

This is a preprint of a review that will be published in *History of Political Thought*. It comprises an original long version, as well as a shortened version that was trimmed on the journal's request.

Long version

Mogens Lærke *Spinoza and the Freedom of Philosophizing*, Oxford University Press, 2021, 400pp., £80.00, ISBN: 9780192895417.

Reviewed by Sandra Leonie Field, Yale-NUS College, Singapore.

In recent decades, there has been a growing interest in Benedict de Spinoza's political philosophy. On the side of intellectual history, Jonathan Israel has identified Spinoza's thought as the true foundation of modernity, the origin of a 'radical enlightenment' against which the 'moderate enlightenment' of Voltaire and the *philosophes* defined itself. On the side of philosophy, Spinoza scholarship no longer limits itself to Spinoza's metaphysics and epistemology, instead increasingly examining the inner logic and conceptual structure of Spinoza's political works. Into this context, Mogens Lærke, already a noted scholar of the Spinoza-Leibniz encounter, offers his own take on what lies at the core of Spinoza's political philosophy: the idea of freedom of philosophizing.

The term 'freedom of philosophizing', *libertas philosophandi*, is taken from the subtitle to Spinoza's better known (and only complete) political work, the *Theological-Political Treatise* (TTP).¹ The full title reads:

Theological-Political Treatise. Several Discussions Showing that the Republic can Grant Freedom of Philosophizing Without Harming its Peace or Piety, and Cannot Deny It Without Destroying its Peace and Piety.

Lærke's central objective in his book is to argue that Spinoza is best understood as promoting a rich, positive conception of this freedom.² The foil to Lærke's argument are those interpreters who would understand the freedom of philosophizing to be nothing other than the legal permission of free expression. On Lærke's view, it is undeniable that Spinoza does defend the importance of a legal permission for free expression. But he argues that this permission is itself a mere licence (*licentia*), not constitutive of freedom (*libertas*).³ In Spinoza's ethics, individual freedom is understood positively, as rational self-determination; so too in Spinoza's politics, freedom of philosophizing will be understood positively, as a practice of self-authorized expression, imbued with virtues of honesty and integrity. In one sense, this freedom of philosophizing may be weaker than Spinoza's ethical freedom: it does not require full rational adequate knowledge. But in another sense it is more demanding. For in Lærke's view, while freedom of philosophizing emerges out of citizens' self-appointed 'authority to teach and advise', this authority can only be exercised interpersonally. This makes freedom of philosophizing an essentially collective endeavour, with opinions offered and received amongst equals, who seek truth through friendly mutual teaching and interchange.⁴

¹ Benedict de Spinoza (2016), *Theological-Political Treatise*. In *The Collected Works of Spinoza*, trans. Edwin Curley (Volume 2; Princeton: Princeton University Press), 43-354.

² Lærke, *Spinoza and the Freedom of Philosophizing*, 2, 61-66.

³ *Ibid.*, 3-5, 81-86.

⁴ *Ibid.*, 5, 235.

For Lærke, freedom of philosophizing stands as the central organising concept of Spinoza's political philosophy. In exploring its hindrances, supports, and broader function, Lærke is able to draw together a whole range of other apparently miscellaneous elements of Spinoza's political treatises. As to *hindrances*: legal permission for free expression is important, but it can fail to generate free philosophizing, if citizens' judgement is distorted by prejudice, deceit, or flattery.⁵ So what further *support* does free philosophizing require? Lærke offers a three-part answer. First, the structures of political counsel need to be reframed. Specifically, the old institution of privy counsel to the sovereign, mired in flattery, needs to be replaced by an open public sphere.⁶ Second, the population that will participate in this public sphere needs to be educated for civic virtue.⁷ Lærke argues that an educational program, foreshadowed by Spinoza in his later *Political Treatise* (TP)⁸ but never written, would have rounded off Spinoza's political philosophy, had he lived long enough to carry it out. Third, a population requires appropriate imaginative frames to ensure their support for the regime of religious and political toleration.⁹ Lærke groups together Spinoza's doctrines [*dogmata*] of universal faith (articles of minimal civil religion, which Spinoza argues must be believed by anyone who in fact conducts themselves with justice and charity) along with Spinoza's doctrine [*dogma*] of social contract as serving just such a purpose. Even though God is not a lawgiver, even though the social contract is an incoherent fiction, these simple religious and civic doctrines frame a population's understanding in a sociable way, helping to shape them towards a properly brotherly engagement with their fellow citizens, regardless of their differences. Finally, free philosophizing is understood to serve the *broader function* of creating a new and more democratic form of relationship between political counsel and sovereign command.¹⁰ In this way, Lærke contributes a new element to Spinoza's growing recognition as an important early theorist of democracy and democratization.

There is much to admire in Lærke's book. Through careful work with Spinoza's texts, as well as through thorough contextualization of Spinoza within an array of historical sources and interlocutors, Lærke effectively makes his case both for his preferred positive interpretation of freedom of philosophizing, and for its centrality to Spinoza's political philosophy. Along the way, Lærke poses elegant solutions to various enduring puzzles of interpretation, notably regarding the status of Spinoza's doctrines of universal faith and regarding his inconsistent commitment to social contract explanations.

Nonetheless, I want to raise a friendly challenge to Lærke's interpretation of Spinoza. While Lærke is keen to place Spinoza in the republican tradition broadly construed,¹¹ he has not foregrounded one of the—to my mind—key republican features of Spinoza's work, namely, the central role of all the fine mundane minutiae of institutional design in generating a virtuous citizen body.

Lærke emphasizes that true freedom of philosophizing—where citizens share brotherly advice with one another, relating to one another with the virtues of integrity and nobility—is a significant challenge to achieve.¹² For individuals who are legally permitted to philosophize

⁵ *Ibid.*, 14, 95-120.

⁶ *Ibid.*, 14-15, 121-146.

⁷ *Ibid.*, 15, 101-4, 147-166.

⁸ Benedict de Spinoza (2016), *Political Treatise*. In *The Collected Works of Spinoza*, trans. Edwin Curley (Volume 2; Princeton: Princeton University Press), 489-604.

⁹ Lærke, *Spinoza and the Freedom of Philosophizing*, 15-16, 167-215.

¹⁰ *Ibid.*, 234-47.

¹¹ *Ibid.*, 1-5, 126-7.

¹² *Ibid.*, 119-21.

freely might nonetheless fail to use this licence appropriately, instead displaying prejudice, deceit, and flattery.¹³ He quotes the *Theological-Political Treatise's* statement of the essential but difficult task of politics: 'to establish the state so that there's no room for fraud.'¹⁴ But what measures might overcome this challenge? On Lærke's reconstruction, neither law nor force offer any assistance. Instead, in his view (as sketched above), Spinoza's solution comprises three planks: replace royal courtiers with a public sphere; provide education; and inculcate suitable doctrines.

While Lærke structures his book around this challenge, he evinces a lingering discomfort that the strict contents of Spinoza's texts are not quite sufficient to answer this challenge. For the central plank of Lærke's solution is not really Spinoza's, but a speculative reconstruction: Spinoza himself does not have much to say about education in his existing writings. Spinoza does make a short remark late in the *Political Treatise*, in which he promises to take up the topic of education in another place (TP 8.49|GIII 346).¹⁵ Lærke seizes upon this remark to suggest that Spinoza himself took a consideration of education to be the piece needed to complete his political philosophy, he only died before he could complete it.¹⁶ With this licence, Lærke then draws on extensive discussion of education by Spinoza's contemporaries to reconstruct how education could have solved the putative gap in Spinoza's theory.

This is ingenious, but I do wonder, whether Lærke has failed to take sufficiently seriously a solution that Spinoza actually offers. Recall the critical quote above, framing the challenge for politics to be eliminating fraud. The full quote is as follows:

to establish the state so that there's no room for fraud—to establish things so that everyone, whatever his mentality, prefers the public right to private advantage, this is the task, this is our concern. (TTP 17.16|GIII 203)

Spinoza himself then offers a discussion of how the biblical Hebrew Republic met this challenge. Their solution was partly doctrinal and educational, but it was more significantly and overwhelmingly institutional. Commitment to the common good was achieved through the infinite complex details of institutional design: who held office, what was the decision procedure, what was the division of responsibilities, what was the guarantee of the people's material security (including the jubilee). (TTP 17.26-92|GIII 205-17, especially 17.62|212) The state was established such that the actual pressures faced by each party brought about public spirited attitudes and actions.

The Hebrew case cannot furnish a direct answer to Lærke's puzzle, because it concerns political virtue in a context of enforced doctrinal uniformity. By contrast, we are now interested in the virtues appropriate to a free society. However, here also the same institutional focus is explicitly maintained, framed in classic republican terms: citizens' 'virtue and constant observance of the laws are to be attributed most to the virtue of the commonwealth and its absolute right'. The virtue or vice of a population is to be imputed to the quality of their commonwealth, and not the other way around. (TP 5.2-3|GIII 295) Lærke may be correct that the law narrowly understood, as a command backed by punishment, may be of little help to achieve the required virtue.¹⁷ But in the republican tradition, law is more broadly conceived, encompassing institutional setup in general: all the grey meticulous matters of incentives and pressures and money and rules of organisation, which fill the

¹³ *Ibid.*, 95-120.

¹⁴ *Ibid.*, 119.

¹⁵ *Ibid.*, 154.

¹⁶ *Ibid.*, 149.

¹⁷ *Ibid.*, 147.

'boring chapters' of the TP (6-11). Law in this broader sense promises to have a correspondingly broader impact on citizens' conduct.

Let us see now more specifically how these institutional considerations might offer a solution to Lærke's puzzle. Flattery is a grave and corrosive misuse of the permission for free expression. Neither flatterer nor the flattered speak with honesty and integrity: the flatterer does not speak their own true judgement, and the flattered receives no rational challenge to their views. But flattery is not eliminated simply (as Lærke's discussion would suggest) by replacing courtiers with a public sphere and by educating the populace. For flattery and the subservience that drives it are constantly generated by relations of dependence: the more an individual has to gain or lose from another's decision, the less protected they are from the other's whims, the more inclined they will be to flattery. Thus, it is no coincidence that merchants are the exemplars of free philosophizing in the period:¹⁸ not only because they are separate from the royal court and because they are well educated, but also and more importantly because they are economically independent, unlike servants, wage labourers, or women. The economic conditions of free philosophizing include eliminating economic dependency. Correspondingly, and discomfitingly to the contemporary reader, Spinoza is quite happy to summarily exclude economic dependents from the citizen body, notably servants (TP 6.11|GIII 300). Political dependence can also produce servile flattery, as for instance when certain people hold office for a long time, and govern favourably towards those who defer to them. Even in a society with a public sphere of educated citizens, there will still be need for aggressive institutional measures to counteract this tendency. The concern about dependency renders comprehensible Spinoza's extraordinary system of selection and rotation of counsellors to the king in a well-ordered monarchy, which is so extensive as to approach a system of lot.¹⁹ If political office is achieved through lottery, and held only briefly, there is no chance for office holders to accumulate toadies.

Lærke's discussions display some hints of awareness of this dimension of Spinoza's thought,²⁰ but only inconsistently. For instance, Lærke offers Spinoza's retelling of an anecdote from Quintus Curtius as evidence for the claim that people 'will, whenever the slightest opportunity arises, exercise their natural authority to teach and advise'.²¹ But it does not seem to me that the anecdote supports his claim. Certainly, citizen-soldiers persistently criticized Alexander the Great. But equally, as Spinoza very explicitly notes, mercenary soldiers were compliant and servile. (TTP 17.67-8|GIII 213) So again, a key determinant of virtue are the conditions of dependency or independence in which people find themselves.

In sum, Lærke is surely correct that Spinoza's best state would cultivate a robust public sphere of discussion, put in place a system of education, and disseminate pro-social narratives amongst the citizenry, and all these factors may contribute to civic virtue. But Spinoza's political philosophy recognizes that there are also larger forces at play. If economic and political forces are pressing for subservience, a citizen's education is unlikely efficaciously to lead to the virtues of nobility and integrity and the activity of free philosophizing. Lærke offers occasional discussion of these themes, but I wonder whether they deserve to be given more central place, reflecting their central place in Spinoza's own later writings. Without doubt, Lærke has performed excellent service in delineating the new participatory democratic

¹⁸ *Ibid.*, 143-4.

¹⁹ Sandra Leonie Field (2020), *Potentia: Hobbes and Spinoza on Power and Popular Politics* (New York: Oxford University Press), 254-6.

²⁰ Lærke, *Spinoza and the Freedom of Philosophizing*, 117, 130, 143.

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public sphere which connects throughout Spinoza's political texts. But this sphere of free philosophizing does not stand on its own, rather it is the product of a whole constellation of institutional structures.

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Lærke's central objective in his book is to argue that Spinoza is best understood as promoting a rich, positive conception of this freedom.² The foil to Lærke's argument are those interpreters who would understand the freedom of philosophizing to be nothing other than the legal permission of free expression. On Lærke's view, it is undeniable that Spinoza does defend the importance of a legal permission for free expression. But he argues that this permission is itself a mere licence (*licentia*), not constitutive of freedom (*libertas*).³ In Spinoza's ethics, individual freedom is understood positively, as rational self-determination; so too in Spinoza's politics, freedom of philosophizing will be understood positively, as a practice of self-authorized expression, imbued with virtues of honesty and integrity. In one sense, this freedom of philosophizing may be weaker than Spinoza's ethical freedom: it does not require full rational adequate knowledge. But in another sense it is more demanding. For in Lærke's view, while freedom of philosophizing emerges out of citizens' self-appointed 'authority to teach and advise', this authority can only be exercised interpersonally. This makes freedom of philosophizing an essentially collective endeavour, with opinions offered

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Lærke is surely correct that Spinoza's best state would cultivate a robust public sphere of discussion, put in place a system of education, and disseminate pro-social narratives amongst the citizenry, and all these factors may contribute to civic virtue. But Spinoza's political philosophy recognizes that there are also larger forces at play. If economic and political forces are pressing for subservience, a citizen's education is unlikely efficaciously to lead to the virtues of nobility and integrity and the activity of free philosophizing. Lærke offers occasional discussion of these themes, but I wonder whether they deserve to be given more central place, reflecting their central place in Spinoza's own later writings. Without doubt, Lærke has performed excellent service in delineating the new participatory democratic public sphere which connects throughout Spinoza's political texts. But this sphere of free philosophizing does not stand on its own, rather it is the product of a whole constellation of institutional structures.

¹⁷ *Ibid.*, 147.