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The Possessor of Free Will and Sovereignty: On the position of Spinoza's political thought

Takehide Kashiwaba

Introduction

Spinoza's position in the history of political philosophy has been primarily that of a forerunner to Liberalism¹. It is certain that in *Tractatus Theologico-Politicus*, Spinoza defends freedom of speech and thought, and although in what was to become his last work, *Tractatus Politicus*, he argues even in favor of the monarchy and aristocracy as political systems, he nevertheless places importance on the free people of the state. For example, regardless of how absolute the sovereignty of a commonwealth may be, Spinoza asserts that "no one is able to transfer to another his natural right or faculty to reason freely and to form his own judgment on any matters whatsoever, nor can he be compelled to do so" (TTP 20/242, cf. TP3/8/287). Rather than the freedom of speech of the individual being in opposition to the sovereignty and peace of the state, on the contrary, it is a prerequisite for the maintenance of the state (TTP20/246-7). It is upon the state to facilitate the growth of the minds and bodies of humankind, and to ensure that each individual can live freely and harmoniously exercising reason. "The purpose of the state is, in reality, freedom (*libertas*)" (TTP 20/241). The state that promotes in its

population the rule of reason and a true spiritual life is a state that is established by “a free people (*multitudo libera*)” (TP 5/6/296). If we are to take such statements in the texts literally and uncritically, then it may be correct to call the political philosophy of Spinoza “liberalism.” In fact many scholars, though each having some forms of reservations, have classified his philosophy as liberalism².

However, Spinoza is a philosopher who insists to the end on the non-existence of free will. In his well-known philosophical metaphor, Spinoza says that the idea is as foolish as a rolling stone being conscious and thinking that it is moving of its own free will (Ep58/266). It seems that Spinoza’s conception of man as not having free will, and his liberalistic political philosophy, are not easily reconciled. Where, exactly, may we find Spinoza’s true intent?

This paper attempts a unified understanding by solving the above incongruities in Spinoza’s political thought and philosophy. Specifically, by interpreting thoughts in *Ethica* and *Tractatus Politicus* together, I wish to clarify the relationship between sovereignty and the possessor of free will³. The central issue discussed is how the sovereign ruler of a state can obtain obedience from his subjects.

To begin with, I shall reexamine the principles of the formation of a state as outlined in *Tractatus Politicus* from the point of view of obedience of the subjects to the ruler.

Secondly, through a reading of the portion of *Ethica* in which Spinoza develops his criticism of free will, I shall show that it is in fact the existence of individuals, who mistakenly believe that they possess free will, that is the very condition for acquisition of obedience to the ruler.

Thirdly, from the point of view of maintaining the order of the state, I shall reinterpret the conviction that subjects “freely obey the state”.

1

Spinoza states that the difference between Hobbes' politics and that of his own is that "I always preserve the natural right in its entirety" (Ep50/238-9). For Spinoza, *jus naturae* means "the laws or rules of Nature in accordance with which all things come to be" (TP2/4/277). This is the principle of *conatus*, which is humanity's actual essence, and desires that originate from reason or from other causes, insofar as they are "explicating the natural force whereby a man strives in his own being" are not distinguished. "Whether a man is led by reason or solely by desire, he does nothing that is not in accordance with the laws and rules that is ...he acts by the right of Nature" (TP2/5/277). According to Spinoza, no matter what the motive may be, people do everything that they possibly can do within their power, and this is the exercise of natural rights itself. In a fundamental sense, legal terms such as the "exercise of rights" or "delegation of rights" are inappropriate⁴. Spinoza's main concern in *Tractatus Politicus* is not to tell the story of the establishment of the state using the terminology of natural jurisprudence, but to clarify the actual conditions for the existence of the state. Spinoza's assertion in *Tractatus Politicus* that there is no civil order clearly distinct from that of a state of Nature gives credence to this reading. All human beings, "everywhere, whether barbarian or civilized, enter into relationship with another and set up some kind of civil order" (TP1/7/275-6).

Accordingly, in this section, I shall analyze the establishment of the civil order from the point of view of obedience of the ruled to the ruler. Common sense dictates that in order for the affairs of state to be carried out smoothly, and for the state establishment to be maintained, the people under the jurisdiction of that state (or at least a majority of them) must

adhere to the system of law set out by it. From the point of view of the ruler, obtaining sufficient obedience from the ruled is indispensable⁵. To me, the uniqueness of *Tractatus Politicus* reveals itself typically in the problem of obedience of the subjects of the state to its laws.

Spinoza defines “obedience” (*obsequium*) as “the constant will to do what by law is good and the common decree requires to be done” (TP2/19/282-3). According to Spinoza, it is impossible that any power other than that of the state should secure the obedience of the subjects. The period in which a human being lives in adherence to the wishes of another is that in which that every man is “in the other’s power”, which implies that only during that period is every man “subject to another’s right” (TP2/9/274). In order to make people conform, there are many possible means, such as tying them up, or taking away arms and restraining them so they cannot escape. However, through the use of such measures one “holds only the other’s body, not his mind” (TP2/10/280). What is desirable is to put both the minds and bodies of people under one’s right. If a ruler brings benefits or instills fear, in order to place the subjects at his command, then as long as the affects of fear and hope (i.e. desire to receive more benefit) continue, the ruler can place the subjects, in mind and body, under his own right (*ibid.*). In fact, the only difference between the civil order and the state of Nature lies in the point that in the former, “all men fear the same thing, and all have the same ground of security, the same way of life” (TP3/3/285). The civil order is nothing more than a collective bound by the commonly held affects of fear and hope.

The sovereignty of the state is defined as “the power...of a people which is guided as if by one mind” (TP3/2/284-5). Since Spinoza does not recognize any proof or justification other than this power in the rights of the state (nor in those of the individuals), the maintenance of the state relies solely on this collective power of the many. The same can be said

of the acquisition of obedience. By this I mean that the situation in which people “as if by one mind” implies the case that when seen from the viewpoint of each individual, the sum of the power of “the others (*reliqui*)” is stronger than one individual’s power. In such a case, each individual has fewer rights; that is, Spinoza holds that this is so because they adhere to the collective will. (TP2/16/281-2). Whether the reason individuals adhere to collective will, comprising the laws of the state, whether they are afraid of the power of the state, or whether they wish for a peaceful life, the fact still holds that they do so of their own volition (*ex suo ingenio*), based on their own judgment and upon consideration of advantages and disadvantages. This situation is the same in both the state of Nature and the civil order (TP3/3/285). As such, “holding the mind” can be interpreted as the situation whereby each individual defers to the state based on his own volition. As mentioned at the beginning of this paper, Spinoza defends individual freedom of thought almost unconditionally. The reason for this is that, even with the authority of the state, an action such as forcing the suspension of individual judgment and making one believe the false to be true is impossible (TP3/8/287 cf. TTP20/239). The only thing a state can do is, at best, to gain obedience of individuals based on their own volition.

Ultimately, the problem of securing the obedience of the citizens is solved by the state itself monopolizing sovereignty (*imperium*) that amounts to ultimate authority. While the “monopolization of sovereignty” may seem like a tautology, and indeed Spinoza addresses this issue of the division of sovereignty. If the state were to allow one, two or more to act counter to its wishes and allow living according to individuals’ free volition, the state would lose exactly the same number of rights as that of dissenting individuals. That is how much of its power the state would lose and how many rights it would transfer; and that can be called

the division of sovereignty (TP3/3/285). Were the state to embitter the people, nourish emotions of fear or hope for revenge, and those emotions were to take on concrete form, then the state would lose a considerable amount of its power (TP3/9/288). Were this to unfold, the state would end up giving the same amount of power to all of its citizens, which would mean the dissolution of the state, and this would bring about the complete return to the state of Nature (TP3/3/285).

How, then, should the state maintain itself and obtain obedience from its citizens? It would suffice for each and every citizen to accept the following persuasive argument: “les forces de tous les autres sont a notre entiere disposition”⁶. In other words, the state should encourage every member to believe that every member excluding himself defers to the state. The sovereignty of the state is restricted when a number of the citizens live without concern for the state. If this number is one or two, there may be no damage. However, when a significant number of people are bound by hope and fear, and a community-like group forms within the state, the sovereignty of the state becomes merely nominal. What poses the greatest danger for the ruler thus is the possibility that the people that constitute citizens, for whatever reason, might be bound “as if by one mind” separate from the state. For the ruler, people coming together in different ways is a fatal problem, and the ruler must limit the causes by which people unite. To that end, the ruler tries to have each individual imagine that “every other individual but you obeys me.” If the ruler is successful in this attempt to convince, then each individual sees before him the collective power of everyone but himself, and this decreases his own power and right. In this case, each individual fears only one thing: that is the power, i.e. the right, of everyone but himself. The reason for this is that if the number of “everyone but himself” is the total given number of citizens, then this is his only choice.

2

In the previous section, it was shown that in order for a ruler to obtain obedience from the people, each individual must imagine that “everyone excluding myself” is either “subject to the sovereignty” or “subject to the will of the state.” This may be represented as a two-tiered distinction: “the other people” and “I”. In this section what I would like to show is that the very individual who imagines this representation is the possessor of the free will. It is, however, well known that Spinoza is very enthusiastic about the rejection of human free will. One who believes that he or she is free, or to be more specific, one who holds the notion that due to free will he or she may decide to do something or not to do something, is conscious of his or her volitions, appetite, or behaviors, but does not know the cause behind such decisions (E1A, E2P35S, Ep58). According to Spinoza, people, who may only be described as ignorant, falsely believe in their own freedom. I believe, however, that the possessor of free will, in this illusory sense, is what necessarily defers to the state. The key to this is in Spinoza’s theory of affects.

People who believe themselves to be free are also, on the cognitive level, trapped by their own imagination (*imaginatio*), and are also people who are endlessly driven by their passive affects. The affects that form the civil order are hope and fear, which are originally these are passive affects, together with the joy and sadness that people feel “born of the idea of a future or past thing whose outcome we to some extent doubt” (E3AD12-13). By definition, there is no such thing as fear without hope, and likewise hope without fear, and especially with respect to the future these affects are actually two aspects of the same affect (E3AD13Ex). By tracing Spinoza’s analysis of people bound by joy and sadness, I shall

try to explain the two-tiered scheme consisting of “the other people” and “I.”

While Spinoza purposefully glosses the word “men” (*homines*) as those “toward whom we do not have any affect” it is in the 29th and following propositions in Part III of *Ethica* that he outlines the “imitation of affects (*imiatio affectuum*),” or the propagation of the original affect. In it, Spinoza states that we can share an affect with multiple individuals. “If someone has done something which he imagines affects with Joy, he will be affected with Joy accompanied by the idea of himself as cause” (E3P30). The notions of “I” and “the other people” already appear in this proposition. Below I shall examine the proof of this proposition.

When one imagines that he has caused another joy, it is by this action itself that he is enveloped in joy. This is because beings like ourselves, “to be affected with some affect, we are thereby affected with like affect” (E3P27). Moreover, because one is conscious of oneself through the affection (in the body) that determines one’s actions, one conceives of “oneself as the cause” of the joy of others, and is moved by joy. When it is sadness that is involved, though the direction of the argument is reversed, the logic is the same.

Seeing oneself as the cause of some phenomena is one of the beginnings of believing oneself to have free will. Here I shall take up a criticism of Spinoza by one of his contemporaries, introduced in a correspondence to Schuler. It claims that just being conscious of “our rational faculty in complete freedom to want to write or not want to write” is proof in itself that humans have free will. Spinoza astringently replies that this consciousness is not different from that of the “stone in motion” mentioned earlier. That is, all the causes that in another situation would not have forced him to write, have, in this situation, necessarily caused in him the desire to do so (however, this is not to mean that external forces

caused him to write against his will) (Ep58/267). The question of to just what extent this argument is valid may be put aside for the time being. Rather, I would like to examine another possibility arising from Spinoza's reply. Is it the case that, precisely because one does not know the external causes that lead to the belief that oneself has free will, one believes himself to be the cause? In other words, with regard to the act of having a desire, one believes that since oneself is the cause of it, one is not necessarily bound by that desire. In addition to the existence of one's desire, one can therefore think that one can "want" or "not want" that desire, and this reasoning is the source of the notion that one is the cause, and furthermore, this notion gives birth to the belief in free will.

As I am the cause of another's joy, I may act so as to bring about joy in another (cf. E3P29S). I thus believe that in myself I have the power to make action possible, and that I have the free will to act on that power. This belief, however, can be proved false by the following two points. First of all, it is possible that such an affect of joy is a merely imaginary thing (*imaginaria*) (E3P30S). Secondly, affects shared through the imitation of affects, or desires to behave based on those, are not the exclusive property of the person feeling them. We do not have some standard for measuring "those similar to ourselves," by which we count up the similar points, and then share affects. The truth is that we are swept over by an affect, though we do not know whose, and believe *ex post facto* mistakenly that it belongs to us (E3P27D).

Since the above argument may be hard to follow, we should clarify the mechanism of Spinoza's 'imitation of affects.' To this end, a comparison with Hume's "sympathy" is particularly useful.

Hume explains sympathy in approximately the following manner. When one person feels passion, the resulting "external signs in the countenance and conversation" cause an idea of passion, which is trans-

mitted to our minds. This idea is then immediately converted into an impression that gives rise to the identical emotion. This principle of the transmission of another's passion is sympathy⁷. Furthermore, according to Hume, we cannot cognize directly another's passion, but can only notice its causes or effects. We can only "infer" from these causes and effects, and these causes and effects bring about sympathy⁸. Hume's sympathy relies on the principle of the transmission of passion, yet since it goes through this process of inference, it is doubtful that this itself is passion⁹. And there is a "general and inalterable standard" that transcends each individual's particular circumstances, thereby necessitating revisions to Hume's theory of sympathy¹⁰.

When compared to Hume's idea of sympathy, in Spinoza's "imitation of affects" there is no room for such an intermediary step as "the inference of affects." On the contrary, our cognition of another's affect, and our being enveloped in a similar affect, are exactly the same thing. Spinoza finds a concrete example of the imitation of affects in childhood. When one child cries or laughs, other children begin to cry and laugh together. For children, the cognition of another's affect is the imitation of affects itself. This should apply not only to children, but also to people in general. The reason for this is that since the images of things are affections to the body itself, the human body is disposed to perform some action in response to them (E3P32S). In this manner, and in contrast to Hume, this notion is close to compassion¹¹ in the sense that one takes another's affect and makes it his or her own. It is not necessary here to make fine distinctions in terminology. It should suffice to confirm that there is no disparity between the cognition of another's affect and its imitation.

In addition, the imitation of affects also acts by itself independently of any particular circumstance. However, the imitation of affects is not

something that creates “a general and inalterable” point of view inside someone. What is characteristic in Spinoza’s theory of affects (and this is not limited to imitation) is that any and every external cause for an affect interminably shifts. When we meet with something, that thing causes movement in our bodies, which results in an affection. On the other hand, when we merely imagine that something that has caused a certain affect in the past possesses similarities to what we are looking at now: even though that may not be the direct cause of the affect, even though, in fact, when the thing in front of us now causes the opposite affect, we will also come to have the same affect as we had before (E3P16–P17)¹².

The reason for this situation is that human affects are mediated by an imagination, inadequate idea. When we have affects, *imaginatio* formed in the mind denotes the affection of the body, rather than the nature of the external source (E3P14D). Thus, the similarities we find in various things do not represent the real properties of the things themselves. For that reason, once we have felt an affect, even a coincidental one caused by the imagined resemblance between two things, the affect we may originally have shifts to different things, which will have less relation to the origin or cause of the affect. Since the resemblance of two things may actually only represent a partial similarity, and may represent the things themselves, this shift can expand infinitely. Likewise, an affect associated with one external thing may become associated with something unrelated to the original thing. Accordingly, our affects, through the shift of imagined resemblances to external objects, eventually become tangled in a web of infinitely complex connections. Spinoza’s theory has proved that people are inevitably entangled in the network of their own affects.

When the imitation of affects is added to the above picture, we are

fighting a kind of unintended and unavoidable battle. For example, from the proposition that treats the imitation of affects, first pity is deduced, but then from pity, envy is born. The reason is that when we imagine someone exclusively taking pleasure in some possession, through the imitation of affects, we come to desire that same possession. Hence, through essentially the same mechanism as that of compassion¹³, our enviousness is brought about (E3P32S)¹⁴.

By taking the above detour, it becomes ever clearer that a person bound by the above imitation of affects cannot be called a controller of himself. However, as long as one is bound by passive affects, the intuition of self-control is far from weakened. On the contrary, it is strengthened. This is because there is no other way to be conscious of the self than to go through this process of experiencing affects. Affect comprises affections of the body in the strength and weakness of its activity and the ideas of affections (E3Def3), but “The Mind does not know itself, except insofar as it perceives the ideas of the affections of the Body” (E2P23). The mere fact that this awareness of the self does not include the external forces causing affections of the body necessarily means that it is inadequate (E2P28, P28S). Nevertheless, it remains that, “je ne puis affirmer mon etre que dans ma relation a l'autre”¹⁵. This is because my own power of acting is increased or decreased only when it interacts with external causes. Within this external interaction, “when the Mind considers itself and its power of acting, it rejoices, and does so more, the more distinctly it imagines itself and its power of acting” (E3P53). What is more, when one's activity can be distinguished from others, and is contemplated as one's own activity, one feels joy by that alone. On the contrary, when what one affirms of oneself can be related to a general concept of humankind, one is not so pleased (E3P55S). In other words, to desire to think that one is clearly distinguishable from others, and that

“only I” am a special form of existence, is the ordinary state of a being that is bound by passive affects.

On the other hand, the mind of a believer in free will is also contented when considering itself in relation to “other people” in the context of concepts like *classis* and *natio* (E3P46). Needless to say, insofar as these are general concepts, their perception is flawed. Spinoza claims that the perceptions of universal notions are confused. As a representative example, it is significant that Spinoza chooses “Man.” The term “Man” refers only to the situation where to one individual a certain number of individual bodies are coincidentally imagined in the same way, and denotes only physical points in which the body has been most affected by these images. To express such a variety of external relationships by one image is fundamentally impossible. In reality, the image to which the term “people” refers is various to the point of uselessness (E2P40S1). Nonetheless, ruled by the imagination, and bound by passive affects, it is easily conceivable that to people who believe in their own free will, in the context of the state, “the other people” connotes not “Man” but fellow members of *natio* and *classis*.

It has become clear that this two-tiered system constituted by “I” and “the other people” is the representation that is always held by the possessor of free will. Humans are able to believe in their own freedom because humans cannot get this two-tiered system out of their mind. While being connected to a non-specific number of people by common affects, people imagine themselves as the “the self as the cause” separate from others; and this is necessary for self-awareness. It is such an image of humankind that Spinoza critically analyzes as the “possessor of free will.”

3

It should be clear by now that the being that defers to the state is the possessor of free will. Each individual subtracts himself from the group of citizens, is aware of himself, and further imagines himself to be free. What is more, while believing in the idea of “only I,” he is simultaneously bringing into existence the power of “the others,” which existed only as something imagined. If every individual imagines that “all other people defer to the state,” then that person is overwhelmed by the collective power, and as a result he or she will actually defer to the will of the state. Through this, what to he or she was only a matter of belief based on imagination becomes reality. And from there each individual is again motivated to defer to the state, *ad infinitum*¹⁶. Generally speaking, imagination is a confused and inadequate cognition, and is the ultimate source of falsity (E2P40S2, P41). Despite this fact, or because of it, the imagination held by the possessor of free will goes on to create reality¹⁷. I believe that Spinoza saw through the complicity between obedience to the state and the possessor of free will, and believed this to be at the root of the formation and maintenance of the state. At the very the least, it is possible in *Tractatus Politicus* to interpret from the words “free volition” and “a free people/citizen/subject,” as I have here, and should be interpreted so¹⁸.

The above analysis has only stated the necessary condition for the rule of the state. What then, is the sufficient condition? They are surely a well-organized political system and wise policies based on “the dictate of reason.” It has been demonstrated above that individual imagining that he has the power of “deciding to defer to the state based on his own free will” ensures the obedience of the whole citizens to the state.

However, just because these conditions have been fulfilled, this does not mean that a ruler may exercise supreme sovereignty and practice despotism. Violence and oppression will only lead to the dissolution of the status of civil order. In Spinoza's own words, "if a commonwealth were not bound by the laws or rules without which the commonwealth would not be a commonwealth, then it would have to be regarded not as a natural thing but as a chimera" (TP4/4/292). In addition, just as with the individual human being, behaviour based on reason is the most powerful, and is most under one's right, "The commonwealth that is based on reason and directed by reason is most powerful and most in control of its own right" (TP3/7/287).

Though going into what is entailed in "the dictate of reason" is beyond the scope of this paper, it can at least be said that it entails the creation of a state, whether it be an aristocracy or monarchy, in which each individual can imagine he is "feeling pleased, and obeying the laws of the state," and in that sense, it has liberalistic (and to that extent democratic) content¹⁹. Lastly, from this point of view, I would like to reexamine Spinoza's defense of the freedom of thought in *Tractatus Theologico-Politicus*.

Making people under our right do as we wish does not mean, for example, the same thing as being able to "make a table eat grass." In exactly the same manner, it is impossible for a commonwealth to make people under its right respect what should be ridiculed or held in contempt. For that reason, a ruler that pillages from or massacres his citizens, "turns fear into indignation, and consequently the civil order into a condition of war" (TP4/4/293). Such a state will eventually collapse. In such a condition which "entails the destruction of commonwealth" (*ibid.*), it can be interpreted that the ideas of freedom of speech and thought were included.

According to Spinoza, rather than freedom of thought and speech damaging the peace, order and moreover sovereignty, it is an indispensable condition for their maintenance. Where “attempts are made to deprive men of this freedom, and beliefs of dissenters...are brought to trial” a person in the right will be singled out as a victim, seem like a martyr, and other people who see this will develop feelings of resentment toward the state and turn to revenge. When religious conflicts become involved, the situation is “directly opposed to the welfare of the state” (TTP20/247). Spinoza defended freedom of thought and speech because such guarantees will lead to the peace and order of the state, and for no other reason (such as a policy of religious tolerance). Such a way of thinking can be called the “realism” common to *Tractatus Theologico-Politicus* and *Tractatus Politicus*.

From the discussion in this paper, it can be considered appropriate to accept the prevailing notion and to count Spinoza among the number of liberal philosophers. However, it must be conceded as a collateral that the freedom that Spinoza defended is also backed up by his denial of free will.

Of course, the true freedom that Spinoza recognizes in people, that is, “the freedom to do what necessarily comes from the nature of the self,” and the freedom sought after in political thought, to the extent that it has been clarified by this paper, are completely separate things. The clarification of the relationship between these two freedoms and what role that relationship plays in Spinoza’s political thought and philosophy is beyond the scope of this paper, and must be left as a topic requiring further research.

Explanatory Notes

As texts, Gebhardt’s edition is used.

Gebhardt (ed.), Spinoza opera, 1925 (Heidelberg: Carl Winter)

In quoting *Ethica*, the following abbreviations are used:

E1, 2 etc. = *Ethica* Pars 1, 2, etc., Praef = Praefatio, Def = Definitio,

P = Propositio, D = Demonstratio, C = Corollarium, S = Scolium,

A = Appendix, Ax = Axiom, Post = Postulatum, L = Lemma,

Ex = Explicatio, AD = Affectuum Definitiones

Abbreviations for *Tractatus Theologico-Politicus* and *Tractatus Politicus* are TTP and TP, respectively.

Ex: TP2/4/288 = *Tractatus Politicus* Chapter II Section IV, Volume III, page 228 of Gebhardt's edition (for *Tractatus Theologico-Politicus*, I indicate only chapter number and page number of Gebhardt's edition).

Correspondences are abbreviated as Ep, with Gebhardt's running numbers, and when necessary the page numbers of vol. IV of Gebhardt's edition are mentioned.

Translation of *Ethica* is from Curley's and that of other works of Spinoza is from Sirley's.

E. Curley, *The Collected Works of Spinoza, vol. 1* (Princeton: Princeton U. P., 1985).

S. Sirley, *Theological-Political Treatise*, 2nd ed. (Indianapolis: Hackett, 2001).

S. Sirley, *Political Treatise* (Indianapolis: Hackett, 2000).

S. Sirley, *The Letters* (Indianapolis: Hackett, 1995).

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Notes

¹ See J. Gray, *Liberalism* (Milton Keynes: Open University Press, 1986), pp.9-11.

According to Gray, Spinoza is closer to liberalism than Hobbes, but like Hobbes, since he does not take the reformist standpoint that liberals does, “They are precursor of liberalism rather than liberals” (p.11).

- ² As a classical example, see L. S. Feuer, *Spinoza and the Rise of Liberalism* (New Brunswick: Transaction Books, 1987, original ed. 1958), esp. ch. 4. Smith has recently examined Spinoza's political philosophy in connection with Judaism, asserting that “for Spinoza, Judaism, not Christianity, is the paradigm for liberalism”. S. T. Smith, *Spinoza, Liberalism and the Question of Jewish Identity* (New Haven: Yale University Press, 1997), p.23. There are researchers that are skeptical towards the prevailing notion that Spinoza should be viewed as a liberal philosopher. See D. J. Den Uyl & S. D. Warner, “Liberalism and Hobbes and Spinoza,” in *Studia Spinozana*, 3, 1987, pp.307-11.
- ³ In this paper, *Tractatus Theologico-Politicus*, will be taken up only secondarily, there being significant disparities between *Tractatus Theologico-Politicus* and *Tractatus Politicus* concerning the formation of the civic order. While in the former, the individual's judgment based on reason and the social contract form the fundamental basis for the formation of the state, in the latter it is affects that people share. While the source of these disparities most likely lies in the difference of Spinoza's idea of affect, constraints do not permit a detailed discussion here. For a developmental history of Spinoza's political theory, see A. Matheron, “Le problème de l'évolution de Spinoza du *Traité Theologico-Politique* au *Traité Politique*,” in E. Curley & P. F. Moreau (eds.) *Spinoza: Issues and Directions* (Leiden: E. J. Brill, 1990), pp.258-70, esp. pp.267-8.
- ⁴ I would like to briefly address here the notion of “contract” in Spinoza's political thought. In the 16th chapter of *Tractatus Theologico-Politicus*, Spinoza discusses the social contract and the establishment of a state based on the transfer of individuals' natural rights to the community. However, by the time of *Tractatus Politicus*, any idea suggestive of the notion of “social contract” has been eliminated.

Whether to interpret this change as a discontinuity in Spinoza's political thought, or as an expansion on it, is a point of controversy. What should be noted, however, is that even in *Tractatus Theologico-Politicus*, Spinoza states that “the validity of an agreement (pactum) rests on its utility, without which the agreement automatically becomes null and void” (TTP16/192). Since Spinoza held this view of contracts, Wernham was correct in noting that discussion along the lines of the “social contract” in *Tractatus Theologico-Politicus* is superfluous. See A.G. Wern-

- ham (ed. and tr.), *Benedict Spinoza: The Political Works* (Oxford: Clarendon Press, 1958), p.131, footnote 3.
- ⁵ See the following comment in *Tractatus Theologico-Politicus*: “It is not the motive for obedience, but the fact of obedience, that constitutes a subject” (TTP17/202).
- ⁶ A. Matheron, “Spinoza et pouvoir”, in Matheron, *Anthropologie et politique au XVIIe siècle* (Paris: Vrin, 1986), p.115.
- ⁷ D. Hume, *A Treatise of Human Nature*, ed. by P. H. Nidditch (Oxford: Clarendon Press, 1978), p.317.
- ⁸ Hume, *Treatise*, p.576.
- ⁹ See Ryuei Tsueshita, *Hume*, (in Japanese, Keiso Shobo, reissue, 1994), pp.156-7.
- ¹⁰ Hume, *Treatise*, p.603.
- ¹¹ Hume’s “sympathy” may be “Mitgefühl” but it is not “Mitleid.” See J. L. Mackie, *Hume’s Moral Theory* (London: Routledge & Kegan Paul, 1980), p.120. When speaking of the imitation of affects, one is first reminded of *Commiseratio* (E3P27S).
- ¹² As a result, the vacillation of mind arises from the result of these two opposing affects (E3P17S).
- ¹³ This is essentially the same as pity. See E3AD18, AD24.
- ¹⁴ Interestingly, Sudo introduced the proposition of the “ugly duckling” in analyzing Spinoza’s imitation of affects. Simply speaking, it states that any two objects are similar to each other to the same degree. If this is the case, the resemblance between “us” and “those similar to us,” cannot form a foundation for the actual nature of the human body. The reason is that “everything resembles everything.” Sudo Norihide, “Kanjou Densen,” in *Genshougaku-Kaishakugaku Kenkyukai* (ed.) *Praxis no Genshougaku*, (Sekai shoin, 1993) pp.212-214.
- ¹⁵ M. Bertrand, *Spinoza et l’imaginaire* (Paris: PUF, 1983), p.120.
- ¹⁶ See A. Matheron, “Spinoza et pouvoir” p.115.
- ¹⁷ “Donc, chacun occupe une place dans le reste d’autrui en étant exclu de son propre reste: c’est bien ce que nous avons nommé réciprocité d’asymétrie.” Osamu Ueno, “Spinoza et le paradoxe du contrat social de Hobbes «le reste»,” in *Cahiers Spinoza*, 6, 1991, p.287. In writing this paper, I acknowledge the great influence of Ueno, who stressed that individuals realize each other’s power by believing in it with no guarantee. I can find no flaw or room for improvement in Ueno’s logic.
- ¹⁸ Shibata, in espousing Spinoza’s theory of desire, reads “a mechanism of reproduction of deference to the state” into the interpretation of the structure of establishing the self as an autonomous individual. While I agree completely with her

conclusions, there are some coarse points in her examination of Spinoza's theory of affects. See Toshiko Shibata, "Spinoza-shugisha ha jiyuu-shugi no nani wo hihan suru ka: jiyuu na jiko no identity to shakai kenryoku," in *Jiyuu na shakai no jouken*, Library Sokanshakaikagaku 3, (Shinseisha, 1996), pp.117-182.

- ¹⁹ The imitation of affects is in fact also at work between the ruler and the ruled. When each individual defers to the state, the affect he or she experiences (whether it is hope or fear) causes a significant difference in the stability of the civic order. See T. Kashiwaba, "Spinoza ni okeru risei to kanjo (On Spinoza's Ratio and Affectus)," *TETSUGAKU (Annual of the Philosophical Society of Hokkaido University)*, 30, 1994, pp.95-97.