

## SPINOZA AND TOLERATION

*By Thijs Bogers*

The arguments put forward by Baruch de Spinoza (1632-1677) in his *Tractatus Theologico-Politicus* (TTP) of 1670 build up towards the final chapter wherein Spinoza states that ‘the true purpose of the state is in fact freedom.’ (Spinoza 2008, 252). In the final chapter, Spinoza pleads for a state based on the toleration of differing opinions: ‘freedom of judgment must necessarily be permitted and people must be governed in such a way that they can live in harmony, even though they openly hold different and contradictory opinions.’ (Spinoza 2008, 257). However, the title of the preceding chapter begins with the words: ‘Where it is shown that authority in sacred matters belongs wholly to the sovereign powers’ (Spinoza 2008, 245). Here Spinoza heavily curtails the freedom of individuals concerning all ‘external’ religious matters. Spinoza brings these two seemingly contradictory views together in chapter 20 when he concludes that: ‘the state is never safer than [...] when the right of the sovereign authorities, whether in sacred or secular matters, is concerned only with actions, and when everyone is allowed to think what they wish and to say what they think.’ (Spinoza 2008, 259).

How can a plea for toleration follow from an argument of complete state control in all religious matters? How can Spinoza talk of freedom being the ultimate goal of a state, when individuals are free to think and say what they want, but are not free to act according to those opinions? In the following I will attempt to show why this apparent contradiction is actually not a contradiction. Where relevant, I will refer to the political context in which Spinoza wrote the TTP in order to come to an understanding of his intention in writing his plea for toleration. As Skinner argues, an understanding of an author’s intention contributes to our knowledge of the meaning of a particular text (Skinner 2009, 100). By clarifying Spinoza’s intention in writing the TTP I hope to gain insight into why Spinoza can be seen as an astute radical of his time. But first I will infer Spinoza’s political theory of toleration from his philosophical considerations.

To understand what Spinoza means when he says ‘the true purpose of the state is freedom,’ we need to determine the necessity of instituting a civil state. In chapter 16, Spinoza states that the ‘supreme law of nature’ is that ‘each thing strives to persist in its own state so far as it can’ from which it follows that ‘each individual thing has a sovereign right to [...] exist and to behave as it is naturally determined to behave.’ (Spinoza 2008, 195-6). Applied to humans, this law means that they have a sovereign right to attain by whatever means they choose that which they deem useful for themselves (Spinoza 2008, 196-7). This necessitarianism follows from Spinoza’s ontology which is made clear in chapter 3: ‘the fixed and unalterable order of nature or the interconnectedness of [all] natural things.’ (Spinoza 2008, 44). The necessity of the natural order wherein everything is connected determines that humans act towards the preservation of their individual being. This derives from ‘divine power alone’ as the laws of nature are ‘nothing else than the eternal decrees of God’ (Spinoza 2008, 44-5).

Because individuals in the state of nature are divinely predetermined to act according to their desire and ability, it follows that they have the right to do what they have the power to do. People are free to act on ‘greed, glory, jealousy, anger’ leading everyone to exist in a constant state of fear and anxiety toward the actions of others (Spinoza 2008, 199). However, the same necessitarianism that compels humans to strive to persist in their being also compels them ‘to combine together in order to live in security and prosperity.’ (Spinoza 2008, 197). As Spinoza clarifies in chapter 5: ‘unless human beings were willing to give each other mutual assistance, each one’s own personal skill and time would be inadequate to sustain and preserve him as much as would otherwise be possible’ (Spinoza 2008, 72). It is the same necessity of the preservation of

their individual being that gives people the right to do what they have the power to do, but which also compels them to institute a society based on mutual assistance.

However, fear and anxiety for the actions of others are not yet overcome because individuals retain the right to do what they have the power to do. It is here that a government backed with laws comes in, for only in a civil state can moderation of behaviour be compelled (Spinoza 2008, 74). When individuals surrender all their power to defend themselves to society, and power is right, they thus also surrender their right to do so (Spinoza 2008, 199-200). The cement that keeps this agreement together is 'a universal law of nature' which holds that individuals always choose the lesser of two evils (Spinoza 2008, 198). In line with this law of nature, it is more beneficial for individuals to surrender their power and obey the sovereign power because by doing so they will be freed from their constant state of fear and anxiety concerning the actions of others. However, in chapter 17 Spinoza makes clear that this transfer of power is merely a theoretical exposition as it is in practice impossible. Whenever the citizen undertakes an action they do so by their own choice. When the chosen action is in accordance with the commands of the sovereign power, the citizen still undertakes the action by right of the sovereign (Spinoza 2008, 208-9). This needs to be emphasized because here Spinoza advocates the autonomy of the individual mind, which proves to be an essential part of his theory of toleration.

According to Spinoza the civil right of the citizen is: 'the freedom of each person to conserve themselves in their own condition, which is determined by the edicts of the sovereign power and protected by its authority alone.' (Spinoza 2008, 202). The preservation of the individual is now left to the sovereign power and to this end the citizen is 'obliged to carry out absolutely all the commands of the sovereign power, however absurd they may be.' (Spinoza 2008, 200). To comply with this obligation, the citizen has to choose to undertake that action which is in accordance with the commands of the sovereign power. Therefore, the sovereign power has to make sure its commands are always the lesser of two evils. This aforementioned law of nature thus ensures that the sovereign power will not command anything which opposes the common good (Spinoza 2008, 211).

In the preface to the TTP Spinoza makes clear that people are malleable, especially concerning religious claims (Spinoza 2008, 5). Therefore, 'people are very prone to go astray in religion and make many dubious claims that result from the diversity of their understanding, and generate serious conflict, as experience clearly testifies.' (Spinoza 2008, 206). There were various episodes of religiously inspired conflict in the United Provinces throughout the seventeenth century. Visser attributes this to the fact that the public Reformed Church did not enjoy a religious monopoly position. Since the 1579 Union of Utrecht freedom of conscience was guaranteed by law, which meant an individual could only voluntarily become a member of a religious grouping (Visser 2009, 23). Throughout the seventeenth century foreign visitors to the United Provinces praised its comparative freedom and were amazed by the wide variety of organized religious groupings (Israel 1998, 677). A 1630 poem by Jan van der Veen mentions Calvinists, Lutherans, Catholics, Remonstrants, Mennonites, Arians, Sophists, Socinians, Jews, Muslims, and atheists (Visser 2009, 19-20). This plurality of beliefs constantly led to disputes over the good life between religious groupings and between religious groupings and the civil authorities (Visser 2009, 23). In answer to such conflict Spinoza argues that to come to a society of harmonious coexistence, everyone, regardless of their individual beliefs, should adhere to one rule - to love their neighbour as they love themselves. In chapter 14, Spinoza makes clear that this 'is the one and only rule of the entire universal faith; it alone must govern all dogmas of faith' (Spinoza 2008, 180).

Spinoza sees a great threat in authoritative religious figures who do not adhere to this one rule. Those who hold authority in religious matters can make use of public malleability concerning religious claims to compel them to choose actions which do not necessarily comply with the commands of the sovereign power (Spinoza 2008: 5). The religious authorities who instigate this are in effect attempting to appropriate a position of power for themselves and are thereby dividing the sovereign power (Spinoza 2008, 238). This results in conflict and disorder (Spinoza

2008, 206). The sovereign power then becomes paralyzed because it cannot ensure compliance with the law by all citizens and it is unable to carry out its primary task of ensuring the safety and security of those citizens. In effect, the state of fear and anxiety has returned (Spinoza 2008, 245-6). To prevent this, the sovereign power needs to have sole jurisdiction, not only over civil matters, but also over religious matters (Spinoza 2008, 207). So far, Spinoza seeks to limit the power of the sovereign to protect the citizen as it cannot command anything that opposes the common good. Simultaneously he seeks to strengthen the sovereign power in such a manner that its authority cannot be threatened by those appropriating power for themselves.

Spinoza's plea for a sovereign power to have control over both civil and sacred matters reflected the contemporary state of affairs in the United Provinces. Price shows how religion and politics were heavily intertwined, but that the power lay with the civil authorities. Religious toleration by the authorities was not so much the result of noble convictions concerning individual freedom, but more of necessity towards preserving social stability in the heterogeneous society (Price 1994, 183-185, 203-4). Popkin too points out that no attempts were made towards religious uniformity because that would harm the commercial activities of the United Provinces (Popkin 2004, 6-7). The civil authorities found themselves constantly in a delicate balancing act to determine when they should be permissive to safeguard social peace and when they had to step in to safeguard that peace. The public Reformed Church urged the civil authorities to ban Catholicism and persecute protestant dissenters but the authorities rejected this because it would disrupt economic and social stability. However, not all religious groupings could be openly tolerated as that too would disrupt social stability. The often chosen middle road was that the authorities would look the other way: religious practices were tolerated as long as they caused no disturbance (Price 1994, 190, 203-4).

This meant that various religious groupings enjoyed comparatively more freedom in the United Provinces than elsewhere in Europe. However, the same objective of social stability also led to the curtailing of what were thought of as extreme heterodox views. The 1653 anti-Socinian legislation was instigated with the aim of purging society from anti-Trinitarian views (Israel 2002, 195). This law, which gave the authorities the power to inspect bookshops and confiscate their stock (Israel 2002, 275), was of particular influence on Spinoza. In 1668 an acquaintance of Spinoza, Adriaen Koerbagh, was sentenced to ten years imprisonment under anti-Socinian legislation for his publications (Israel 2002, 195). In this climate the TTP was published clandestinely in Amsterdam under a false publisher's name, false publishing place, and without the author's name (Spinoza 2008, 1). Spinoza was confirmed in his reasons for doing so when after the publication of the TTP a bookshop in Leiden was raided in response and the TTP was banned in the province of Utrecht (Israel 2002, 276). To prevent more social distress, Spinoza prevented the publication of a Dutch translation (Israel 2002, 278).

In chapter 20 of the TTP Spinoza argues against this climate as he makes clear that it is 'a supreme right of nature' that everyone is master of their own mind and the power to make one's own judgments and think freely simply cannot be transferred to another (Spinoza 2008, 250). Nor is it possible for people to keep their opinions to themselves as they are compelled to communicate their thoughts with others (Spinoza 2008, 251). It follows that is impossible to determine by law what religious doctrines citizens have to believe and consequently what they are allowed to say and write in light of those doctrines. A sovereign power that endeavours to control everyone's mind is oppressive and can only try to do this through violence which goes against the necessity of instituting a civil state (Spinoza 2008, 251). The civil state can only be made to endure, when, in accordance with the laws of nature, the sovereign power tolerates differences of opinion to be held and voiced.

In accordance with this, Spinoza remarks in chapter 19 that the 'internal veneration of God' cannot be transferred to another and falls under everyone's internal jurisdiction (Spinoza 2008, 239). However, the peace of the civil state has to be guaranteed and, therefore, the sovereign power must have sole jurisdiction over 'external religious worship' (Spinoza 2008, 242). And there we come to the solution of the apparent contradiction; a civil state, which was instituted

out of the necessity of individual preservation, can only be made to endure when citizens comply with that which the sovereign power has ordained concerning their *actions* in both civil and sacred matters, but are simultaneously guaranteed their freedom of opinion and freedom of speech. Rosenthal is correct when he points out that, for Spinoza, only when the individual has sole jurisdiction over their mind can the sovereign power have jurisdiction over the individual. These go hand in hand and the individual can only support the sovereign power when it does not undertake to coerce their mind. This would incite hatred and rebellion towards the sovereign power as a mind is by nature free and cannot be coerced (Rosenthal 2008, 71). As shown above, when the individual has sole jurisdiction over their mind their actions follow from the liberty to choose rather than from fear. Even though the action complies with the command of the sovereign power, the action is still to the advancement of the individual as it works towards the common good to which their wellbeing is inextricably linked (Spinoza 2008, 201). Spinoza's ideal civil state is a necessary tool for individuals to meet the necessity of their being in the highest possible way; the individual can only be true to its nature if it tolerates and is tolerated. Thus, as quoted above, for Spinoza 'the true purpose of the state is in fact freedom.' (Spinoza 2008, 252).

Spinoza had been working on the TTP since the early 1660s but had been hesitant to publish it. He ultimately felt compelled to do so towards 1670, well aware of the chance that the publication could cause instances of public distress, as shown above. From the fact that Spinoza ultimately chose to publish the TTP in this climate, we can discern that his intention was to directly influence the delicate balancing act of the civil authorities between social stability and freedom. Part of the subtitle to the TTP states that 'freedom to philosophize [...] cannot be refused without destroying the peace of the republic' (Spinoza 2008, 1). This is exactly what makes Spinoza a radical thinker of his time; the state of religious toleration in the United Provinces was already exceptional when compared to the rest of Europe, but Spinoza wanted to go even further and made the case that the stability of the state depended upon it!

There is a seemingly grey area in Spinoza's plea for toleration when he remarks in chapter 20 that voiced opinions that undermine the autonomous right of the sovereign power are subversive because of the actions they imply. Such opinions go against the agreement made when individuals transferred all their power to society (Spinoza 2008, 254). Spinoza also states that individuals cannot be deprived of their freedom of speech 'so long as no one arrogates to himself license to promulgate in the state any alteration of the law' (Spinoza 2008, 258). Here Spinoza sets the limits to tolerance, but only to insure tolerance. To clarify, tolerance can only be made to endure when the intolerant are met with intolerance. Otherwise, the intolerant will make use of the climate of tolerance to appropriate a position of power for themselves thereby dividing the sovereign power. That would mean an end to the guarantee of tolerance, which is what Spinoza aims to prevent.

According to Laursen, Spinoza's references to the United Provinces in the TTP imply that he wrote 'largely descriptive, not prescriptive, and not meant to be of universal application.' (Laursen 1996, 185). I cannot agree with Laursen. First, although Spinoza's political theory is directed towards the specific circumstances in the United Provinces, his philosophical considerations follow from the laws of nature. As these laws are universal Spinoza's political theory can only be meant to be universally applicable. The necessity for a tolerant sovereign power is not a necessity exclusive for the Dutch.

Second, Spinoza does indeed speak descriptively of the United Provinces in the TTP: 'We are fortunate to enjoy the rare happiness of living in a republic where every person's liberty to judge for himself is respected, everyone is permitted to worship God according to his own mind, and nothing is thought dearer or sweeter than freedom.' (Spinoza 2008, 6). However, as shown above, this heralding account is not an accurate description of the United Provinces. I agree with Israel that Spinoza wrote this by means of rhetorical tactics (Israel 1998, 789). The motive for doing so lies in the contemporary political climate. When in 1650 the *stadhouder* (stadtholder) of the United Provinces William II died and his hereditary successor was only born that same year, the function of *stadhouder* was left vacant and its powers were deferred to the authorities of the

particular provinces (Spinoza 1998, 702). The *stadhouder* had never attained sovereign power in the United Provinces (Spinoza 1998, 700). The intellectual circle around Spinoza heavily rejected this *regnum mixtum* wherein the *stadhouder* embodied the monarchical element (Israel 1998, 786-7). In the TTP Spinoza makes clear that he favours democracy because irrational decisions are less likely with majority voting in large assemblies (Spinoza 2008, 200-2 see also Spinoza 2008, 251, 253).

However, overriding his particular preference for democracy was the necessity of undivided sovereignty. Only then can a civil state endure and can people be truly free. After 1650 the sovereignty was still divided, albeit between the States General and the provinces. Grand Pensionary of Holland, John de Witt, advocated that the sovereignty should be vested in the provinces (Israel 1998, 763). Spinoza concurs with this when he refers to Holland in the TTP and asserts that each state has an inherent form which should not be altered to safeguard its stability; the inherent form of Holland is that the sovereignty lies on the provincial level (Spinoza 2008, 236-7). From 1667 Orangism revived strongly due to international hostilities and William III reaching adulthood (Israel 1998, 785). As Kossmann notes, Spinoza published the TTP in these political circumstances with the intention of arguing against the return of the *stadhouder* (Kossmann 1987, 221). This is why Spinoza speaks ironically when describing the state of freedom in the United Provinces; because it was severely under threat. This is also why Spinoza was not writing descriptively, but certainly prescriptively, as he was arguing for a constitutional form that would guarantee freedom, which had yet to be attained. By engaging in this debate, Spinoza again manifests himself as an astute radical of his time because he defied all that was conventional to argue for freedom.

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