we find language that is quite familiar to those of us who know the *Ethics*, but which might come as a surprise to someone who only knows Spinoza through reading this far in the *TTP*. In discussing the importance of obeying the sovereign, Spinoza notes that some people might think that the slave is one “who acts under orders, and the free man one who does as he pleases”. But this would be a mistake, we are told, for “Only he is free who lives wholeheartedly according to the sole guidance of reason”.<sup>29</sup> Using this notion of freedom Spinoza argues that being obedient to one’s sovereign is entirely compatible with one’s freedom. Since in a good state the sovereign makes laws for the benefit of the people, the citizen’s obedience to the law serves his own best interest. And since reason would bid him to act in his own best interest, in obeying the law he is living “according to the guidance of reason”.<sup>30</sup>

The truly unfree person is one who is led “under pleasure’s sway” (III 194) to disobey the sovereign (and thereby to act against his own real interest and contrary to the guidance of reason). Spinoza grants that if a person is motivated to act in his own best interest (i.e. to do what is “in accordance with reason”) only because the sovereign orders it, that person is less free than one who understands that his obedient action serves his own interest. So in order to be free in this sense one must obey the sovereign, thereby acting in one’s own best interest — and one must know that one is doing so.

In these passages we learn that one fails to be free to the extent that one fails to judge and to act in accordance with reason. Whether one is “under pleasure’s sway”, “enslaved to superstition” or “prevented by prejudice from using one’s free judgment”, one fails to be free if one fails to think and act rationally. Again, this is not news to any reader of the *Ethics*, but its appearance here in the *TTP* is noteworthy, for it reveals a more positive conception of liberty (in Berlin’s terms) — a conception of freedom that is quite different from the *libertas philosophandi* — the negative freedom of thought and expression — that we have been considering thus far. No attempt will be made to describe in detail what Spinoza has in mind here, for I take it that the “free man” of the latter parts of the *Ethics* is familiar enough, and

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<sup>27</sup> Curley’s translation of G III, 5.

<sup>28</sup> Shirley’s translation, p. 4 (G III, 8).

<sup>29</sup> *Ibid.*, p. 178 (G III, 194).

<sup>30</sup> A Kantian might want to distinguish here between acting *in accordance with* reason and acting *from* reason. Spinoza pays attention to the difference (though not exactly in these terms). He argues that to the extent that a person is led by reason, he will obey the law. “[...] the more a man is guided by reason, that is, the more free he is, the more steadfastly he will observe the laws of the state and obey the commands of the sovereign.” Shirley’s translation, p. 238 (G III, 262). And he argues that so long as the citizen obeys the law he can “[...] do nothing contrary to the decree and dictate of his own reason”. I take it that this means that as long as he obeys the law he acts in accordance with reason (though not perhaps under the guidance of reason).

that he provides the ideal model. For purposes of brevity let us call this more positive kind of liberty “freedom of mind”.<sup>31</sup>

### 3. *LIBERTAS PHILOSOPHANDI* AND FREEDOM OF MIND

As mentioned above, Berlin first called attention to his “two concepts of liberty” in order to emphasize that they are distinct and to point out that the two might well be in tension or conflict with each other. As we have conceived them here, *libertas philosophandi* and freedom of mind are indeed distinct. It would seem that an individual could be granted full freedom of thought and expression and yet be quite lacking in freedom of mind. On the other hand, Spinoza explicitly says that a person could have freedom of mind while living in a state that severely constrains freedom of expression. Are the two then entirely unrelated? Are they, as Berlin suggests, at odds with each other?

An important line of thought in the liberal tradition — identified chiefly with John Stuart Mill — suggests that in practice there is a strong positive connection between these two sorts of freedom. Chapter 2 of Mill’s *On Liberty* makes a strong case for the claim that a society in which negative liberty is permitted and respected will be most likely to produce thoughtful, critically-minded, rational citizens able to weigh arguments and eager to know the truth. In this way *libertas philosophandi* would be conducive to freedom of mind.

I would like to think that Spinoza would indeed hold that open discussion among (negatively) free people is likely, in the long run, to be conducive to the development of (positive) freedom of mind among these citizens. But I do not find him clearly making such an argument in the *TTP*. He does suggest that one good reason to vest the sovereignty in more than one person (rather than, say, a monarch) is that a group of people is less likely to do absurd things than a single individual (presumably because in collective deliberation the excesses and errors of each will be limited by the others). Moreover, we are told that (negative) freedom of judgment is “especially necessary to promote the sciences and the arts”.<sup>32</sup> With these remarks Spinoza suggests that he is mindful that rational reflection and indeed truth can be furthered by something like an actively discursive ‘free market of ideas’.

But of course he is aware that the uninhibited free flow of ideas is not always conducive to rationality, but can often encourage prejudice and superstition — inadequate ideas and habits of thought that short-circuit rationality. Sometimes the least rational voices are nonetheless the loudest, most pervasive and most persuasive. In this way *libertas philosophandi* (understood as negative freedom of thought and expression) can undermine the cultivation of freedom of mind. But what voices and ideas might be most problematic here? What ideas,

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<sup>31</sup> In order to clear up any possible confusion, it would be helpful to look back, at this point, to a claim made in the context of the argument in favor of *libertas philosophandi*. As we noted, Spinoza claims that no one can transfer to another his “natural right or faculty to reason freely, and to form his own judgments on any matters whatsoever [...]”. By placing together in one sentence “reasoning freely” and “forming his own judgments on any matters whatsoever”, Spinoza elides an important distinction — he obscures the fact that there might be a considerable difference between these two with regard to the freedom of mind of the individual in question. A person who is “reasoning freely” is *eo ipso* manifesting freedom of mind. A person who is, in a more generic sense, “forming his own judgments on any matters whatsoever” may or may not be thinking freely in this more positive sense. A person who is making judgments about this and that may be doing so in a rational manner, but he might also be acting “under pleasure’s sway” or under the influence of prejudice or superstition. In the latter case, the individual will indeed have a natural right or faculty of judging, but will not have freedom of mind.

<sup>32</sup> Curley’s translation of G III, 243.

openly expressed, might be especially likely to promote the prejudice and superstition that undermine freedom of mind?

In light of the historical and political context within which he was writing, the mention of prejudice and superstition reminds us that Spinoza was especially concerned with the influence of theologians and preachers — especially those of the dominant Reformed Church. In the letter to Oldenburg explaining his reasons for writing the *TTP* (discussed above), the first reason given is

the prejudices of the Theologians; for I know that they are the greatest obstacle to men's being able to apply their minds to philosophy; so I am busy exposing them and removing them from the minds of the more prudent.

Spinoza is of course also worried about the preachers' efforts to persuade the government to rein in negative liberty (as evidenced by his third reason for writing the *TTP*), but the reference to “prejudices” that serve as “obstacles” that prevent one from “applying [one's] mind to philosophy” suggests that he is less focused here on the citizens' right to speak and more focused on their ability to think. As we have seen, the Preface to the *TTP* claims that faith has become

nothing but credulity and biased dogma [...] degrading rational man to beast, completely inhibiting man's free judgment and his capacity to distinguish true from false, and apparently devised with the set purpose of utterly extinguishing the light of reason.<sup>33</sup>

Certain theological ideas can impede one's ability to think philosophically. To free the citizens to think more rationally Spinoza thinks it necessary to remove these impediments. The open and constant dissemination of these ideas — from the pulpit, in religious schools, in books and pamphlets — can undermine the citizens' ability to think freely. Negative liberty of thought and expression allows the preachers and theologians to disseminate ideas that undercut the people's freedom of mind. In this way it seems clear that negative liberty of thought and expression can be in conflict with freedom of mind.

The suggestion that a person's freedom of mind could be curtailed by others might seem to conflict with Spinoza's earlier claim (in the context of the argument in favor of *libertas philosophandi*) that it is impossible for one person to gain control over the mind of another. It is true that the earlier argument requires this claim, but in fact Spinoza remains ambivalent about it. In a noteworthy passage he says, for example:

I confess that someone else can get control of our judgment in many ways, some of them almost incredible, so that, though it is not directly under that person's command, it can nevertheless depend so much on what the other person says that to that extent it can rightly be said to be under his control.<sup>34</sup>

In subsequent sentences Spinoza backtracks somewhat on this claim as he reminds the reader that the control over another person's mind can never really be complete, since “[...] the individual citizen has his own ideas in plenty, and [...] opinions vary as much as tastes.”<sup>35</sup>

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<sup>33</sup> Shirley's translation, p. 4 (G III, 8).

<sup>34</sup> Curley's translation of G III, 239. Earlier, when discussing the extent to which minds can be under the dominion of the sovereign Spinoza goes so far as to say that “[...] there is no absurdity in conceiving men whose beliefs, love, hatred, contempt and every single emotion is under the control of the governing power.” (Shirley's translation, p. 186 (G III, 202))

<sup>35</sup> Shirley's translation, p. 222 (G III, 239).

He calls attention to Moses — an historical figure who had gained as much control over the minds and judgment of his people as any man has ever had. Yet even he, we are told, “was not exempt from murmurings and criticisms.”<sup>36</sup>

It is interesting that when Spinoza needs an example of a person with influence over the minds of others he thinks of an individual who is both a political and a religious leader. This is in keeping with an earlier statement (in Chapter 19) about the power that religious leaders have over the minds of believers. He says that we all know how the people “[...] revere every single word of him who possesses [authority over sacred matters], so that one might even go so far as to say that he to whom this authority belongs has the most effective control over minds.”<sup>37</sup> Spinoza is of two minds on the question of the extent that one person can have control over another’s mind. But I think that his considered conclusion is that it is impossible for an individual to have complete command and control over the mind of another, but that one person can have “almost incredible” influence over the judgments and emotions of others, and that the people most likely to possess such powers are those in a position of religious authority.

It is important for our purposes to note that a person’s thought and judgment might be highly influenced, and yet he might nevertheless enjoy complete negative liberty. That is, he may be entirely free to say what he thinks and to think what he likes.<sup>38</sup> But if he is led into superstition or if his ability to think rationally is impeded by theological prejudices, or if he is seduced to live under pleasure’s sway, then his freedom of mind is indeed compromised. *Libertas philosophandi* is not a sufficient condition for freedom of mind. Indeed, if among the loudest and most influential voices in the public square are the voices of unreason, permitting freedom of expression can be destructive of the citizens’ freedom of mind.

I conclude that the *TTP* supports Berlin’s view that negative liberty and positive liberty can, in practice, be at odds with each other. Often the circumstances are such that to grant negative freedom is to leave the citizens at the mercy of those who would undermine their positive freedom. Spinoza rightly feared that such circumstances obtained in the Netherlands in the 1660’s. The preachers espoused a theology much of which Spinoza found suspect, and they were bent on spreading their views. Moreover, they agitated for changes that would have raised William to the status of monarch and further empowered the clergy to engage in more effective propagation of their views. To the extent that the opinions of the preachers represent obstacles that can impede one’s ability to think rationally, the preachers’ freedom of expression is a threat to the citizens’ freedom of mind.

#### 4. RELIGION AND FREEDOM OF MIND

Spinoza’s views on religious beliefs and institutions are famously complex and have inspired considerable controversy. On the one hand, he respects and celebrates the fact that religion often provides motivation for people to obey the law and to treat each other justly and with loving kindness. Moreover, belief in religious dogma, even when quite irrational, can provide comfort and security to the believer in difficult times. These are very great contributions to the state and to the individual citizens and should not be disparaged.

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<sup>36</sup> *Ibid.*

<sup>37</sup> Shirley’s translation, p. 218 (G III, 235).

<sup>38</sup> Whatever might be meant by the latter (odd) phrase.

On the other hand, religion in its institutionalized form often encourages factionalism and strife, envy and hatred. Sectarian enthusiasm divides people. Church leaders hungry for power have sometimes sought to usurp sovereignty for themselves, claiming divine approval for their seditious plans. And of course, as we noted at length above, Spinoza holds that certain religious beliefs (read: superstitions and prejudices) “[...] degrade rational man to beast, completely inhibiting man’s free judgment and his capacity to distinguish true from false [...].”

How to deal with beliefs and practices with this much power, this much potential for good and for bad and this much influence over the hearts and minds of the people?

In light of all that has been said thus far it might seem that the answer is obvious. All of the arguments in favor of freedom of thought and expression would seem to be applicable to religious thought and expression as well. Assuming that they are not directly preaching rebellion or sedition, it would seem that churches and churchgoers should be allowed to think what they want and to say what they think.

In several passages it sounds as if this is precisely Spinoza’s favored approach. For example, in the Preface he says (in one paragraph) that he will show that although the sovereign is the guardian and interpreter of religious law (as well as civil), the best thing for the sovereign to do is to grant the citizen the right to have his own opinion and to say what he thinks.<sup>39</sup> Late in Chapter 7 we are told that, “[...] there belongs to every man the sovereign right and supreme authority to judge freely with regard to religion, and consequently to explain it and interpret it for himself”.<sup>40</sup> In more than one passage Spinoza praises, with sincere approval, the religious freedom, tolerance and diversity that he sees in his homeland. At the beginning of the *TTP* he writes of his “rare good fortune” of living in a republic, “where everyone is granted complete freedom of judging and freedom to worship God according to his understanding”.<sup>41</sup> In the closing pages of the work he praises his hometown of Amsterdam for the fact that the authorities take no part in religious controversies and allow anyone to practice and belong to any religion or sect.

All of this would seem to suggest that Spinoza is willing to permit full freedom of thought and expression to everyone, including the theologians and preachers whose ideas and influence (as we have seen) can undermine the citizens’ freedom of mind. And yet we find Spinoza devoting an entire chapter (chapter 19) to the proposition that the sovereign must have complete control over “sacred matters” and over what he calls the “external practice (or external forms) of religion” itself. Assuming that the public expression of one’s belief is a part of the “external practice of religion,” there would seem to be a tension here between the commitment to the liberty of thought and expression and the emphasis on the sovereign’s control over religion. Many commentators have noticed this tension and sought to resolve it in various ways.<sup>42</sup> While I will not enter into an analysis of the efforts of others, I want to suggest that some light can be thrown on this issue by paying more attention to the importance of freedom of mind.

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<sup>39</sup> Shirley’s translation, p. 7 (G III, 12).

<sup>40</sup> Shirley’s translation, p. 103 (G III, 117).

<sup>41</sup> Curley’s translation of G III, 7.

<sup>42</sup> Etienne Balibar, addressing a specific instance of this tension, writes, “Even the best will in the world cannot remove the feeling of an underlying contradiction when confronted with certain passages of Spinoza’s text.” E. BALIBAR, *Spinoza and Politics*. Trans. P. SNOWDON, London, Verso, 1998, p. 43.

#### 4.1. *Limiting Religious Thought and Expression — Via Anti-Sedition Rules*

There are two straightforward ways of trying to address the apparent tension in Spinoza's views here. On the one hand, one can note that Spinoza *always* makes an exception to freedom of expression when it comes to speech that might undermine or in any way threaten the power of the sovereign or the peace and security of the state. Sedition and rebellion will not be tolerated, and the propagation of certain ideas can rightly be counted as seditious. Spinoza is especially concerned about certain religious views — Catholic and Reformed — that hold that the Church and clergy constitute a locus of power and authority that can be separate from (and sometimes superior to) the political sovereign. Such views tend to divide (and thus to undermine) sovereignty. They threaten the stability and security of the state and must be prohibited.

The prohibition of the advocacy of seditious ideas is certainly important in Spinoza's political theory, and it constitutes a clear and unobjectionable exception to the general freedom of expression. Some of the control that Spinoza gives to the sovereign in matters of religion can indeed be explained and justified as a means to preclude and combat rebellion and sedition. But seditious speech is prohibited by the general principle forbidding any act that threatens or undermines the sovereign power or the stability and security of the state. It would seem that the preachers' or the theologians' speech, if indeed rebellious, would fall under the general prohibition. Why would Spinoza devote a separate chapter to ensuring the sovereign's control of the church and indeed of all "sacred matters" — especially when this control threatens the individual's freedom of thought and expression — a freedom that Spinoza has been so concerned to defend.

#### 4.2. *Internal and External Piety*

Spinoza knows that there is a problem here. He clearly wants to avoid the appearance of a tension between his respect for *libertas philosophandi* and his advocacy of complete state control of religion. To this end he emphasizes repeatedly (early in Chapter 19) that the state control extends only to external or outward religiosity. So he says:

I speak expressly of acts of piety and outward forms of religion [...] for inward worship of God and piety itself belong to the sphere of individual right [...] which cannot be transferred to another.<sup>43</sup>

By mentioning the "sphere of individual right [...] which cannot be transferred to another" Spinoza invokes those arguments for freedom of thought and expression that we considered above. If there is a clearly circumscribed sphere of inward worship and piety, Spinoza can exempt that sphere from the sovereign's control while still subjecting the preachers and theologians, in their superstition-inducing public pronouncements, to strict state control.

But this position is not without its difficulties. For one thing, it seems that the preachers and theologians, in their non-seditious religious speech, are being excepted from the earlier arguments that assumed that people are incapable of restraining their tongues, and that the attempt to restrain them could only result in the undermining of moral character. I find no

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<sup>43</sup> Shirley's translation, p. 212 (G III, 229).

argument that would justify that exception. In addition, the line between that which can be controlled from without and that which cannot (i.e. the line circumscribing the “sphere of individual right”) is not as clear as initially suggested. As we saw earlier, Spinoza grants that an individual’s thoughts and emotions can be controlled by another to an “almost incredible” extent.

To the extent that external influences can reach into the internal sphere (the putative “sphere of individual right”), the distinction between these two is lost. And religion is perhaps an especially unlikely place to look for a clear delineation between “internal” and “external.” Presumably one of the chief consequences (and purposes) of “external forms of worship” is to influence the worshiper’s internal state of mind. Thus, control of the external forms will result in a considerable degree of control of inward worship and piety.

In an earlier chapter (Chapter 14) Spinoza offers seven “dogmas of the universal faith” which, he claims, represent “the basic teachings which Scripture as a whole intends to convey.”<sup>44</sup> More interesting than the content of these dogmas, for our purposes, is the fact that Spinoza holds that belief in these dogmas is a necessary condition for obedience to God. Obedience to God, in turn, is a matter of “practicing piety” — i. e. acting justly and charitably toward one’s neighbor. Since the state certainly has a strong interest in regulating how citizens act toward one another, Spinoza reasons (in Chapter 19) that “[...] it is the duty of the sovereign alone to decide what form piety toward one’s neighbor should take, that is, in what way every man is required to obey God.”<sup>45</sup> If the sovereign is to decide how one should obey God, and if certain beliefs are necessary conditions for one’s obedience to God, then the sovereign certainly has an interest in what one believes. Indeed, what one believes is inseparable from one’s actions towards one’s neighbors. “Acts of piety” cannot be separated from “inward worship of God and piety itself” — and yet that separation is what is required to sustain the “inward” and “outward” distinction that Spinoza is relying on. Given that this distinction is ultimately untenable, Spinoza’s strategy of using the distinction — to reconcile state control of religion with freedom of thought and expression — fails.

If we look at the specifics of the sovereign’s authority and control over religion, we find very little that is not covered. The sovereign has the final word on who may serve as a minister, on the foundation of the church and its doctrines, on judgments of morality and acts of piety, on membership and excommunication, and even on provision for the poor.<sup>46</sup> Given the connection between beliefs, judgments of morality and acts, it is hard to see how the above-mentioned “sphere of individual right” could be maintained within (or carved out of) the web of state control.

## 5. CONCLUSION

It seems clear to me that Spinoza’s commitment to *libertas philosophandi* — i.e. to negative freedom of thought and expression — does not extend to the people’s beliefs and the preachers’ pronouncements on religion. As we have noted, this can be explained in part by the fact that the Calvinist clerics of his day constituted a genuine threat to the stability and

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<sup>44</sup> Shirley’s translation, p. 161 (G III, 177). There is much discussion about just what these tenets of faith are supposed to signify for Spinoza. I am in agreement with those who hold that these doctrines constitute a test for what religious confessions Spinoza would be willing to permit in the state.

<sup>45</sup> Shirley’s translation, p. 215 (G III, 232).

<sup>46</sup> Shirley’s translation, p. 218 (G III, 235).



security of the state as he saw it. Such threats cannot be tolerated, and if draconian measures are required to eradicate them, then such measures are justified.

But in addition to the concern about straightforward sedition, Spinoza was concerned about the citizens' freedom of mind. In an often-quoted passage from the final chapter of the *TTP* Spinoza nicely sums up the importance of not only allowing people to “think what they want” but to think in a rational manner — not only to enjoy *libertas philosophandi* but to cultivate freedom of mind.

It is not [...] the purpose of the state to transform men from rational beings into beasts or puppets, but rather to enable them to develop their mental and physical faculties without restraint and to refrain from the strife and the vicious mutual abuse that are prompted by hatred, anger or deceit. Thus the purpose of the state is, in reality, freedom.<sup>47</sup>

*Libertas philosophandi* is important for Spinoza, but it is not an end in itself. On the contrary, negative liberty is a means for securing the ends of domestic peace and the fullest possible development of the citizens. The citizens' development is best understood in terms of freedom of mind. Both the domestic peace and the citizens' freedom of mind are under special threat from certain religious views and their enthusiastic purveyors. Given religion's extraordinary power to foment factionalism and to undermine rationality by encouraging superstition and credulity, it must be kept on a tight rein.<sup>48</sup>

I conclude, not surprisingly, that Berlin is correct when he notes that positive and negative liberty can be in tension with one another. Spinoza is a proponent of both, and he defends both in the *TTP*, though he is well aware of the tension. He values the contribution that freedom of expression can bring to a polity, and he knows that the effort to curtail that freedom can be destructive. In his final judgment, though, he holds that the citizens' freedom of mind is paramount, and *libertas philosophandi* is to be granted to the extent that it serves that greater end. It does in fact usually serve that end, but on those occasions when one group's freedom of expression threatens to undermine the citizenry's positive freedom of mind — as Spinoza believes to be the case with religious enthusiasts in his day — the sovereign can rightly seek to curtail the former in order to preserve and further the latter.

KEYWORDS: Spinoza, freedom, *libertas philosophandi*, *Tractatus theologico-politicus*, religious freedom.

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<sup>47</sup> Shirley's translation, p. 223 (G III, 241).

<sup>48</sup> Justin Steinberg, in a very recent piece, reaches a similar conclusion when he discusses Spinoza's doctrine of toleration. The sovereign tolerates diversity of opinion and expression because (and to the extent that) such tolerance furthers the end of governance. This end, as Steinberg sees it, is to be broadly understood as encompassing the peace, security, welfare and (positive) freedom of the citizens. “The aim of the state is to bring about, as far as possible, concord between citizens and mutual devotion to the laws; this would be a condition of social flourishing that would in turn redound to the power and liberty of individuals. Spinoza must ultimately be claiming then that toleration, in many circumstances, contributes to this aim.” Steinberg completes the circle by arguing that this increase in the individual citizens' power and freedom enhances the aforementioned condition of social flourishing. J. STEINBERG, ‘Spinoza's Curious Defense of Toleration’, in: Y. MELAMED and M.A. ROSENTHAL (Eds.), *Spinoza's Theological-Political Treatise. A Critical Guide*, Cambridge, Cambridge UP, 2010, pp. 210-230.

## SUMMARY:

Isaiah Berlin famously distinguished between “negative” and “positive” liberty, arguing that in practice the two are often in tension with each other. This paper uses Berlin’s distinction to analyze Spinoza’s discussion of freedom in the *Tractatus theologico-politicus*. *Libertas philosophandi* is Spinoza’s shorthand for freedom of thought and expression — an important element in traditional liberal (“negative”) freedom. The *TTP* (as its subtitle announces) is devoted in great part to defending the value and importance of permitting such freedom in the state. But as commentators have often noted, Spinoza is reluctant to extend this liberty to the clerics of his day. I argue that this is best understood by reference to a more “positive” conception of freedom that also appears (in less conspicuous passages) in the *TTP*. This more positive conception, familiar from the *Ethics*, explains and justifies the liberty-limiting restrictions placed on religious agents and institutions.