

SPINOZA ON FREEDOM

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Abstract. In this article I examine Spinoza's conceptions of human and political freedom in his moral and political philosophy. I discuss his ideas against the backdrop of the distinction between positive and negative freedom. I argue that Spinoza's conception of human freedom as the rational pursuit of self-interest translates into an idea of positive political freedom in his moral philosophy which, however, does not prevent him from consistently putting forward a theory of purely negative political freedom in his political works. Spinoza's idea of positive political freedom involves a certain degree of independence from other people as guaranteed by the state. The maximisation of everyone's independence from other people is the very core of political freedom for Spinoza in his political treatises. As a Machiavellian variant of the republican theory of freedom, Spinoza's conception of political freedom is, however, constructed independently from his ethical doctrine: it is built on the assumption of the practically given heterogeneity of human aims.

Human freedom is the central theme of Benedict de Spinoza's (1632–1677) fundamental philosophical work *Ethics* (1677, posthumously). His two other major works, *Tractatus Theologico-Politicus* (1670) and the unfinished *Tractatus Politicus* (1677, posthumously), invoke this concept too, but in these works its status and even signification are far from clear. At some places in his political treatises Spinoza reiterates the definition of human freedom familiar from *Ethics*. At other places he seems to mean something else by it, associating it either with the democratic or 'well-ordered' government. My aim in this article is to clarify the relationship between Spinoza's notions of freedom in the ethical and political context, and to specify whether there is a distinct concept of political freedom in his political treatises.

In what follows I shall tackle Spinoza's ideas on freedom with the help of the distinction between negative and positive freedom. As is commonly known, it was first depicted in this way by Isaiah Berlin (1969). While for Berlin this distinction can be illustrated by the grammatical distinction between 'freedom from' and 'freedom to', Gerald MacCallum has convincingly argued that the concept of

freedom always has a triadic structure: freedom from something to do something¹ (MacCallum 1991). Quentin Skinner, however, has shown that we can still meaningfully distinguish between the conceptions or even concepts of positive and negative freedom, since there is at least one fundamental disagreement between theorists of ‘positive’ and ‘negative’ freedom.² The theorists of positive freedom believe that it is possible to distinguish a rational moral end or at least some set of human powers and potentialities for humans to pursue, while the theorists of negative freedom start from the assumption of the heterogeneity of human ends. Theorists of positive freedom thus identify human freedom straightforwardly with the attainment of a determinate moral end, and political freedom with the society in which it is possible. Freedom for theorists of negative freedom, by contrast, consists only in non-interference in individuals’ pursuit of their contingent aims. Even if freedom presupposes a certain kind of society (as the republicans claim), and thus involves not just non-interference, but also non-domination, it remains a characteristic of individuals and cannot be equated with this form of society (Skinner 1984, 2002b).

It is striking how so many different interpretations of Spinoza’s theory of freedom have been put forward in Spinoza-scholarship during the last five decades. When Isaiah Berlin first drew the distinction between positive and negative concepts of freedom, he set up Spinoza’s ideas as one example of the theory of positive freedom. For Berlin, Spinoza’s concept of positive freedom translates into a positive concept of political freedom in which liberty and authority are virtually synonymous. On Berlin’s view, Spinoza, along with other adherents of the concept of positive freedom, believes that men could be “liberated” by compelling them to act in a rational way. According to Berlin, Spinoza holds that democracy is a rational form of society in which all men remain or become free (1969:147f.).

Other commentators have believed it possible to identify Spinoza as a “liberal” political thinker. They point out that for Spinoza the state is only a necessary precondition for human freedom, but not in itself conducive to it. For these commentators, Spinoza’s defence of freedom of thought and self-expression in his political works reveals his “core liberalism”; however, they deny that for him there is a logical link between democracy or well-ordered government and individual political freedom (Mara 1982; Parkinson 1984; cf. the slightly more complex account of Den Uyl 1983, 1988).

¹ Cf. the classical formulation of Gerald MacCallum: ‘Whenever the freedom of some agent or agents is in question, it is always freedom from some constraint or restriction on, interference with, or barrier to doing, not doing, becoming or not becoming something.’ (1991:102)

² For Skinner, ‘concept’ is a stronger term than a ‘conception’: there can be many conceptions of a thing, whereas there is just one concept to denote it. However, he apparently does believe that sufficiently different conceptions warrant talking about different ‘concepts’. I shall mostly talk about different ‘conceptions’ (or ‘ideas’, ‘notions’ or ‘theories’) of freedom in this article, whereas I use the term ‘concept’ when distinguishing between human and political freedom. For the difference between the ‘concepts’ and ‘conceptions’ of freedom see also Dunn 1990.

Some recent studies, by contrast, emphasise the unity of Spinoza's different philosophical doctrines. Susan James has argued that Spinoza's conception of freedom rests on an interpretation of freedom as the overcoming of difference: while human freedom leads to ideal citizenship, factual citizenship in a free state makes people act 'as if they were free' (1996:208). Moira Gatens and Geneviève Lloyd also identify a common element in Spinoza's usages of 'freedom' in different contexts, arguing that it is everywhere associated with the 'flourishing and development of human powers' (Gatens, Lloyd 1999:116, 118).

None of the three kinds of interpretations sketched above has offered a detailed analysis of Spinoza's conception of political freedom in his political works. A hint of what such an analysis could reveal is contained in Quentin Skinner's remark on Spinoza in his article on Machiavelli's republican theory of negative freedom. Drawing on the work of Eco Haitsma Mulier on Spinoza's discussion of different forms of government (1980), Skinner directly objects to Berlin's view of Spinoza as a theorist of positive political freedom and advances the hypothesis that in *Tractatus Politicus* Spinoza embraces a Machiavellian notion of negative freedom.³ Although for Machiavelli freedom presupposes politics of virtue and well-ordered government, he describes freedom itself only as the absence of external constraints on the pursuit of one's chosen aims. (Skinner 1984, 2002a; cf. also 2002b) If the same is true about Spinoza's conception of freedom in *Tractatus Politicus*, his aim in this work is not to work out the conditions in which man's rational nature can best be realised, but rather to explore how best to enable men to pursue their chosen aims.

In what follows, I attempt to show that in his political works Spinoza indeed invokes a distinct concept of individual political freedom and that there is a clear connection between the well-ordered government and individual political freedom for him. In order to understand how his idea of political freedom links to his notion of human freedom in *Ethics*, however, we have to find out what kind of notion of political freedom is implied by his conception of human freedom. Does it connect with positive or negative political freedom, or even both? I shall therefore first elaborate the political implications of Spinoza's theory of human freedom in *Ethics*, and then turn to the concept of political freedom in his political treatises.

Freedom in Ethics

It is not possible to talk about 'moral freedom' or 'virtue' in the traditional sense in Spinoza's works because Spinoza's metaphysics firmly rules out the possibility of free will and moral purposes: everything in the universe is determined and nothing has value in itself. Even the only true substance constituting the universe, God or the all-encompassing causal order called Nature, does not

³ For Spinoza's 'republicanism' see Blom 1985, Mulier 1980, Pocock 1987, Scott 2002.

have free will because he necessarily brings about essences and existence. But since God is his own cause, he is thus free at least in the sense of self-determination, while the rest of Nature is acted on and determined by external things and is thus in the state of bondage (E I 17 C2; E II P49; E III 2S).⁴

There is nevertheless something in the nature of the individual finite parts of Nature that justifies the use of evaluative and normative notions for them. Spinoza argues that all individual things in Nature, expressing in a certain and determinate way God's power, strive to persevere in their being, or to increase their power in relation to other things (E III P6). Humans also strive to persevere in their being, and since they are especially complex parts of Nature, their striving is manifest both in their bodily functioning and in their ideas.⁵ Due to this teleological structure (striving) within them, humans assess everything around them – both events and people – according to the impact they believe the power of these events and people would have on their own. Good and bad, Spinoza makes clear, are relational notions based on these assessments (E IV P8).

Although humans are able to reflect on their own striving, the evaluative notions simply spring up in them, attaching themselves to their ideas about the world. Spinoza argues that most of the ideas in men's minds have been caused by external things (received by the sensory organs of the body) and as such are necessarily distorted and incomplete, that is, inadequate (E II 18 S). In so far as men base their striving on such ideas, their assessments of the power of external things on them are inadequate ideas too. Spinoza designates such assessments as 'affects' and distinguishes between active and passive affects depending on whether they are related to adequate or inadequate ideas.⁶ The wide variety of passions that men undergo in their lives can be reduced to three basic forms: joy, sadness and desire. Desire is the fundamental form of striving and if it is conscious, humans call it 'their will'. Joy and sadness are reflective manifestations of the change in our power of existence – joy indicates its increase, sadness its decrease (E III P9, 11 S). Since humans necessarily do the things which they regard to be good to their power and avoid those which they regard as harmful to it, passions directly determine their action (E III P8, 19D).

There is no doubt for Spinoza that the human striving on the basis of passions is unsuccessful. Although some passions – the variants of joy – can increase men's level of power, it is never secure and never sufficiently high to enable men to concentrate on pursuing their true interest in action. The emotional power of men depends strongly on what happens in the world or on what they believe to be the state of mind of other people. As inadequate ideas, human passions relate to each other and to the passions of other men according to 'the laws of the body', that is, they do not follow any rational order. It is due to such laws, for example, that men

⁴ Henceforth I use following abbreviations: E for *Ethics*, *TT-P* for *Tractatus Theologico-Politicus* and *TP* for *Tractatus Politicus*.

⁵ Spinoza famously holds that the only substance and thus all individual essences can be characterised under two attributes: extension (body) and thought (mind).

⁶ For Spinoza's account of passions see James 1997.

‘pity the unfortunate, but envy the fortunate, and incline more to vengeance than to compassion... each man strives to make the others live as he pleases, approve what he approves and reject what he rejects.’ (TP I 5: 264f.; E III, 32S; E III 31C). Men can participate in others’ joy, but generally their relationships to other passionate people diminish rather than enhance their power.

Emotional dependence translates into inefficient action: men pursue things which are not within their power. Although men always believe they are pursuing their own interest, they rarely know what it truly is. Since men have a variety of different passions, their actions are inconsistent (E IV P32, 33). And even if they somehow distinguish between greater and lesser goods, they nevertheless are prone to choose the wrong ones because their final judgement takes into account their position in time: a smaller good that is present or imminent appears to them as a greater good than a truly greater good that lies further in the future (E IV P9, P10). In the end, passions necessarily lead men into conflict because they strive for the same scarce goods (E IV P34). Losing confidence in each other brings along an even greater dependence. Without external regulation, they would end up in a condition where nobody can do anything else than protect himself from others because he fears that other men would subjugate or even destroy him (E IV 37 S).

We can now see that passions (inadequate ideas) are constraints within man’s own self, restricting him in the effective pursuit of his basic purpose – the maximisation of his power of existence. These inner constraints, however, represent and mediate the constraining power of the external objects or beings, and thus essentially they are external constraints upon man’s true self. Therefore, Spinoza identifies lack of power with complete other-dependence. The actions of an other-dependent man express his inability for self-government and thus true self-realisation. Associating ‘virtue’ with these connotations, Spinoza identifies lack of power with lack of virtue:

...one can easily see what is the difference between true virtue and lack of power; ... lack of power consists only in this, that a man allows himself to be guided by things outside him, and to be determined by them to do what the common constitution of external things demands, not what his own nature, considered in itself, demands (E IV 37S).

‘Freedom’ thus appears to mean independence from external things in order to be powerful and virtuous, and to lead a rational life. But is freedom a meaningful goal for humans at all? Indeed, Spinoza makes abundantly clear that in fact ‘a free man’ is an ideal never to be attained by men because they are necessarily acted on by external things and therefore always bound to be subject to passions. (E IV P4; cf. Garrett 1990) Since only in the case of God is existence part of essence, all other beings have only a limited power of existence and thus ultimately fail in their striving (E I 11S; E IV A1).

It is, however, possible at least to postpone this ultimate end. The message of *Ethics* is that in principle men can reduce their dependence. First of all, Spinoza makes clear that men are able to imitate God’s freedom (self-determination) by bringing about something purely out of their nature. This happens when they try to

understand Nature which, as we are told, is God himself. (E IV P28) Men are capable of possessing some clear and distinct ideas (which involves understanding all the properties that belong to the essence of a particular thing understood), and from such ideas they can deduce other adequate ideas for which their minds are a sufficient cause. This shows that when reasoning they are independent and in a sense even autonomous because this internal causation follows the laws of human nature alone and not those of the ‘external things’ (E I 11S; E III D1, D2, P1). This activity is directly conducive to great increase of power because correct reasoning is accompanied with a kind of joy which is not a passion but an active affect. As such it is more intensive and more stable than the passive joy that depends on external things (E III 58D).

The most significant contribution to the increase of power, however, comes from understanding some specific metaphysical truths and making use of them in changing the way we see things surrounding us, and finally, in choosing our way of life. Although understanding these truths cannot liberate us from passions, it can further diminish our dependence on external things.⁷ Such a liberating truth, for instance, is the understanding that everything in Nature is determined. It involves giving up the inadequate idea of singular events or things as the causes of the increase or decrease of men’s own power. This in turn lessens the hold of these inadequate ideas upon our minds. Understanding the necessary limits of human nature would also enable us to take our own passions less seriously, again diminishing the power of these passions upon us. At the same time, our minds rejoice in their activity which further increases our power. (E V P10)

Spinoza’s only clear-cut moral rule for those who want to embark on the pursuit of freedom and power is thus: ‘we know nothing can be certainly good or evil, except what really leads to understanding or what can prevent us from understanding (E IV P27)’. While power is our ultimate goal, understanding is the only reliable means for it. What is the way of life that a free and rational man would choose with the help of this rule?

Contrary to what one might expect on the basis of the ideas exposed above, Spinoza maintains that a solitary pursuit of understanding is not an option for man. A free man for Spinoza is a most sociable man who seeks society and behaves sociably. (E IV P18 S). The pursuit of understanding cannot be a solitary pursuit because the human capacity of understanding is too weak compared with the power of the passions; a single man would thus never be able to work out a sufficient set of adequate ideas by himself. Spinoza argues that nothing is more useful for a rational man than another rational man because co-operation with this individual not only helps him to improve his understanding, but would further enhance his love of understanding: seeing that another human being loves the same thing, he would love it even more. (E IV 37D) And since ‘understanding is a good common to all and can be enjoyed by all equally’ (E IV P36), there would be no cause for injuries to each other and thus each would be supremely independent.

⁷ I here draw on the analysis of Susan James, ‘Power and Difference’, pp. 218–221. See also James 1993.

At the same time this common pursuit would only lead to a greater agreement between rational people. Ideally, they would completely unite their powers, forming a rational community:

[rational people] so agree in all things that the Minds and Bodies of all would compose as it were, one Mind and one Body; ...[they] strive together, as far as they can, to preserve their being; and ...together seek for themselves the common advantage of all (E IV 18S).

Spinoza also thinks that even passionate men are useful for a rational man because not only his mind needs to be cultivated, but his body as well – given that these are simply two different attributes of the same substance. Everything that makes man's body more active increases his mind's power of perception (E IV 38D). This means that he should develop his various capacities as much as he can, although he always has to subordinate his actions to the primary goal of the pursuit of knowledge (for instance he should not develop some capacities excessively, at the expense of others).

However, the dispositions of passionate men, as we saw, are necessarily competitive and aggressive. A free man would do his best to prevent others' passions turning against him, but ultimately, he cannot be successful in this. And as long as he is not protected from the malice and direct attacks of passionate people, his pursuit of understanding is inhibited because he lacks elementary confidence in other people. It is this consideration that leads Spinoza already in his *Ethics* to address the question of the legitimation of the state.

Spinoza argues that a rational man would clearly perceive the utility of the state considering human nature as it is. The state that assumes the monopoly on fixing what is good and what is bad seems to limit the freedom of a rational man. However, rational man for Spinoza submits himself freely to the laws of the state. He knows that the laws serve his own interest, blocking off the aggressive actions passionate people otherwise would or could commit against him. He also knows that there would be no freedom without it – instead of pursuing understanding, he would find himself overwhelmed by fear and thus preoccupied by self-protection only. He therefore desires the existence of the state and rejoices in it; it is in his rational nature to do so and hence his freedom also involves civic virtue in the sense of commitment to the laws (E IV 37S).

Since social cooperation is so useful for men, the state as the necessary precondition for it is useful as well, and this is why Spinoza says:

'P 78: A man who is guided by reason is more free in a state where he lives according to a common decision, than in solitude, where he obeys only himself. Dem: A man who is guided by reason is not led to obey by fear, but insofar as he strives to preserve his being from the dictate of reason, that is, insofar as he strives to live freely, desires to maintain the principle of common life and common advantage. Consequently, he desires to live according to the common decision of the state. Therefore, a man who is guided by reason desires, in order to live more freely, to keep the common laws of the state (E IV 78 D; emphasis added, EP).

But what about a passionate man? Could we perhaps say that he is also ‘more free’ in the state, although he does not ‘strive to live freely’?⁸ Clearly not, as long as we do not underestimate the difficulty of the pursuit of understanding as the internal struggle against the impact of passions upon us. We also have to be careful not to confuse the notions of ‘rational community’ and the ‘state’. In rational community, men indeed undergo an increase of understanding, but one can participate in such a community only if one has already understood some basic metaphysical truths, most importantly, that of the importance of understanding itself. Submission to the state cannot make a passionate man member of the rational community.

At the same time it is not correct to say that the state is entirely in the ‘interest’ of rational people only.⁹ Even passionate men can convince themselves of the usefulness to them of co-operation, and thus are not ‘forced’ to enter the state: ‘men... find from experience that by helping one another they can provide themselves much more easily with the things they require, and that only by joining forces can they avoid the dangers that threaten on all sides’ (E IV 35S) Although Spinoza in *Ethics* indeed makes the contrast between the passionate and free man as stark as possible, he does not think that a passionate man is completely unable to judge his long-term interest. The good of a rational man is beneficial for a passionate man too because it satisfies his most fundamental desire of self-preservation, as well as his desire for commodious living. Although a passionate man cannot be trusted to obey the state on the basis of this reasoning only, it does not mean that he is unable to see its utility in general. We also saw above that understanding presupposes certain confidence in others which is the same as independence. Such independence is gained without any considerable degree of understanding and it is a general condition in which everybody participates. Even passionate people gain more chances of acting upon their various desires in the state. We could thus say that they are ‘more free’ in the negative sense of the term, whereas they certainly cannot be ‘made free’ or liberated in the positive sense of the term.

In *Ethics*, Spinoza however uses ‘freedom’ only in the positive sense of the term. The state makes all men more independent, but only rational men are more free there. Spinoza does not further discuss the possibilities of increasing independence in *Ethics*. He does not distinguish between different state forms and thus does not directly address the idea of political freedom. But he reiterates and amplifies his discussion of independence in his political treatises and as we shall see, he designates independence as ‘freedom’ in the political context.

⁸ Isaiah Berlin (1969) has argued that for Spinoza and other theorists of positive freedom, man can be ‘forced to be free’. He becomes free when he lives in a state which prescribes a rational way of life which is the same as freedom.

⁹ Such is the view of Jerome B. Schneewind: ‘for Spinoza it is only the desires that the wise and virtuous have or would have that warrant society and its constraints’. (1998:224)

Political freedom

In this section I suggest that the concept of political freedom that Spinoza invokes in his political treatises can best be understood as a variant of the republican theory of freedom as non-domination. In my understanding of this theory as well as of its alternative analysis of negative political freedom (the classical liberal or Hobbesian conception of freedom) I am drawing on the studies of Quentin Skinner (1986, 1998, 2002a; 2002c).¹⁰ These two theories of negative freedom, according to Skinner, differ in their understanding of what counts as a constraint on or impediment of our freedom. For the classical liberals, only direct interference (physically or by coercing our will) counts as such, whereas the republicans believe that the mere possibility of interference resulting from one's being 'within the power of another' makes man unfree or a slave. The republicans maintain that a man who is 'within the power of another' would behave slavishly even if there were no overt coercion from the master: he would not dare to commit a number of actions that he fears his master would not like (Skinner 1998:39f.).

Skinner shows that for republicans, an individual can be truly free only as a member of a free state. In the state which is either internally or externally enslaved or 'within the power of another', the citizens also act like slaves (Skinner 1998). A state is free for republicans only if there is no element of discretionary power in it: the laws should be made by the people or their accredited representatives and every individual member of the political community, rulers and citizens alike, should be equally submitted to the laws. Participation and virtue are seen as necessary conditions for maintaining individual freedom although freedom is not equated with them (Skinner 1998:74; 2002a). Skinner points out that there are important differences between various early modern republican traditions in how they describe freedom itself. The Renaissance writers understand freedom as one of the 'benefits' enjoyed under the well-ordered government. Most of the 17th century republicans, however, have borrowed elements from the radical political theory of the Reformation according to which men are 'naturally born free'. Therefore, they describe freedom as the unconstrained enjoyment of a number of civil rights (Skinner 1998:18f).

It is vital to make clear that Spinoza's theory of politics combines a republican analysis of freedom with a different language of 'rights': his analysis of natural right and theory of sovereignty strongly recall those of Thomas Hobbes.¹¹ Hobbes, as we know, was a staunch opponent of both the radical political theory of the Reformation and the English republicanism (cf. Skinner 2002c). We shall see that Spinoza's language of right therefore allows him to speak about 'civil rights' only in a very qualified sense. For him, as for Hobbes, it is impossible to argue that the sovereign is obliged to respect certain rights. Therefore, similarly to the Renaissance political writers, and most notably Machiavelli, Spinoza is interested

¹⁰ Cf. a similar, but differently nuanced analysis of Pettit 1997.

¹¹ The most comprehensive interpretation of Spinoza's concept of natural right is in Den Uyl 1982:2–14. On Hobbes's concept of natural right and political freedom, see Skinner 2002c; on his notion of sovereignty see Skinner 2002d.

not in guaranteeing men the enjoyment of some specific rights, but rather in how men can best pursue their contingent ends. To enjoy this opportunity is for Spinoza the same as ‘to be possessed of one’s own right’ (*sui juris esse*). Spinoza, as I shall show below, puts forward an account of purely negative political freedom in his political treatises.

As in *Ethics*, Spinoza in his political treatises radically denies the existence of any normative properties in the world and thus the possibility of normative natural law. Spinoza expresses this idea by arguing that all ‘natural right’ is co-extensive with the ‘natural power’. He argues that God’s, or Nature’s, right is nothing other than ‘his power understood as completely free’. The power of everything in Nature ‘to act and exist is really the power of God’ and thus each thing in Nature has as much right from Nature as it has power to exist and act. The right of men is therefore also as great as their power: the laws of Nature fix the determinate power of different species, and then, within the limits of the species, the power of individuals (TP II 3, 4:267f.; cf. E IV 37 S2)). By making right and power co-extensive, Spinoza understands ‘rights’ simply as the logical possibilities of action: ‘For whether man is led by reason or desire alone, he always acts in accordance with the laws and rules of Nature, that is, by the highest right of Nature’ (TP II 5:269).

This theory leads to an account of absolute sovereignty which is familiar from *Ethics* already. Since everyone has a right to act as his power enables him, and the power that each has is determined by his passions rather than his reason, unregulated human interaction is necessarily characterised by disagreement about right, mutual hostility and lack of co-operation. In the state of nature, Spinoza says, men are enemies to each other (TP II 14:277). This situation contradicts the true utility of men and at some point they (or the most cunning of them) realise how useful it would be for them to unite their ‘power and wills’ and to transfer their own individual power and right to the ‘community’ or ‘state’ which they create by concluding a contract between them (TT-P XVI:240).¹² Spinoza emphasises the calculation of self-preservation and adds to it the general utility of social co-operation (TP II 15:277; TP VI 1:315). Following Hobbes, Spinoza argues that it is not possible for the subjects to ‘retain any part of their right’ when constituting the state – they have to obey the laws of the state who then fixes the principles of justice:

It is clear, then, that a citizen is not in possession of his own right (sui juris), but is subject to the right of the commonwealth (civitatis juris) and is bound to carry out every one of its commands; clear also that he has no right to decide what is fair or unfair, moral or immoral. (TP III 5:287).

There is no possibility granting the right of resistance to any other body, not even to the guardians of religion, because then it would need a power to defend its right, and the state would be destroyed (TT-P XVI:241f, TP III 3, 4:286f.).

¹² In the *TP* Spinoza dropped the notion of contract, and says that the ‘origin of the state’ is to be sought in ‘human nature and condition’ (TP I 7:265).

The power of the state is vested in the sovereign, either consisting of one man, a group of men or all the members of the multitude. The original crux of Spinoza's analysis of absolute sovereignty is to claim that the power of the sovereign is actually not unlimited, even if the subjects have no 'right of resistance'. First, political obedience can never be based simply on a promise, but must be perceived by the subjects as useful for themselves. If they cannot see the general utility of doing so (which they usually cannot consistently), the state has to change their perception of their utility effectively through its power: they need to have some common motivation for obeying the laws of the sovereign. The citizens are within the power of the state as long as the state effectively modifies their behaviour by appealing to their passions (TP II 10:273; III 8:289). Secondly, Spinoza says explicitly that the subjects simply cannot transfer their right and power 'so completely as to cease to be a man', and thus in some sense still retain some of their power and right against the sovereign. This 'inalienable' right is not a 'claim' in the juridical sense, but simply something that nobody can do at the command of an external agency. Most prominently, such actions are the inward ones – emotional and cognitive acts: nobody can be forced to believe something or love something. (TT-P XVII:250).

Spinoza offers a complicated account of how peace and security in the world can effectively be guaranteed by constraining men's external actions only. While abundantly endorsing the state's need to train men in obedience and co-operation, and thus to command pious and charitable actions, he firmly defends the 'inward worship and piety' or 'love of justice' as not commendable. The state for him needs a simple religion, but one's 'faith' in it can only be seen from one's actions. The state cannot command men to live according to the laws of reason because the latter implies their willingness to do so (TP III 8, 10:289–293). Since 'inward worship and piety' – as introduced by Christ and the apostles – are a kind of surrogate (because based on the imagination) for the moral virtue based on understanding, Spinoza thus introduces contrasting ideas of morality (moral freedom and virtue) and legality in his political treatises as the commentators who want to see him as a "liberal" have readily noticed. Morality in this narrow sense is a private matter which the sovereign cannot interfere with because if he requires something that men cannot control themselves, he would compel the subjects to plot against him. Disobedience to the laws would in this way become more useful for the subjects than obedience, and thus the sovereign would jeopardise the basis of his own power (TP III 9: 292f.; TT-P XVI:242).

Spinoza thus does defend some of men's rights simply by pointing out how much the sovereign would stand to lose if he attempted to do what cannot possibly be done. However, he refuses to identify freedom with these 'rights' only. Rather, he prefers to renounce his initial rigid dichotomy between the 'right of individuals' and that of the state altogether. He redefines the notion 'possessed of one's own right' (*sui juris*) in the course of his argument, asserting that man's individual right can be measured only in terms of his real power of action, and not simply as an

absence of coercion.¹³ Understanding ‘power’ as an ability to pursue various chosen aims, Spinoza now claims that men’s power of action is actually remarkably greater in the state than in the state of nature:

‘Now a man in the state of nature is possessed of his own right (sui juris), or free, only as long as he can protect himself from being oppressed by others; and his own unaided power is unable to protect him against all. Hence as long as human natural right (jus humanum naturale) is somebody’s and determined by individual power, it exists in imagination rather than in fact, since there is no certainty of making it good. Nor can it be disputed that the more cause for fear the individual has, the less power he has, and in consequence the less right he has. Besides, it is hardly possible for men to maintain life and cultivate the mind without mutual help. I therefore conclude that the right of nature peculiar to human beings can scarcely be conceived save where men hold rights as a body (jura habent communia) ...’(TP II:277).

As we see, Spinoza in this quotation at first follows the Hobbesian line according to which men simply cannot protect themselves efficiently in the state of nature. He argues that men’s right and power are extremely minimal in the state of nature because they are surrounded by powers much greater than their own power. They cannot be said to be actually independent from others or *sui juris* in that state because they are each within the power of other men (*alterius juris*). Men are not only harmed by others in the state of nature, but impeded in their own action. Departing from Hobbes, Spinoza maintains that fear of other human beings prevents the satisfaction of other desires and that men in the state of nature thus have no real opportunities for action at all. Living under the common decision or law however not only enables everybody to be possessed of the strong collective power, but also creates new opportunities for action for each individual, most importantly that of the cultivation of the mind (TP II 15:277; cf. E IV 35S). While most men obey the laws because they fear the punishments these attach to certain acts, this fear is nevertheless different from the fear of fellow humans in the state of nature. It would not be an active, paralysing fear as the latter is because men know exactly what actions would be punished.

But do they really know it? Spinoza further qualifies his argument. He claims that it is not in all kinds of states that the citizens know what is expected of them. In the states where they would not know it, they would thus continue to be uncertain about the possible consequences of their actions (the reactions from the authorities). Even when people are subject to the right of the state, it is therefore perfectly reasonable to ask to what extent they are *sui juris* in the state:

It follows quite clearly ...that its [the state’s] ultimate purpose is not to exercise dominion, nor to restrain men by fear and deprive them of their independence (alterius juris facere), but on the contrary to free every man from fear so that he may live in security as far as is possible, that is, so that he may best preserve his own natural right (jus suum naturale) to exist and to act, without harm to himself and to others. It is ...the purpose of the state to ...enable them to develop

¹³ For Hobbes’s account of freedom, see Skinner 2002c.

their mental and physical faculties in safety, to use their reason 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 (TT-P XX:292).

For Spinoza, as for republicans generally, men cannot be said to be in possession of their own right, if the laws and their execution depend on somebody's good will. An evil comparable to that of fear in the state of nature is thus to be dependent on a single person (alter) whose power is vastly greater than one's own power. Such a person is the sovereign whose actions are guided by his arbitrary will.

For Spinoza, there is one kind of political government which directly draws on and breeds fear – government by one or few. An unchecked ruler will be able to substitute his will for the law (and having no limits on his power, he will necessarily do so), and thus the citizens can never anticipate how he is going to react to their actions. In such a situation, they would naturally prefer not to act at all, or as little as possible – as Spinoza says, 'they would be led like sheep'. By no means would they dare to 'improve their life' because they fear that they could be punished for that by the sovereign who in turn fears the growth of their power (TP V 6:311, 313; TP VI 6:317).

Is it then a democratic form of government that is by nature best equipped to guarantee that the citizens are maximally possessed of their own right? Spinoza indeed argues that obedience in democracy is not strictly speaking obedience at all:

since obedience consists in carrying out orders simply by authority of a ruler, it follows that this has no place in a community where sovereignty is vested in all the citizens and laws are sanctioned by common consent. In such a community the people would remain equally free whether the laws are multiplied or diminished, since it would act not from another's bidding /ex autoritate alterius/ but from his own consent. ...the entire community, if possible should hold the reigns of government as a single body, so that all are thus required to render obedience to themselves and no one to his equal (TT-P V:117).

The crucial element in this argument is the idea that in democracies all men remain as equal as they are by nature (TT-P VI:243) The laws are based on consent, and thus nobody is in another man's power. In *TT-P* Spinoza argues that men to a certain extent continue to be possessed of their own right because they transfer their right 'to the community of which they are part' and will be 'consulted' afterwards as well. However, how can individual freedom be guaranteed in such a state? How can submission to a sum of wills in which one's will has only a fractional weight guarantee that one is possessed of one's own right?

As we see, Spinoza's idea here is clearly not that all men are more free in the positive sense in democracies. In *TT-P*, Spinoza's answer is simply that in such communities the laws serve men's interest because they do not serve that of a particular individual or a group of individuals (TT-P XVI: 242). In both of his works, Spinoza maintains that this aim does not even presuppose that all people

participate in legislation. A sufficiently large aristocratic council could also legislate in the interest of everybody because ‘the will’ of a large council ‘must be determined by reason rather than by caprice; since evil passions draw men in different directions, and they can be guided as if by one mind only in so far as they aim at ends which are honourable, or at any rate appear to be so.’ Spinoza claims that in such councils, the majority vote is in the interest of everyone, simply because in such a community men would be forced to find the best solutions. Therefore, we are told, even the common people who do not participate in voting should not fear oppression or slavery (TP VIII 6:227; cf. TT-P XVI:242).

However, Spinoza clearly realised that individual political freedom (being *sui juris*) presupposes much more than popular sovereignty (or *governo largo* in an aristocracy and even monarchy): without safeguards against the usurpation of power by individuals, citizens would never be free from fear. It also requires that the state not be ‘within the power’ of other political powers (states). The state thus has to be guarded and protected from being subjugated by ‘another’ – either by an ambitious citizen or an ambitious neighbouring state (TP III 12:295).

Spinoza’s solution to this situation is to organise the state so that it would not be at all susceptible to these dangers and this for him is achieved only by maintaining a strong degree of civic virtue in its citizens (TP III 7:289):

For all, both rulers and ruled, are but men, and as such prone to forsake duty for pleasure. [---] To guard against all these dangers [resulting from the passions of men], to organise a state in such a way as leaves no place for wrong-doing, or better still, to frame such a constitution that every man, whatever be his character, will set public right (jus publicum) before private advantage (privatis commodiis), this is the task, this the toil (TT-P XVII:252–253).

In *TP* Spinoza makes clear that there are two aspects of virtue that have to be secured by laws. First, it is necessary to guarantee that the constitution and legislation is based on ‘sound reason’; secondly, it is necessary to make magistrates trustworthy and loyal (TP VI 3:315). Why this is the ‘task and the toil’, is explained by Spinoza’s anthropology: due to their passions, men are neither ‘born as citizens’ nor do they attain such qualities easily. Spinoza programmatically states at the beginning of his *TP* that sound politics should not in any aspect rely on man’s (intellectual and moral) virtue, based on freedom. Freedom in the full sense of the term is simply not attainable for the vast majority of men and for nobody completely so (TP I 6:265). The lack of reason and therefore also freedom and true virtue in men is precisely the reason why the state needs a system of laws and institutions that is able to make men outwardly virtuous citizens. Certainly, such a system should be the work of a man who has acquired a very large number of adequate ideas.

How exactly do the laws make men virtuous? Spinoza is strongly against commanding private virtues directly through laws – which has led some of his commentators to rank him among those “liberal” philosophers who believe that the state cannot and should not encourage any specific kind of (moral) behaviour

at all (Mara 1982, Den Uyl 1983:117f.; 1988:298). However, this interpretation needs to be qualified. Spinoza is against direct regulations, but he is far from denying the need for virtues or the influence that a constitution has on the behaviour of its citizens. Direct regulation of virtuous behaviour like sumptuary laws are for him simply inefficient and would thus undermine the authority of laws in general (TP X:435). Public rewards for virtue would not serve their purpose either: they would soon provoke envy, ultimately leading to the corruption of the standards of virtue they themselves wanted to implement and support (TP X:437). But Spinoza's solution is to make numerous alternative suggestions about how exactly the laws and institutions can indirectly guarantee that the rulers and the ruled are virtuous, rather than an impediment to,

Spinoza tackles each of the three main types of regimes (monarchies, aristocracies and democracies¹⁴) separately. We cannot here delve into his specific institutional proposals, but it is necessary to point out that he actually aims at a republican constitution even in monarchies, thus paving the way for the eighteenth-century ideal of a 'republican monarchy'. Characteristically, there is no place for a feudal nobility in such a monarchy (TP VII 20:351). The main governmental powers as well as the task of maintaining the fundamental laws are vested in a popularly elected council (TP VI). In general, Spinoza emphasises the importance of maintaining a proper ratio of the size of the different parts of the government as well as of establishing a system of mutual checks and balances in their relations with each other. Further, a number of specific laws and regulations will be needed to make men decide 'rationally' about such important matters as peace and war. In monarchies, for instance, there should be no property in land so that the dangers of war would be the same for everybody (TP VII 8, 19:341, 351). In aristocracies, by contrast, war should be made directly harmful for the senators who decide on it: 'they should be assigned the proceeds of a duty of one or two per cent on imports and exports...[and] it must be laid down that no senator or ex-senator can perform any military duty' (TP VIII 31:395).¹⁵

How is virtuous performance of civic duties guaranteed? The trick is to make men 'obey more from hope than fear', to make them seek to improve their own condition through obedience and commitment to the common good (TP V 6:311). 'The common passions of men', as Spinoza shows, have to be harnessed to work for the public interest so that men would preserve the opinion of their freedom:

Men should really be governed in such a way that they do not regard themselves as being governed, but as following their own bent and free choice in their manner of life (lex suo ingenio et libero suo decreto vivere sibi videantur); in such a way, then, that they are restrained by love of freedom (solo libertatis amore), desire to increase their possessions, and the hope of obtaining offices of state (TP X 8: 435f).

¹⁴ Spinoza could not finish his treatment of democracy.

¹⁵ For a comprehensive and illuminating discussion of the relationship between virtues and constitutions, see Haitsma Mulier 1980, 177–208.

In a good commonwealth, the most asocial passion of ambition (TP I 5:263f) would translate into the desire for office. Everybody who desires this (and for Spinoza, differently from Machiavelli, it is a universal passion) would scrupulously follow the laws while simultaneously being engaged in promoting his wealth by legal means. The suspicion and envy of his fellow citizens (another characteristic of ambition according to Spinoza) would make everybody vigilant about those holding office. Rotation of offices, too, is vital to check the accumulation of power by some individuals: it is also a means for securing virtue since the present magistrates or judges would fear their successors. But Spinoza also believes that the 'common freedom' as such would be loved by the citizens, so much so that he believes that in monarchies the only reward for soldiers should be 'freedom' (TP VII 22:353). Free opportunities for individuals to pursue their private aims indirectly contribute to the prosperity and security of the commonwealth and vice versa: the better the condition of the commonwealth, the more willing the citizens will be to defend it by transcending their immediate self-interest. Convinced of the good aims of the government, they will be willing to bear the burdens of citizenship for preserving peace and freedom: 'their weight does not matter; they are borne, and the benefits of peace make it possible to support them' (TP VIII 31:395; TT-P:XX, 298).

Conclusion

Spinoza's idea of human freedom in *Ethics* is a conception of positive freedom since it contains a specific understanding of the rational purpose of human life. This purpose consists in the rational pursuit of power and can be achieved only through the process of understanding. Although understanding is strictly an individual pursuit, the constraints on it are both internal and external. Our passions immediately inhibit our rational self-determination and at the same time represent the constraining power of the external world. The pursuit of understanding for Spinoza is impossible without co-operating with other men, both rational and passionate. Co-operation with passionate people, however, is not possible without making each person confident that others will not harm him. A free man therefore submits himself freely to the laws of the state and expects the latter to guarantee the obedience of other people also. He thus does not lose any freedom by submitting himself to the power of the state. Spinoza's idea of human freedom is connected with a conception of positive political freedom which at the same time puts strong emphasis on the negative aspect of freedom as independence from other people.

Establishing the state is useful for an unfree or passionate man as well. He is more independent in the state, but not more free. Although Spinoza's idea of positive political freedom requires shaping the world around the self according to the 'demands of the self', it does not involve the possibility of making others free by force. In Spinoza's eyes, it is simply logically impossible for some external agent to change somebody's beliefs and emotions (passions) by command.

In both of his political works, Spinoza deals directly with the question of how to guarantee men as much independence from each other as possible. His analysis of political freedom corresponds to the republican theory of negative freedom as non-domination. Men are politically free or *sui juris* for Spinoza only as members of an internally and externally free political community. Spinoza associates political freedom with democracy because there the minimal negative condition of freedom is fulfilled: men do not have to obey the arbitrary will of their equal (another). He argues that sufficiently large collective bodies do not take decisions that contradict the true ‘interest’ of the people. Especially in *TP*, however, Spinoza qualifies this view by arguing that the government needs to be well-ordered, so as to guarantee that the decisions are rational and in the interest of all the members of the community. In both his political works Spinoza makes political freedom further dependent on civic virtue which is achieved by a constitutional and institutional manipulation of common human passions.

Spinoza argues that unfree states make their citizens live in a continuous state of fear and insecurity which strongly modifies their actions or paralyzes them in this regard. They do not dare advance their interest because they are pre-occupied with self-protection or they simply choose ‘not to act at all’. Free states, by contrast, make their citizens capable of pursuing their various ends. Since Spinoza’s politics is built on an account of the dispositions (passions) that prompt men to choose their heterogeneous ends, it is constructed independently from his ethical doctrine of human freedom.

Spinoza’s ideas of positive and negative political freedom are thus both compatible with, and complementary to, each other.

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