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Determinism, Freedom, and Ethics:
Spinozistic Interventions in the Contemporary Discussions of Responsibility

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M.A., Emory University, 2010

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An abstract of
A dissertation submitted to the Faculty of the
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Abstract

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My dissertation uses Spinoza's philosophy as a rejoinder to the ongoing debate concerning free will that has undergone a remarkable resurgence in contemporary philosophy due to recent developments and research in cognitive and brain sciences. The primary concern in this debate is that if there is no free will then there can be no moral responsibility. And if there is no moral responsibility, then much of the foundations of traditional moral and legal practices are undermined. Concomitant with this debate is a growing demand in the natural, biological, and social sciences for a new concept of responsibility, especially for legal theory, that is not based on free will. However, most of the contemporary positions on responsibility, forms of libertarianism or compatibilism stemming from the outdated philosophical models of Kant and Hume, cannot satisfy this demand. By looking at the contemporary philosophical debate on free will, my dissertation shows the deficiency of currently discussed positions on moral and legal responsibility. It then presents Spinoza's philosophy as one that, while adamantly denying free will, still provides an ethical and political theory which opens a new approach for both moral and legal responsibility based on the necessity of social life.

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Contents

Introduction

Though Spinoza is indubitably a major figure in early modern philosophy and despite his immense historical influence, his philosophy, in many ways, has long been neglected if not completely ignored by Anglo-American philosophers, even those historically oriented. Spinoza's philosophy is rarely a source of inspiration (or even of scholarly allusion) for Anglo-American philosophers in the way that Plato, Aristotle, Hume, and Kant, among others, still are frequently today. This fact is nowhere more evident than in the contemporary discussions concerning free will and moral responsibility. Despite the fact that nearly every part of Spinoza's *Ethics* is, in one way or another, concerned with free will or freedom, his philosophy has little influenced the contours of the contemporary debate on free will. So little in fact that, for instance, in the introduction to the *Oxford Handbook of Free Will* in a brief discussion of advocates of hard determinism, of which Spinoza was one of the first and foremost, Spinoza is not even mentioned. Instead, Robert Kane gives the examples of "Baron d' Holbach in the eighteenth century"[1] obviously completely unaware of the fact that d'Holbach's philosophy is unquestionably a product of Spinozism.

It is not difficult to see why Spinoza's philosophy has had such little impact on contemporary Anglo-American philosophy. Though there was some interest in Spinoza's philosophy in the English speaking world during the late 19th century with the rise of British Idealism heavily influenced by Hegel, who, in turn, was heavily influenced by Spinozism, this interest was cut short in the early 20th century by the dawn of the analytic tradition with the philosophies of G.E. Moore and Bertrand Russell. Even

[1] Robert Kane, "Introduction: The Contours of Contemporary Free Will Debates," in *The Oxford Handbook of Free Will*, ed. Robert Kane (Oxford: Oxford University Press, 2002), 27.

though, surprisingly, Russell was personally, if not professionally, influenced by Spinoza's philosophy.[2] The final nail in the coffin, so to speak, for Spinoza's philosophy in the English speaking world during the early 20th century was the rise of logical positivism and its deeply anti-metaphysical philosophy of science. As Thomas Cook writes, "rightly or wrongly, the positivists tended to see Spinoza as a metaphysician of the sort whose claims were neither analytic nor verifiable, and hence fit only for the flames of Hume's bonfire of metaphysical vanities. It was not an atmosphere conducive to Spinoza studies." [3]

The influence of logical positivism, though a somewhat short lived movement, can certainly be seen in the apotheoses of the already well ensconced empiricists Locke and Hume, and to a lesser degree Kant, in the historical canon for Anglo-American philosophy. The emphasis on these early modern empiricist philosophers, though they were actually unquestionably responding to the challenge posed by Spinoza's philosophy, further silenced Spinoza in the 20th century English speaking world as it did in 18th century. In fact, it has not been until more recently, with the work of Edwin Curley[4] and Jonathan Bennett,[5] both of whom attempt to interpret Spinoza in light of contemporary concerns, that there has been a renewed interest in Spinoza among non-continental scholars and philosophers. Nevertheless, though there is renewed interest in his philosophy, Spinoza's absence in the historical canon of Anglo-American philosophy is so apparent that while a nascent student of philosophy will most likely be

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[2] Thomas Cook, "Spinoza's Place in this Century's Anglo-American Philosophy" (address for the Amsterdam Congress celebrating the hundredth anniversary of the Vereniging Het Spinozahuis 1998).
[3] Ibid.
[4] See, for instance, Edwin Curley, *Spinoza's Metaphysics: An Essay in Interpretation* (Cambridge: Harvard University Press, 1970).
[5] See, for instance, Jonathan Bennett, *A Study of Spinoza's* Ethics (Indianapolis: Hackett Publishing Corp., 1984).

able to identify Hume as a compatibilist, even Robert Kane, a leading contemporary philosopher on free will and in no way ignorant of its history, fails to mention the most adamant hard determinist in the history of philosophy.

That Spinoza's philosophy is not part of the canon of Anglo-American philosophy is unfortunate and presents a noticeable lacuna in the contemporary discussion of free will and moral responsibility, because Spinoza was the first philosopher to address all the primary problems that still dominate our discussions about free will today, namely the compatibility of free will with determinism, the possibility of human freedom, and the possibility of moral responsibility.[6] Even a brief glance at the current literature on free will reveals that the debate about the problem of free will is today a debate about the question of whether or not free will and moral responsibility is compatible with determinism. Thus, the problem of free will is sometimes called the 'compatibility problem'. In one camp stand incompatibilists who hold that free will is not possible if determinism is true, in the other, compatibilists who find no such conflict between free will and determinism. This battle, having begun again in the late 20th century, currently has no end in sight.

However, Spinoza, writing in the 17th century, in the wake of the rise of modern science and Galileo's scientific revolution, was the first philosopher who not only incorporated the new science in his philosophy, but also took seriously the far-reaching consequences of modern science for the traditional understanding of free will and ethics. It was only at this time that the problem of free will and determinism first arose

[6] I hold that Spinoza is the first philosopher to deal with the questions about free will that still concern philosophers today, because, though others, most notably Thomas Hobbes, understood the threat determinism posed to the traditional understanding of free will, Spinoza was the first philosopher to address these questions in a systematic way. See Thomas Hobbes, *The Leviathan: With Selected Variants from the Latin Edition of 1669,* ed. Edwin Curley (Indianapolis: Hackett, 1994).

as it is understood today. Thus, it is a conflict engendered by the pre-modern notion of free will, shaped by Augustine's *liberum arbitrium*, the free choice of the will that is notoriously at odds with the modern mechanical natural philosophy. In order to elucidate the foundation of this conflict, it will be fruitful to first look at the notion of free will that the philosophers of the 17th century inherited from the pre-modern age and then present the new theoretical model of nature in early modern science that makes this notion of free will problematic.

It is striking to note that while classical philosophy deals with issues of akratic behavior, voluntary action, and the problem of determinism and fatalism it never formulated a theory of free will proper. For instance, the idea of free will and even problems of voluntary action are completely absent in Plato's philosophy. The closest Plato comes to touching on issues concerning what might be called the *will*, occurs in discussion of moderation [*sophrosune*] and the correct ordering of the parts of the soul.[7] Aristotle comes closer to discussing some contemporary problems concerning the will in Book III of the *Nicomachean Ethics*[8] when he gives his rather influential discussion of the preconditions for voluntary [*hekousios*] action. There, he argues that actions that are performed from external force or because of ignorance cannot be considered voluntary. With respect to the former, Aristotle indicates that an action is forced if it has its principle outside the person forced, that is, the agent is not the efficient cause of the action and thus does not willingly contribute to the action. An action done because of ignorance can include any number of factors of which the agent did not have

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[7] See, for instance, *Republic* Book IV where Plato writes, "'Moderation,' I said. 'is a certain kind of order and mastery of certain kinds of pleasures and desires, as men say when they use – I don't know in what way – the phrase 'stronger than himself.'" Plato, *The Republic of Plato*, trans. Allan Bloom (New York: Basic Books Inc., 1968), 109.

[8] Aristotle, *Nicomachean Ethics Books II-IV*, trans. C. C. W. Taylor (Oxford: Oxford University Press, 2006).

knowledge and consequently does not perform the action intentionally. Aristotle, however, is not concerned with whether agents have free will as a special faculty, a theory of which he does not formulate. He rather asks, since virtue is praiseworthy, under what conditions virtuous or vicious actions can be praised or blamed, that is, what are the conditions that an agent can claim her actions as "her own".

The first major appearance of physical determinism as a problem can be found in Epicurus,[9] but here too, there is no real formulation of free will. Epicurus, having adopted a Democritian atomistic physics of atoms falling linearly within a void, introduces his infamous swerve, a random oblique motion of certain atoms, both as an explanation for how atoms can combine to form the observed complexity of nature and to avoid the deterministic implications of his radical materialism. Epicureans held that the indeterminism allotted by swerves can account for the voluntary action, despite an otherwise deterministic model of nature. Though Epicurus could not quite coherently reconcile his physical theories of nature and his view on moral responsibility, ultimately he argued that determinism with respect to human volition was simply a contradictory doctrine that could not be held cogently. Dealing with similar issues, the Stoa, particularly Chrysippus, in contradistinction, held that global determinism and moral responsibility are compatible, but not along the lines that contemporary compatibilists would argue. For the Stoa,[10] all of nature is completely determined by Zeus, the rational principle governing the *cosmos* or nature, and consequently they held the doctrine of both logical and causal determinism, the former being that the truth value of any given proposition was already determined in a bivalent truth value system, the latter being

[9] A. A. Long and D. N. Sedley, *The Hellenistic Philosophers, Vol. 1: Translations of the Principal Sources, with Philosophical Commentary* (Cambridge: Cambridge University Press, 1984), 102-112.
[10] Ibid., 386-393.

that all effects were determined by their prior causes which were likewise effects. Furthermore, virtue, for the Stoa, is living according to nature, especially in having control over the emotions through the ruling principle or reason. For this reason, they held that there was no conflict between determinism and moral responsibility, but they were not concerned with free will insofar as to be morally responsible was to follow the determined course of nature, the will of Zeus, and to act only according to that course. Likewise, fighting against fate was an indication that the soul was sick, and in conflict with itself.

The first formulation of a theory of free will as it was inherited by the 17th century philosophers and also as it is often still understood today comes out of the Christian tradition and its philosophical problematics. In this tradition, perhaps the first, but definitely most influential, formulation of a theory of free will can be found in Augustine's *On the Free Choice of the Will* (*De libero arbitrio voluntatis*).[11] In this treatise, Augustine emphasizes the *liberum arbitrium*, or free choice, aspect of the will. This emphasis is absolutely necessary for Augustine in order to make sense of the Christian doctrine of sin for which humans are morally responsible. By 'free choice of the will', Augustine means a faculty human beings are gifted with "to do otherwise" or to have alternative possibilities for every choice and action. The problem, for him, is that God gave humans a will and, for this reason, the will is good and ought to be directed toward an immutable good, i.e. God. However, sin occurs due to lust [*libido*] and desire [*cupiditas*] which turn the will from the immutable goods to temporary goods. But, this movement toward temporary goods cannot be understood as a natural movement, that

[11] Augustine, *On Free Choice of the Will*, trans. A. Benjamin (New York: The Bobbs-Merrill Company, 1964).

is, a movement determined by the natural order, for this would make humans exculpable and God, as their creator, in some way culpable. Augustine argues, "we conclude, therefore, that the movement which, for the sake of pleasure, turns the will from the Creator to the creature belongs to the will itself. If this movement is accounted a defect (and you admit that anyone who doubts this deserves ridicule) then it is not natural, but voluntary."[12] Therefore, in order to account for the moral responsibility of human beings and the presence of sin in the world, Augustine argues that the human will is a power of free choice [*liberum arbitrium*] that is not directed by the order of nature. It is out of Augustine's analysis of the will as a certain particular faculty besides intellect and sense that the concept of the free will evolved. This free will was synonymous with the *liberum arbitrium*, the capacity to choose this or that *arbitrarily*, due to the mere power of the will, a human faculty of its own.

It is the concept of the will as *liberum arbitrium* that, further developed in medieval philosophy, was inherited by those 17th century philosophers who were partisans of modern science. With the publication of Galileo's *Nuova scienza*, and the subsequent development of modern science and its determinism, the understanding of the will as *liberum arbitrium* came to the foreground of discussion for nearly every major philosopher of the 17th and 18th century. Galileo's philosophy rejected the teleological Aristotelian philosophy that dominated scientific inquiry for centuries. Aristotelian science posited different basic elements (earth, water, air, and fire on earth and ether in the heavens) and different respective motions (up and down for the terrestrial elements and circular for the celestial element). For Aristotle, the ultimate

[12] Ibid., 87.

cause of motion of any given element is the final cause (*telos*) of that element, so that, for instance, earth moves downward because that is its *telos* in that natural order.

Galileo, however, thought "the book of nature is written in the language of mathematics," that is, that nature and the motion of bodies in nature could only be understood mathematically. For this reason, he rejected the Aristotelian elements, motions, and teleological explanations, and sought to explain complex physical processes by reducing them to mechanical events, applying mathematics to them. In this way, he considers even sense perceptions as produced by the local motion of external bodies toward the human body, thus having an impact on the bodily sense organs.[13] All apparent external bodies are the product of different combinations of atoms and motion having a respectively different impact on human bodies.[14]

By demonstrating the motion of bodies according to mathematical laws, Galileo overthrows teleological explanations in the physical sciences and presents nature as mathematically lawful, that is, as deterministic insofar as everything in nature is corporeal matter following natural laws with necessity. For this reason, the new science made problematic the understanding of the human will as *liberum arbitrium*. If nature is deterministic, following natural laws with necessity, how could the human will be a free power of choice? The will considered as *liberum arbitrium* would disrupt the lawfulness of nature on which the new science was based.

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[13] See Galileo Galilei, *The Assayer*, in *Discoveries and Opinions of Galieo*, trans. Stillman Drake (New York: Anchor Books, 1957), 229-280.

[14] In the demonstrations of the first science discussed in Day 1 and 2, Galileo formulates his theory of matter arguing that matter was unchangeable and constant such that it can be understood abstractly in terms of geometry. This theory of matter is necessary in order for Galileo to argue for the motion of bodies according to mathematical laws which he famously demonstrates for falling bodies in Day 3 and for projectiles and their parabolic trajectory in Day 4. See Galileo Galilei, *Two New Sciences*, trans. Stillman Drake (Madison: The University of Wisconsin Press, 1974).

In addition, Galileo's principle of inertia claimed that bodies were set in motion or at rest only by other *bodies* in motion — thus, it was impossible that the will, an idea, could ever affect bodies. Therefore, as a result of modern science, the mind-body problem arose together with the question of whether free will was incompatible with determinism. This question induced all the subsequent ones that are still under discussion today: Are human beings incapable of acting freely, merely subject to external forces completely out of their control? Does determinism destroy moral responsibility and the ethical, social, and political institutions that provide the very foundation of modern life?

Descartes, for instance, maintains the traditional Augustinian concept of the free will as *liberum arbitrium*, although he wants to mediate modern science with it, as becomes clear in the fourth *Meditation*, where he examines the cause of epistemic error. Having proved the existence of a God with all perfections as a foundation for the epistemic certainty of clear and distinct ideas, Descartes searches for the source of human error. The question for him, reminiscent of Augustine, is how it is possible that humans, created by an omnipotent and omni-benevolent God, have false ideas? He first argues that falsity is nothing real, but a mere defect or lack of knowledge, but, the question of why humans have such a defect despite the benevolence of the Creator surfaces. Descartes concludes that there is a disparity between the power of the intellect and the power of the will, that is, that the intellect is finite, while the will is infinite. By positing the human will as infinite, Descartes means that, in itself, there is no limitation on it, though there may be a lack of concomitant power or knowledge. Descartes argues, "this is owing to the fact that willing is merely a matter of being able to do or not do the same thing, that is, of being able to affirm or deny, to pursue or shun; or better still, the

will consists solely in the fact that when something is proposed to us by the intellect either to affirm or deny, to pursue or to shun, we are moved in such a way that we sense that we are determined to it by no external force."[15] Descartes, therefore, retains the traditional understanding of will as *liberum arbitrium*, though he does ultimately *also* hold that, the more determined by the intellect a human is to one action as opposed to another, that is, due to knowledge of the true and the good, the more free she is.

In contrast, Spinoza was the first philosopher to address straightforwardly the problem of free will in the face of modern science and to provide systematic answers to these questions that still plague philosophers today. His answers, I will argue, are unique, and both can and should help clarify problems in the contemporary debate on the compatibility problem. Most importantly, Spinoza's philosophy can even provide a new paradigm for thinking about moral and legal responsibility. Presenting his solutions will be the subject of this dissertation.

However, for the sake of clarification, I will now take a look at the two modern historical paradigms of free will and moral responsibility subsequent to Spinoza, namely those found in the philosophies of Hume and Kant. Both philosophers have done much to shape, if not to completely define, our contemporary debate between compatibilists and incompatibilists concerning free will and determinism. Though both Hume and Kant saw Spinoza's views on free will and moral responsibility as a challenge motivating their own views, their influence on Anglo-American philosophy has, as mentioned,

[15] René Descartes, *Selected Philosophical Writings*, trans. John Cottingham (Cambridge: Cambridge University Press, 1988), 84.

silenced Spinoza's solutions in favor of the dominant compatibilism and incompatibilism distinction.[16]

David Hume shaped the view of what we today call compatibilism in his analysis of "Liberty and Necessity" in Part III Sec. I-II of *A Treatise on Human Nature* and Sec. VIII of *An Enquiry Concerning Human Understanding*. Compatibilists argue that free will and moral responsibility are compatible with determinism and this was Hume's famous position. Hume was highly aware of the problem that modern science presented to traditional free will and he knew, of course, such philosophers who denied free will in the sense of *liberum arbitrium* as Spinoza, Hobbes, or Mandeville, as well as his personal acquaintance, Baron d' Holbach. However, he attempted to reconcile science with free will in the sections just mentioned. Hume argued that it is indubitable that necessity (as Hume refers to determinism) governs human motives and actions just as much as it does external bodies. He points to the general regularity and predictability of human behavior, in addition to the fact that human beings make the same causal inferences of the mind when considering human behavior as they do when considering external bodies. Famously though, Hume questions, in general, what we came to call causal determinism, by asking for its defining characteristics, i.e. the constant union of things and the causal inference the mind makes given these constant unions. However, though Hume may argue that there is no rational connection between cause and event insofar as, according to him, it is impossible to have an impression, and therefore an idea, of a causal power, he nonetheless attributes necessity to nature and the human will.

[16] The influence of Spinoza on Kant can be seen, by detour, in the influence Leibniz and Wolff had on the critical philosophy. Incidentally, both Leibniz and Wolff rejected *liberum arbitrium* although they defended free will in the way Spinoza argues for freedom.

On the other hand, Hume holds that the necessity governing the human will does not conflict with either liberty or moral responsibility. In fact, such necessity, for him, is a condition for the possibility of liberty. Making this point, Hume distinguishes between two kinds of liberty writing, "few are capable of distinguishing betwixt the liberty of *spontaneity*, as it is call'd in the schools; and the liberty of *indifference*; to that which is opposed to violence, and that which is a negation of necessity and causes."[17] Hume, therefore, rejects the liberty of indifference, that is, the free will as *liberum arbitrium*, in favor of a different understanding of free will, what he calls 'the liberty of spontaneity'. For Hume, the Augustinian liberty of indifference is incoherent with modern science insofar as it requires, in his analysis, uncaused causes or chance. But surprisingly, neither of these, according to Hume, would allow for responsible agents. Therefore, indeterminism seems to be detrimental for understanding free will as allowing moral responsibility. However, the liberty of spontaneity is, for him, completely consistent with necessity, or determinism. This is because, though an agent's action is a caused effect, the cause of the action stems from the agent, that is, her internal desires, motives, incentives, and intentions. Insofar as an agent's action is free from violence, i.e. coercion from some external or foreign cause, she has acted according to her own will and, therefore, she is exercising liberty and is morally responsible for her action. This, I will argue, is the paradigm of free will that the majority of compatibilist positions employ today. 'Free will' for compatibilism, with many slight variations, tends to indicate an agent's sufficient control over her action to be held responsible given her internal desires, volitions, or rational deliberation free from external restraint or

[17] David Hume, *A Treatise on Human Nature*, ed. L.A. Selby-Bigge (Oxford: Oxford University Press, 2009), 407.

coercion. This solution offered by Hume and taken up by contemporary compatibilists seems to be very attractive insofar as it maintains the deterministic model of modern science while still offering the comfort of a certain kind of free will allowing for human responsibility.

Nevertheless, Hume's compatibilism with a *soft* version of free will was not agreeable to all. The radical alternate historical paradigm of modern philosophy for understanding incompatibilist free will can be found in the philosophy of Immanuel Kant, who considered compatibilism to be a "wretched subterfuge". Kant ultimately returns to the traditional Augustinian conception of the will as *liberum arbitrium*, although his arguments take into account, initially, the determinism inherent in the new science (specifically Newtonian mechanics). He does so by distinguishing phenomena, the sensible world being governed by the necessity of natural law, and noumena, sometimes called the 'intelligible world', which is governed by the moral law. Kant, as is well known, attempted to reconcile reason and faith, though when it comes to his final statement on free will, this project seems to have been abandoned in favor of the Pietism underlying his philosophy.[18] However, in the *Critique of Practical Reason*, Kant asks what kind of will is necessary such that the moral law can determine it to action solely through *its* legislative form. His answer is that it must be a "free will", that is, "a will that must be thought entirely independent of the natural law governing appearances in reference to one another, viz. the law of causality."[19] For Kant, therefore, an agent is

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[18] Ursula Goldenbaum, "How Kant was Never a Wolffian or Estimating Forces to Enforce Influxus Physicus," in *Leibniz and Kant*, ed. Brandon Look (Oxford: Oxford University Press, 2012). Forthcoming.
[19] Immanuel Kant, *Critique of Practical Reason*, trans. Werner Pluhar (Indianapolis: Hackett Publishing, 2002), 42. For Kant, of course, the laws of nature, such as the law of causality, are only applicable to experience or phenomena and this is because experience is constituted, in part, by *a priori* conditions that have their origin in the subject experiencing nature. For this reason, Kant resolves the 3rd antinomy by leaving open the conceivability of transcendental freedom, a kind of freedom outside of the laws of nature.

acting morally only insofar as she has a will that is somehow independent of the laws of nature.

The idea that the will can only be free when it is independent of the laws of causality is usually an important aspect of the paradigm of free will understood by incompatibilists today, but it does not capture the whole story of this paradigm. Kant, himself, recognized this, and revised his analysis of free will in *Religion within the Boundaries of Mere Reason*, his final statement on free will and moral responsibility. Kant's earlier perspective on free will in the second *Critique* can lead to the absurd and incoherent (for him) conclusion that an agent is responsible only when she is free, free only when moral, and, therefore, responsible only when she is moral. Kant, in his practical philosophy makes a distinction between hypothetical imperatives and categorical imperatives. Hypothetical imperatives take the form, 'if an individual wants x, she ought to do y.' Categorical imperatives take the form 'an individual ought to do y.' For Kant, actions based on maxims that take the form of hypothetical imperatives, are not free, and therefore not moral, because they are determined by an object of desire in nature which is thoroughly determined. Only actions based on maxims that take the form of categorical imperatives can be considered moral, because these actions are determined not by anything in nature, but simply by the formal lawfulness of the maxim itself. This is to say, an agent could not be morally responsible if her action is not determined by the moral law, for in such a case, her will is determined by the laws of nature. Therefore, any acting against the moral law, i.e. performing an immoral action, would leave the agent without moral responsibility.

See Immanuel Kant, *Critique of Pure Reason*, trans. Norman Kemp Smith (London: Macmillan and Co., 1933), 409-414.

For this reason, in the *Religion*, Kant emphasizes freedom of the power of choice [*freie Willkür*] as opposed to free will [*Wille*]. Here, Kant attempts to argue that human beings choose an evil nature, although not in the phenomenal world, but, somehow, in the noumenal world. By the chosen original or, rather, radical, evil, Kant means an agent's subordination of the moral law to self-interest as the incentive to action. Leaving aside Kant's argument for such a bold statement, he concludes that in order for human beings to be morally responsible the origin of this subordination must already come from their free power of choice. Kant argues, "the human being must make or have made *himself* into whatever he is or should become in a moral sense, good or evil. These two [characters] must be an effect of his free power of choice, for otherwise they could not be imputed to him and, consequently, he could be neither *morally* good nor evil."[20] For Kant, therefore, an agent is morally responsible only if she is *ultimately responsible* for all her actions and she can be ultimately responsible only if she has a power of *choice* over alternative possibilities. This, I will argue, is still the paradigm of free will and moral responsibility that incompatibilists use when arguing that free will is not compatible with determinism.

It is obvious that the conception of free will offered by Hume and Kant differ substantially. However, their respective understanding of moral responsibility is the same. For both Hume and Kant, an agent is morally responsible only in the case that her action can be attributed to her own will; but because their understanding of free will is different, their criteria for such attribution are different. For this reason, it would be impossible to ever resolve a debate between the two paradigms.

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[20] Immanuel Kant, *Religion Within the Boundaries of Mere Reason and Other Writings*, trans. Allen Wood and George Di Giovanni (Cambridge: Cambridge University Press, 1999), 45.

In contrast, Spinoza approached the problems of free will, determinism, and moral responsibility much earlier and in a completely different fashion such that most of the conflict between compatibilists and incompatibilists would not even exist. Spinoza's answer to the compatibility problem, I argue, is unique, in that he is paradoxically both an incompatibilist and a compatibilist. Spinoza is an incompatibilist insofar as he does not think free will (conceived as *liberum arbitrium*) is compatible with determinism. Rather, as a hard determinist, he denies the existence of *free will* and affirms that nature is thoroughly determined. However, Spinoza is also in some respects a compatibilist insofar as he offers an often overlooked theory of human *freedom* that is compatible with determinism. This freedom is not dissimilar to what many compatibilists would call 'free will', though it may be far more limited. By *distinguishing* the two concepts, free will and freedom, Spinoza's philosophy resolves the conflict between the incompatibilists and compatibilists, by suggesting that it is not really a conflict at all.[21] Nevertheless, Spinoza's philosophy is radically different from both the paradigms of free will and moral responsibility as offered by Hume and Kant, because unlike them, he conceives of moral responsibility grounded in neither a special faculty of free will of choice nor freedom (compatibilist-style free will). Rather, for Spinoza, moral (and legal) responsibility can be understood completely out of the necessity of social and political life, without assuming a *metaphysical entity* such as free will.

[21] By this strong claim, I mean specifically the conflict between incompatibilists and compatibilists concerning the *compatibility* of free will and determinism, independently of any claim of whether human beings have free will or if determinism is true. Incompatibilists are right to argue that *free will* is not compatible with determinism and compatibilists are right to argue that *freedom* is compatible with determinism. Spinoza's solutions to other question in the contemporary discussion concerning free will, such as his denial of libertarian free will, would not appeal, of course, to proponents of free will.

In the following, I will argue that contemporary philosophers interested in a solution to the problem of free will should take Spinoza's philosophy seriously because he offers a unique and effective solution to the problem of free will and moral responsibility.

Because I want to introduce Spinoza's approach and solution into the contemporary ongoing debate between compatibilists and incompatibilists, I will first present a survey of it and show how it is irresolvable as long as the two camps employ their different concepts of free will, based respectively on the paradigms of Hume and Kant, while retaining a similar conception of moral responsibility. The paradigms of free will employed by incompatibilists and compatibilists can only conclude their debate in a stalemate. In the subsequent chapters, I will then present Spinoza's philosophy as a new paradigm capable of solving the problems of human freedom and responsibility in the face of determinism. In Chapter 2, I will first discuss how Spinoza is an incompatibilist, denying the compatibility of free will and determinism, by analyzing Spinoza's understanding of the human will. In Chapter 3, it is my aim to show how Spinoza is, surprisingly, similar to compatibilists insofar as his philosophy offers a theory of *freedom* that is compatible with determinism, but I will carefully note the distinction Spinoza makes between free will and freedom. In addition, I will also give a general account of his ethical theory, which does not understand moral responsibility in the traditional way. Finally, in Chapter 4, I will give an account of how Spinoza's denial of free will does not at all destroy ethics or law. I will present Spinoza's modern approach to moral and legal responsibility through his social and political philosophy, demonstrating that responsibility cannot be an attribute of a human individual, but can only be understood in a social and political context.

Chapter 1: The Problem with the Compatibility Problem

1.1 Do We Need Free Will to be Morally Responsible?

What is primarily at issue in both the historical and the contemporary debates and discussions about free will, what philosophers are ultimately concerned about, is the problem of moral responsibility. 'Moral responsibility' is usually taken to mean the conditions under which moral agents can be praised or blamed, rewarded and punished, for their actions. An agent is morally responsible for a given action, therefore, if the performance of her action fits given criteria of being deemed worthy of certain judgments and practices of praise and blame. Though the criteria for an agent being held morally responsible for a given action may be many and vary in specific situations, such criteria, in general, always concern whether an action can be attributed or ascribed to an agent in such a way that it is appropriate to believe she chose to perform the action. For this reason, a necessary condition of moral responsibility, thus defined, seems to be free will.

What, then, is free will? One way of defining 'free will' would be to say it is the sufficient power or capacity an agent has over her decisions and actions so that she could be held morally responsible. 'Free will', thus defined, may encompass a rather large variety of different philosophical theories concerning the nature of free will and moral responsibility. In the following, 'free will' will always be used in the sense that is significant for moral responsibility. But even more specifically, by 'free will' I want to emphasize especially what is both traditionally[22] and intuitively[23] meant by this term, that is, a certain power or capacity for free choice that human beings have. Free will

[22] See my introduction on St. Augustine's conception of *liberum arbitrium*.
[23] By the intuitive sense of free will I mean specifically the folk understanding of free will. See Shaun Nichols, "Folk Intuitions on Free Will," *Journal of Cognition and Culture* 6 no. 1/2 (2006): 57-86.

thus conceived as a capacity for free choice requires, or so it is often argued, *alternative possibilities* and the power for an agent to be the *ultimate source* of her choice.

Free will, understood as a capacity for free choice with either of these two requirements –alternative possibilities or the power to do otherwise and being the ultimate source of decisions and actions – obviously runs into conflict with causal determinism. Like all the key terms in this debate, 'determinism' too can be defined in a myriad of ways. However, the loose, though generally accepted, definition of 'determinism' as the thesis that at any given time the universe has exactly one physically possible future is sufficient to tease out what is called the 'compatibility problem' between free will and determinism, which is the main issue in the contemporary debate about free will and moral responsibility. If determinism is true, then at any given time there is one exact description of the state of the universe and given the laws of nature any description after that time is fixed to one possibility. This brings forward a serious conflict with the traditional and intuitive sense of free will as a power of free choice and consequently the possibility of moral responsibility requiring such free will. There are, however, various positions on the compatibility of free will and determinism, and how this affects the notion of moral responsibility. Before I present, in the next chapters, Spinoza's position, which was one of the first to address free will in the context of modern science and determinism, in this chapter I will briefly present the major contemporary positions addressing the compatibility problem of free will and determinism and some defects I find in the general trend of these positions.

1.2 Different Positions on the Compatibility Problem

There are two main categories of positions on the above mentioned problem of free will and the possibility of determinism, often called the 'compatibility problem.' One category of positions, called ***'incompatibilism'***, holds that if the thesis of determinism is true, then free will is not possible, that is, free will is not compatible with determinism. As a consequence, if free will is not compatible with determinism, then moral responsibility is not compatible with determinism. The other category of positions, called ***'compatibilism'***, claims the opposite, that is, that free will and thus moral responsibility are compatible with determinism. Neither of these two categories of positions necessarily claims that determinism is true, but rather both incompatibilism and compatibilism are positions on the compatibility of free will with determinism if the world would turn out to be deterministic.

There is, furthermore, a significant distinction among incompatibilist positions. While there are a great variety of different compatibilist-type positions, incompatibilism divides more simply into two distinct sub-categories of positions. While ***libertarianism*** is an incompatibilist position that affirms free will, ***hard determinism*** or ***hard incompatibilism*** and its kin is an incompatibilist position that denies free will. The further difference between hard determinism, a position held by Spinoza, and hard incompatibilism, a position coined by Derk Pereboom, is that hard determinism holds that free will is not possible *because* determinism is the case, while hard incompatibilism holds that free will is not possible whether or not the world is deterministic.[24]

[24] Many contemporary philosophers who are incompatibilists and deny the existence of free will would not describe themselves as 'hard determinists', though they often share some key theses of a hard determinist position. For instance, besides Derk Pereboom, whose position he calls 'hard

There is a traditional and intuitive argument in favor of incompatibilism that can shed some light on the general compatibility problem of free will and determinism. This argument relies on the condition of free will requiring an agent's capacity for free choice among different possibilities. This condition has come to be known as the 'principle of alternative possibilities' or 'alternative possibilities.' The distinction between the principle of alternative possibilities and alternative possibilities is that the former applies specifically to moral responsibility while the latter to free will. The argument, simply put, states that in order for an agent to have free will, and consequently be morally responsible, she must be capable of acting otherwise, that is, have alternative possibilities available to her. However, if determinism is true, then at any given time there is only one physically possible future and not alternative possibilities. Therefore, free will is not compatible with determinism.

A formidable argument for incompatibilism employing the condition of alternative possibilities suggested by Carl Ginet[25] *et alia* and since substantially defended by Peter Van Inwagen[26] among others, has come to be called the 'consequence argument.' The consequence argument stated informally is "if determinism is true, then our actions are the consequences of the laws of nature and events in the remote past. But it is not up to us what went on before we were born, and neither is it up to us what the laws of nature are. Therefore, the consequences of these things (including our

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incompatibilism', Galen Strawson argues that free will is not possible in either a deterministic or indeterministic world on *a priori* ground. See Galen Strawson, *Freedom and Belief* (Oxford: Oxford University Press, 1986); Galen Strawson, "The Unhelpfulness of Indeterminism," *Philosophy and Phenomenological Research* 60 (2000): 149-156; and Galen Strawson, "The Bounds of Freedom," in *The Oxford Handbook of Free Will*, 441-460. Ted Honderich's position closely resembles hard determinism insofar as he argues that any neural event significant to choice and action would be governed by determinism. See Ted Honderich, *A Theory of Determinism*: *The Mind, Neuroscience, and Life-Hopes* (Oxford: Oxford University Press, 1988).

[25] Carl Ginet, "Might We Have No Choice?" in *Freedom and Determinism*, ed. Keith Lehrer (New York: Random House, 1966), 87-104.

[26] See Peter Van Inwagen, *An Essay on Free Will* (New York: Oxford University Press, 1986).

present acts) are not up to us."[27] Again, therefore, free will is not compatible with determinism.

Now, there are, and have been, many sophisticated ways of strengthening or weakening both the argument for the principle of alternative possibilities and the consequence argument, but even in these succinct and simplified forms, the compatibility problem of free will understood as requiring alternative possibilities and a way of viewing the agent as the ultimate source of her actions with determinism is made explicit. Given these and similar arguments, a libertarian will argue that insofar as we do have free will determinism is not true, because the two are incompatible. While a hard determinist type position and hard incompatibilists will argue that free will is not possible. In contrast, compatibilist positions contend in various ways that free will and moral responsibility are still compatible with determinism, despite such arguments to the contrary.

Though there is currently quite a considerable literature on the compatibility problem arguing either for incompatibilism or compatibilism, sometimes addressing, in minute detail, various formulations of very specific arguments, in the following I would like to paint a landscape, so to speak, of this debate touching upon some of the major perspectives on incompatibilism and compatibilism. Although this landscape will necessarily have to be painted with broad strokes, it will serve my main purpose, namely to point out a certain problem with the debate about the compatibility problem that needs to be addressed in order to make it resolvable. I want to argue that the crucial problem with this debate is, for the most part, that incompatibilists and compatibilists are speaking past each other concerning what they understand by 'free will.' That is to

[27] Ibid., 56.

say, what is meant by 'free will' by incompatibilists is often quite different from what is meant by 'free will' by compatibilists.[28] In order to emphasize the difference in what incompatibilists and compatibilists respectively understand by 'free will', I want to draw attention to the striking similarity of some of the most prominent contemporary positions with the paradigms of free will offered by Hume and Kant who, as mentioned, equally employed differing notions of free will. In doing this, I ultimately hope to reveal, on the one hand, the inadequacy of the solutions these paradigms provide and, on the other hand, the adequacy of the solution to the compatibility problem provided by Spinoza, whose position, in contradistinction to the paradigms for compatibilism or incompatibilism, has never been considered seriously.

1.3 Compatibilism

Again, the claim of a compatibilist position is, simply put, that free will and (or) moral responsibility are compatible with determinism. The traditional formulation of the compatibility of free will and determinism, founded on the Humean paradigm of free will mentioned above, is that there is no conflict between free will and determinism insofar as an agent is not externally (or internally) constrained, and can be judged as acting with respect to her own internal desires, intentions, volitions, or what have you.

Though contemporary compatibilist positions tend to a greater degree of complexity and argumentative sophistication than can be found in Hume's commentary, this general compatibilist strategy has remained the same. The classical strategy aims to

[28] The incompatibilist and libertarian Robert Kane also points this out, arguing, "persistent disagreements between compatibilists and incompatibilists over the interpretation of contested expressions [...] are best understood, I believe, by recognizing that incompatibilists are concerned with a kind of freedom (called "free will") [...], whereas compatibilists are not concerned with such freedom." Robert Kane, *The Significance of Free Will* (New York: Oxford University Press, 1998), 60.

somehow give a theory of free will or moral responsibility that does not conflict with the thesis of determinism given that agents are acting within their own power. For instance, a classical compatibilist argument against the conflict between alternative possibilities and determinism is that an agent could have done otherwise, that is, has alternative possibilities, if she has the *power* (capacity, ability, etc.) to do otherwise. Therefore, if an agent has the power to do otherwise, then what an agent does do freely is what she wants or intends to do according to her will. Much of the strength of this classical compatibilist strategy rests on how terms like 'power', 'ability', and others and 'could have done otherwise' are defined and there is considerable discussion on this alone.[29] But ultimately, following Hume, this compatibilist strategy conceives of an agent as exercising free will insofar as she is not coerced or impeded in performing an action which she "chooses of her own free will". I want to emphasize that this compatibilist conception of free will shifts substantially from the use of this term in incompatibilist positions, as well as intuitive, folk positions, as we shall see below. Though it would be impossible to go through the multitude and immense variety of compatibilist positions, in the following, as an example, I will take a look at the innovative and influential strategies employed by Harry Frankfurt and J. M. Fischer against the principle of alternative possibilities. These strategies go beyond classical compatibilism in that they argue that alternative possibilities are not a necessary condition of moral responsibility. However, though I think these compatibilists may have much to offer, I also think they fall prey to some of the incoherencies of the general compatibilist position that I want to point out.

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[29] For an overview of the issues, see Bernard Berofsky, "Ifs, Cans, and Free Will: The Issues," in *The Oxford Handbook of Free Will*, 181-201.

Harry Frankfurt, though not explicitly identifying himself as a compatibilist, greatly influenced compatibilist positions by attacking the principle of alternative possibilities in his 1969 article entitled "Alternate Possibilities and Moral Responsibility."[30] In this article, Frankfurt seeks to undermine the intuition that an agent can only be held morally responsible if she could have done otherwise. Frankfurt's bold claim is that "the principle of alternate possibilities is false. A person may be morally responsible for what he has done even though he could not have done otherwise. The principle's plausibility is an illusion, which can be made to vanish by bringing the relevant moral phenomena into sharper focus."[31] Frankfurt's contention is that the principle of alternative possibilities argument derives its force from the readily accepted thesis that coercion is incompatible with moral responsibility. In situations of coercion, an agent is not capable of doing otherwise. However, he argues that not all situations in which an agent cannot do otherwise can be reduced to situations of coercion. Frankfurt argues, "there may be circumstances that constitute sufficient conditions for a certain action to be performed by someone and that therefore make it impossible for the person to do otherwise, but that do not actually impel the person to act or in any way produce his action."[32] Frankfurt's point, which he develops with an analysis of examples of coercion, is that in situations of coercion an agent is excused for her actions not because she could not have done otherwise, but rather exactly because she was coerced.

He offers the following, famous, counter example against the principle of alternative possibilities: "Suppose someone – Black, let us say – wants Jones to perform

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[30] Harry Frankfurt, "Alternate Possibilities and Moral Responsibility," in *Moral Responsibility*, ed. J. M. Fischer (Ithaca: Cornell University Press, 1999), 143-152.
[31] Ibid., 143.
[32] Ibid., 144.

a certain action. Black is prepared to go to considerable lengths to get his way, but he prefers to avoid showing his hand unnecessarily. So he waits until Jones is about to make up his mind what to do, and he does nothing unless it is clear to him (Black is an excellent judge of such things) that Jones is going to decide to do something *other* than what he wants him to do. If it does become clear that Jones is going to decide to do something else, Black takes effective steps to ensure that Jones decides to do, and that he does do, what he wants him to do. Whatever Jones's initial preferences and inclinations, then Black will have his way."[33] The force of this counterexample lies in the situation in which Jones decides and acts in accordance with Black's desire and Black does not need to intervene.

In such a situation, Jones still could not have done otherwise, i.e. he did not have alternative possibilities, yet it is clear that this does not affect his responsibility for acting. Frankfurt's point is that there are situations in which it may be impossible for an agent to act otherwise without the conditions of that situation being a condition of the agents actually acting. In such situations, an agent can be morally responsible without having alternative possibilities. Ultimately, Frankfurt's point is that though it might be true that determinism, by definition, excludes alternative possibilities, this fact does not necessarily preclude the attribution of responsibility to an agent for her action and for precisely the same reasons that Hume argued, that is, that an agent acts freely insofar as she acts from her own wishes, desires, intentions, etc.

Frankfurt's counter example has produced an unmanageable amount of literature arguing for and against his conclusion, and this because there is something very intuitive and correct about the conclusion that Jones is responsible despite the fact that

[33] Ibid., 149.

he could not have done otherwise. However, one line of argument against Frankfurt's counter example suggested by Van Inwagen[34] is that the situation presented does not really eliminate alternative possibilities for the agent. Jones has the alternative possibilities of performing the action by his own free will or performing the action through the force of Black. In either case, Jones performs the action so he lacks any real alternative possibilities concerning the performance of the action, though he retains alternative possibilities with regard to being the source of the action's performance.

Of course, it is conceivable to construct a Frankfurt type counter example that may avoid this and other types of criticism and still retain Frankfurt's intuitive conclusion about alternative possibilities. However, Frankfurt's strategy of attacking the principle of alternative possibilities captures only one aspect of the incompatibility of determinism and free will, that is, it ignores the problem that determinism undermines the possibility of an agent as being the *ultimate source* of her action as (I show below) incompatibilists often argue. Though more sophisticated, Frankfurt's intuition concerning alternative possibilities is not far from Hume's intuition that liberty just concerns an agent's acting on her own internal desires, intentions, and volitions. However, the larger concern of the compatibility of moral responsibility and determinism for incompatibilists is how it is possible for an agent to claim her internal desires, intentions, and volitions as her own, in the sense that she is the source not only of her external action, but also of anything internal that would result in action, such that she can be morally responsible.

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[34] See, for instance, Peter van Inwagen, "Ability and Responsibility," in *Moral Responsibility*, 153-173.

J. M. Fischer[35] has attempted to address this issue by further developing Frankfurt's intuitions about the principle of alternative possibilities and moral responsibility. He argues that not all causally determined sequences of actions are equally destructive to conceptions of moral responsibility and develops a position he calls '*semi-compatibilism*'. As Fischer explains, "the doctrine of semi-compatibilism is the claim that causal determinism is compatible with moral responsibility, quite apart from whether causal determinism rules out the sort of freedom that involves access to alternative possibilities."[36] In order to argue for a moral responsibility that does not require alternate possibilities, Fischer distinguishes between what he calls 'regulative control' and 'guidance control'. While regulative control is the kind of control an agent would need over her action to regulate between two alternative possibilities, guidance control is not. Distinguishing regulative control from guidance control, Fischer gives the example of turning right in a car whose steering apparatus is broken in just a way that it can only turn right. In a situation in which the driver wishes to turn right, he would lack regulative control, but still retain guidance control. Ultimately for Fischer, guidance control is all the freedom needed for moral responsibility.

In order to illustrate what he means by guidance control, Fischer gives an account of those cases where it is clear that moral responsibility cannot be ascribed to an agent. Such cases would include if an agent was hypnotized, brainwashed, drugged, neurally manipulated, suffered from neurological disorders, or received coercive threats. In such cases, it is clear that not only is an agent incapable of acting otherwise, but her behavior is issuing from "responsibility-undermining factors". Fischer contrasts these cases with

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[35] For a full account of J. M. Fischer's position see J. M. Fischer, *The Metaphysics of Free Will* (Cambridge: Blackwell Publishers, 1994).
[36] J. M. Fischer, "Compatibilism," in *Four Views on Free Will*, ed. J. M. Fischer et al. (Malden: Blackwell Pub., 2007), 56.

"normal" cases where there are no "responsibility-undermining factors" and hence an agent's deliberative mechanism is reasons-responsive. He points out that in Frankfurt-type examples when an agent's action proceeds from her own deliberative mechanism (and not the alternative scenario in which she is forced), moral responsibility can be attributed because the mechanism that issues in action is reasons-responsive, that is, it is "in some appropriate way responsive to reasons."[37] Furthermore, when the agent's mechanism that issues in action is reasons-responsive, then the agent exhibits guidance control despite not having alternative possibilities. According to Fischer, this is all that is needed to distinguish cases in which an agent can be held morally responsible and those in which she cannot. What is important, according to Fischer, in attributing moral responsibility to an agent is not whether the agent has free will in the incompatibilist sense, but again, a certain kind of freedom from external or internal causes that would undermine attributing the action truly to the agent.

In summation, while there are a number of compatibilist positions and arguments, the above compatibilist (or semi-compatibilist) strategies are typical for understanding *how* free will and moral responsibility may be compatible with causal determinism. However, 'compatibilism', because the term has come to mean so many different positions, tends to obfuscate some of the key issues around the conflict between free will and causal determinism that have come to be a concern. First of all, 'compatibilism', in its most general definition means the compatibility of *free will* and determinism. But the sense in which 'free will' is used is not the same as it is used in incompatibilist arguments, nor is it the same as the intuitive or folk understanding of free will. The compatibilist sense of free will, following Hume, often emphasizes a

[37] Ibid., 78.

distinction between free action and action that is not free, where the former kind of action is free insofar as it can be explained by the intentions, decisions, desires, volitions, capacity, power, or will (and similar concepts) of a fully rational, non-coerced, non-manipulated agent. While philosophy has a long tradition of defining terms according to its theory, compatibilists need to be clear that their sense of free will is different from the incompatibilist and intuitive sense of free will, or otherwise incompatibilists and compatibilists will continue to speak past each other.

Secondly, and more importantly, while employing a different conception of free will from incompatibilists, compatibilists rarely employ a different conception of moral responsibility. This is to say, compatibilists usually mean by 'moral responsibility' exactly what incompatibilists mean. However, employing this conception of moral responsibility, compatibilists are always open to the argument, by incompatibilists, that determinism is not compatible with ultimate responsibility, because the constitution of the will of an agent (intentions, desires, etc.), even if her action can be understood as freely willed, is never absolutely freely chosen. While it is very important to distinguish cases of free action from non-free action, and compatibilism has developed good strategies for distinguishing the complexity of such an issue, compatibilists also need to recognize that a compatibilist conception of free will cannot employ an incompatibilist conception of moral responsibility. I think compatibilists are right to point out that determinism does not destroy many of the freedoms, such as freedom of action, that human being care about, however it is best to abandon the compatibilist, that is, Humean, paradigm of thinking about moral responsibility, which incoherently affirms an incompatibilist conception of moral responsibility while denying an incompatibilist conception of free will.

1.4 Incompatibilism

As mentioned above, incompatibilist positions argue that free will (and thus moral responsibility) and determinism are not compatible. Some incompatibilists, namely libertarians, argue that free will does exist, while others argue that it does not. However, though libertarians and hard determinists/incompatibilists disagree about the ontological status of free will, they are in agreement concerning what is meant by the terms 'free will' and 'moral responsibility', taking Kant's conception of free will as a power of free choice that can make one ultimately responsible as a paradigm. In order to make this explicit and provide more specific arguments of the incompatibilist position, I will discuss Robert Kane's libertarianism and Derk Pereboom's hard incompatibilism.

Libertarianism

The libertarian position, having been a popular position in the past, has come more and more under attack during the last few decades from both scientific and philosophical perspectives. The reasons for this are both the increased acceptance of compatibilist positions together with growing doubts of the intelligibility of many traditional libertarian concepts: "transempirical power centers, immaterial egos, noumenal selves outside of space and time, unmoved movers, uncaused causes and other unusual forms of agency or causality."[38] Even some contemporary incompatibilist positions shy away from such libertarian concepts often employed by what is sometimes called 'agent-causal libertarianism'[39] as opposed to event-causal libertarianism. Event-

[38] Robert Kane, "Libertarianism," in *Four Views on Free Will*, 9.
[39] The term 'agent-cause' was coined by Roderick Chisholm and indicates a special kind of causality attributed to agents distinct from the causality involved in events; see Roderick Chisholm, "Agents, Causes and Events: The Problem of Free Will" in *Agents, Causes and Events: Essays on Free Will and Indeterminism*, ed. Timothy O'Connor (Oxford: Oxford University Press, 1995), 95-100. For a survey of

causal libertarianism moves away from giving an agent some special kind of inner causality distinct from other natural things. It is the latter position that is defended by Robert Kane who argues competently against compatibilism while attempting to give a naturalistic account of the intelligibility of free will in an event-causal libertarian position.[40]

Although Kane differs from Kant in his naturalistic approach to free will, his argument against compatibilism stresses, similarly to Kant, that moral responsibility requires both alternative possibilities and ultimate responsibility, and for this reason could not be compatible with determinism. Kane argues that alternative possibilities, which many compatibilists have argued is *unnecessary* for moral responsibility insofar as an action can still be attributed to the will of an agent without alternative possibilities, are not a sufficient condition for moral responsibility. This is because he holds that any argument against compatibilists on the issue of alternative possibilities must appeal to something like ultimate responsibility, which together with alternative possibilities is sufficient for moral responsibility. "The basic idea of ultimate responsibility is this: To be ultimately responsible for an action, an agent must be responsible for anything that is a sufficient cause or motive for the action's occurring," Kane writes and continues, "if, for example, a choice issues from, and can be sufficiently explained by, an agent's character and motives (together with background conditions), then to be *ultimately* responsible for the choice, the agent must be at least in part

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recent agent-causal accounts of free will, see Timothy O'Connor, "Libertarian Views: Dualist and Agent-Causal Theories," in *The Oxford Handbook of Free Will*, 337-355

[40] For a full account of Robert Kane's libertarian position see Robert Kane, *The Significance of Free Will*.

responsible by choices or actions voluntarily performed in the past for having the character and motives he or she now has."[41]

Kane's point in introducing ultimate responsibility as a necessary condition of moral responsibility is made against compatibilists who might successfully argue against the principle of alternative possibilities or the consequence argument but still fail to capture the "deeper sense" of free will and moral responsibility that incompatibilists care about. He argues that the persistent disagreement between compatibilists and incompatibilists is a result of a disagreement on what 'free will' means. Thus, Kane's point of contention is similar to the problem I wish to emphasize. Though compatibilist positions can proffer a notion of free will that does not require alternative possibilities and that can account for free action in any given situation, they fail to provide a basis for ascribing such action to an agent in a way that can make them ultimately responsible.

According to Kane, ultimate responsibility would require self-forming actions, certain actions which form the character of the agent that would account for her decisions. Self-forming actions, in turn, require at least some genuine alternative possibilities by which an agent could deliberate and decide – upon actions that would be "will setting", that is, creating a will out of which actions issue determined by the character of the will. However, such alternative possibilities are not compatible with determinism because the consequence argument effectively eliminates such possibilities.

Having argued for the incompatibility of free will and determinism, demanding both alternative possibilities and ultimate responsibility as necessary conditions for moral responsibility, Kane attempts to give an account of libertarian free will that is

[41] Robert Kant, "Libertarianism," 14.

intelligible while denying a completely deterministic world. The intelligibility problem, as Kane puts it, is that "[ultimate responsibility] requires that there be some acts in our life histories that do not have sufficient causes or motives. But how could acts having neither sufficient causes nor motives be free and responsible actions?"[42] Surprisingly, the problem libertarians have of making free will intelligible has not only to do with determinism, but just as much with indeterminism, as Hume already noted. If an action is undetermined, as the thesis of indeterminism would claim, then it is rather difficult to claim that these are based on free and responsible choices and not merely arbitrary or random events. More traditional libertarian positions such as agent-causal libertarianism solve this problem by introducing what Kane calls "extra factor" strategies. Such strategies posit a special agency or inner causation to account for true choices, such as a transcendental ego, or noumenal self, or simply a property of agents called 'agency', which is outside of natural causes.[43]

Kane attempts to move away from the "extra factor" strategy. First, he points out that his conception of ultimate responsibility does not require that all actions are undetermined or indeterminate, but only certain actions, namely self-forming actions. He argues that such undetermined self-forming actions occur "at those difficult times of life when we are torn between competing visions of what we should do or become."[44] In such "difficult times" an agent is faced with competing motivations to such a degree that Kane suggests, "there is tension and uncertainty in [the] mind about what to do [...] that is reflected in appropriate regions of [the] brain by movements away from thermodynamic equilibrium – in short a kind of 'stirring up of chaos' in the brain that

[42] Ibid., 24.
[43] For instance, Kant resorts to such a strategy by claiming human beings must have already chosen their character outside of space and time. See my introduction on Kant.
[44] Ibid., 26.

makes it sensitive to micro-indeterminacies at the neuronic level."[45] Kane's claim is that such "micro-indeterminacies at the neuronic level" would provide a basis for an undetermined and thus truly free choice. However, second, he points out that this choice would not be merely arbitrary or random either because it had its source in conflicting motivations of the will of the agent.

The choice of the agent would be willed by the agent in the decision that she endorses. Kane claims the agent would have to have "plural voluntary control" in such situations and argues that an agent brings about whatever option she wills just when she wills to do it. For this reason, the agent's action is not merely something that happens, according to Kane, but is willed by the agent insofar as the agent's choice or decision to act is a result of her effort and deliberation. Kane recognizes that his account of an indeterminate choice that results in a certain action seems to beg the question of whether the choice is really the agent's. However, in response to this criticism, Kane argues "the idea is not to think of the indeterminism involved in free choices as a cause *acting on its own*, but as an ingredient in a larger goal-directed or teleological process or activity in which the indeterminism functions as a hindrance or obstacle to the attainment of the goal."[46] Kane's point is that in self-forming actions overcoming such indeterminism with effort, deliberation, and consequent choice an agent as an "information-responsive complex dynamical system" can have a free will that would make her ultimately responsible, and thus morally responsible for her actions.

Kane's argument for incompatibilism captures the larger problem with compatibilist positions that claim that moral responsibility requiring free will is

[45] Ibid.
[46] Ibid., 35-36.

compatible with determinism. Furthermore, he makes an effort to make libertarian free will intelligible by using the thesis of indeterminism, rather than merely positing an extra factor strategy. However, after all this, his account of libertarian free will can now be criticized for similar reasons that Kane puts against compatibilist positions when it comes to the significance of ultimate responsibility for moral responsibility.

Such criticism is offered by another incompatibilist, Derk Pereboom, who argues that free will is not at all compatible with indeterminism in the way that Kane argues in his account of libertarian free will. He agrees that Kane's account of plural voluntary control, that an agent has control over the two motivations from which she can indeterministically decide an action that will be self-forming, allows him to evade the accusation that such undetermined actions would be arbitrary or random. But only to the point that Kane can claim that the character and motives that explain an agent's effort of will that causes the indeterminism in the first place is in the agent's control. If there are factors beyond that agent's control that form her character and motives that explain her effort in deciding between two actions, then the agent would not be ultimately responsible for her decisions. Kane attempts to obviate this objection by putting emphasis on self-forming actions. However, Pereboom argues that "all free choices will be partially random events, for there will be factors beyond the agent's control, such as her initial character, that causally influences which choice is produced without causally determining it, while nothing supplements the contribution of these factors in the production of choice."[47] For this reason, Pereboom holds that an agent would not be morally responsible if the thesis of indeterminism were true, even given Kane's account.

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[47] Derk Pereboom, "Hard Incompatibilism," in *Four Views on Free Will*, 109-110.

Though the libertarian position captures in many ways the intuitive and folk understanding of free will and moral responsibility, as mentioned above, it has become an increasingly untenable position both from a scientific and philosophical perspective. The fact that the hard sciences work within a deterministic or probabilistically deterministic model of nature, creates a conflict between libertarian free will and our best scientific theories. This conflict is even more pronounced in accounts of libertarian free will that posits some special kind of agent causality, transcendental ego, or noumenal self. Furthermore, even attempts to account for free will by appealing to indeterminism, as in Kane's account, fall prey to grave unintelligibility. Ultimately, libertarian free will and the notion of moral responsibility that relies upon it no longer make sense.

Hard Incompatibilism

Putting libertarianism aside, the other variety of incompatibilism argues that free will and determinism are not compatible, but denies the existence of free will. Usually, incompatibilists who deny the existence of free will, traditionally called hard determinists, do so because they hold that the thesis of determinism is true, though there are few contemporary philosophers who could be accurately described as a hard determinist. However, there are incompatibilists who deny the existence of free will. Derk Pereboom,[48] for instance, has developed a position he calls 'hard incompatibilism' that denies the existence and intelligibility of free will regardless of whether the thesis of determinism or indeterminism is true. Like Kane, Pereboom's arguments put less stress on the requirement for alternative possibilities for an action in order for an agent to be

[48] For a full account of Derk Pereboom's position, see Derk Pereboom, *Living Without Free Will* (Cambridge: Cambridge University Press, 2001).

morally responsible, and emphasize, instead, the causal history of the action, what Kane calls ultimate responsibility. Thus, for Pereboom, moral responsibility would require that an action has a causal history that would allow an agent to be the ultimate source of her action.

Pereboom favors such source incompatibilism because he holds it is possible to develop resilient Frankfurt-style examples in which an agent is held morally responsible despite the fact that she could not have chosen otherwise.[49] However, Pereboom argues against compatibilism by pointing out, similarly to Kane, that if the thesis of determinism is true then an agent can never be the ultimate source of her choice or actions. He writes, a " very powerful and common intuition is that if all of our behavior were 'in the cards' before we were born, in the sense that things happened before we came to exist, by way of a deterministic causal process, inevitably resulted in our behavior, then we could not legitimately by judged blameworthy for our wrongdoings."[50]

In order to tease out the significance of this intuition, Pereboom offers a case in which "an action's being produced by a deterministic process that traces back to factors beyond the agent's control, even when she satisfies all the conditions on moral responsibility specified by the prominent compatibilist theories, presents in principle no less of a threat to moral responsibility than does deterministic manipulations."[51] Pereboom's point in presenting such a case is to argue against the distinction compatibilists, such as J. M. Fischer, often make between cases of direct manipulation and cases of determinism in the causal history of an action. Compatibilists claim that

[49] See Pereboom's Tax Evasion example. Derk Pereboom, "Hard Incompatibilism," 90-91.
[50] Ibid., 93.
[51] Ibid.

cases of manipulation by coercion, brainwashing, etc. present fairly clear cases in which the agent is not morally responsible even if she satisfies the compatibilist conditions on moral responsibility that would otherwise hold, whereas the latter cases of causal determinism do not. Pereboom argues that these two kinds of cases are reducible when considering the source of the actions as not within the agent's ultimate control. His point is that an agent lacks control over her action when considering the deterministic causal history of that action just as much as when considering cases of direct manipulation. For this reason, Pereboom holds that free will is not compatible with determinism.

As a hard incompatibilist, Pereboom ultimately concludes that agents lack the kind of free will that would allow them to be held morally responsible in the sense that they could be held worthy of praise or blame. He writes, "accepting hard incompatibilism requires denying our ordinary view of ourselves as blameworthy for immoral actions and praiseworthy for actions that are morally exemplary."[52] For this reason, accepting hard incompatibilism requires revising many of the intuitions and practices that are founded on incompatibilist free will and a notion of moral responsibility that requires such free will. However, Pereboom argues that hard incompatibilism does not undermine *all* the intuitions and practices that are often taken to require free will. For this reason, his position looks forward to a new revision of aspects of ethics that are often viewed as requiring free will, for which I am arguing Spinoza's philosophy can provide a new foundation.

In fact, Pereboom, like Spinoza, argues that hard incompatibilism does not undermine the meaning and value that human beings find in life or while achieving

[52] Ibid., 114.

their life-hopes.[53] Life-hopes seem to require an aspiration of praiseworthiness, that is, that an individual deserves praise for her accomplishments. Pereboom claims, however, that achievements and life-hopes are not as connected to praiseworthiness as they may at first glance seem to be. He writes, "for example, if someone hopes that her efforts as a teacher will result in well-educated children, and they do, then there is a clear sense in which she has achieved what she hoped for, even if because she is not in general morally responsible she is not praiseworthy for her efforts."[54] Pereboom also stresses that despite the fact that an individual might have a certain behavioral disposition or environment that would lead her to suspect her life will turn out in a certain way, it is still reasonable for her to pursue certain life-hopes or goals against this suspicion precisely because she does not know the outcome of this hope. For this reason, accepting hard incompatibilism does not undermine how an individual views the meaningfulness of her achievements or life-hopes.

Another practice, addressed by Pereboom, that is commonly thought to be undermined by positions that deny free will, is criminal punishment. The concern is that hard incompatibilism could not give a justification for punishing criminals. But this is only because such justifications are often retributivist and based on the theory that criminals deserve to be punished because they have free will. Hard incompatibilism obviously undermines the legitimacy of retributive theories of justice. However, it does not necessarily undermine justifications of punishment that think of punishment as education or deterrence. Pereboom holds that such justifications ultimately entail other problems of legitimization and suggests that it would be best to

[53] Ted Honderich, *A Theory of Determinism*.
[54] Ibid., 117.

develop a theory of crime prevention that "draws an analogy between the treatment of criminals and the treatment of carriers of dangerous diseases"[55] Such a theory would justify quarantining criminals as a danger to others without holding them morally responsible for their crimes and treating them unjustly.[56]

By pointing to other ethical concerns that often seem to require free will besides moral responsibility narrowly construed, Pereboom is addressing issues for which Spinoza's philosophy as a paradigm can provide solutions, solutions that are being sought for not just by philosophers, but also by scientists, legal theorists, and psychologists, among others. In particular, the issue of holding human beings legally responsible and justifying practices of punishment while denying that agents have free will has become a pressing concern recently because of advances and research in neuroscience, psychology, and behavioral sciences which suggest that human beings lack the traditional and folk conceptions of free will. Unfortunately, as other researchers look to philosophers for answers to the problems of responsibility, philosophers, because they themselves are not very clear on what is needed for an adequate solution to the question of free will, have created confusion rather than answers.

1.5 Beyond a Philosophical Quandary

As mentioned, the question of free will is no longer an insular philosophical problem, but has, in recent decades, captured the attention of scientists, psychologists, and legal theorists among others. One reason for this is that a significant challenge to traditional conceptions of free will and moral responsibility comes from growing

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[55] Ibid., 116.
[56] For an overview of problems of responsibility in the philosophy of law, see H. L .A. Hart, *Punishment and Responsibility: Essays in the Philosophy of Law* (Oxford: Oxford University Press, 2008).

research in neuroscience and other sciences that suggest that these conceptions of free will are untenable. While some neuroscientists and neurophilosophers, such as Patricia Churchland, take the challenge of neuroscience to our folk psychology understanding of mind, free will, and moral responsibility very seriously, these discussions continue to suffer from the same confusions that have already plagued the philosophical discussion. For instance, because there is not a clear definition of free will between incompatibilism and compatibilism, the latter position appears appealing to those working in the brain sciences because they seem to reconcile determinism, the model of nature within which the sciences work, with free will and moral responsibility. However, as argued above, compatibilist positions are frequently not adequate for addressing the problem of free will, because they fail to address moral responsibility with respect to the understanding of free will that is at stake when determinism seems to undermine the intuitions and practices concerning such responsibility. This is to say that, though they develop a conception of *free will* that is compatible with determinism, compatibilists often fail to develop a comparable conception of moral responsibility that is compatible with determinism. This becomes an acute problem, sometimes a problem of life or death, when moving from the sphere of moral responsibility to that of legal responsibility.

In American criminal law, prosecution is concerned with both *actus reus*, or the guilty act, and *mens rea*, or the guilty mind, that is, prosecution requires proof that a defendant both engaged in the criminal action and also was in an appropriate mental state to be held legally responsible. Neuroscience and brain imaging techniques increasingly inform discussions of *mens rea* when it comes to questions of psychiatric disorders and brain abnormalities. Such discussions also draw into relief the question to what degree neuroscience can and should challenge the understanding of legal

responsibility currently employed in common-law jurisprudence. This is because, if human beings lack free will as traditionally understood, then this would require a revision in the foundation of legal responsibility and in the justification of punishment, which has been based on a libertarian conception of free will and retributive theory of punishment. However, compatibilist sensibilities continue to obfuscate the crucial point.

For instance, in "Moral and Legal Responsibility and the New Neuroscience," Stephen Morse argues that research in neuroscience will not change the current concept of legal responsibility, because neuroscience makes no challenge to free will. He argues that actions can be explained by both physical causes and reasonable intentions. It is only this latter kind of explanation though that is the concern of law and responsibility. He writes, "law, unlike mechanistic explanation or the conflicted stance of the social sciences, views human action as governed by reason and treats people as potentially rational intentional agents, not simply as biophysical mechanisms in a thoroughly causal world."[57] He continues by pointing out two challenges that neuroscience potentially makes to the concept of legal responsibility. Firstly, neuroscience may discover that humans are not "conscious, intentional, and potentially rational agents"[58] and secondly that even though it may appear that humans are rational agents "the concept of responsibility is nonetheless unsupportable, even for creatures such as ourselves"[59] because of determinism.

With respect to the first point, Morse argues that there is no conclusive and uncontroversial finding or research that would indicate that humans are not conscious,

[57] Stephen Morse, "Moral and Legal Responsibility and the New Neuroscience," in *Neuroethics: Defining the Issues in Theory, Practice, and Policy*, ed. Judy Illes (Oxford: Oxford University Press, 2006), 36.
[58] Ibid., 41.
[59] Ibid.

intentional, or potentially rational agents. With respect to the possibility that determinism, the model of the nature that neuroscience employs, destroys free will and responsibility, Morse contends that the question of free will is a *metaphysical* and not a scientific problem. Furthermore, a compatibilism which understands humans as rational agents, and not necessarily the ultimate source of actions, is not only intelligible, but also all that is required for the current concept of legal responsibility. He writes, "[law] treats responsibility practices as human constructions concerning human action and asks if they are consistent with fact about humans beings that we justifiably believe and moral theories that we justifiably endorse."[60] Ultimately, Morse holds that neuroscientific explanations of human behavior are consistent with ordinary notions of legal responsibility.

Morse's compatibilist arguments and conclusion, however, do not take into account the fact that current conceptions of legal responsibility employ a libertarian, i.e. incompatibilist, conception of free will to justify punishment. It may be true that the law treats responsibility practices as human constructs about human agents as rational beings, but again, these practices should be better informed by the scientific understanding of human behavior that neuroscience provides, rather than be conservative about *metaphysical* constructs that our best scientific theories conflict with.

Joshua Greene and Jonathan Cohen make this point in "For the Law, Neuroscience Changes Nothing and Everything." Disagreeing with Morse's sentiments, they argue that the intuitive understanding of moral and legal responsibility that is employed in criminal law is ultimately libertarian and that this conflicts with the

[60] Ibid., 47.

neuroscientific understanding of the mind-brain which ought to overcome this conception of responsibility. They write, "in our view neuroscience will challenge and ultimately reshape our intuitive sense of justice."[61] Greene and Cohen hold that though, technically, neuroscience should not change law, it should change the principles under which the penal code is justified. They contend that the American legal system and common sense view punishment in terms of retributive justice, stemming from Kantian and hence libertarian conceptions of justice. Underlying retributive justice is the belief that punishment is justified by desert, that is, criminal behavior deserves to be punished. It is this notion of desert that presupposes free will, and they argue neuroscientific research draws this into question. They write, "even if there is no satisfying solution to the problem of free will, it does not follow that there is no correct view of the matter. Ours is as follows: when it comes to the issue of free will itself, hard determinism is mostly correct."[62] Ultimately, they hold that legal punishment should follow a consequentialism model in which punishment is justified by its beneficial social effect through deterrence and rehabilitation.

However, support for such views as Greene and Cohen suggest are still far and few in between. The more dominant view is that neuroscience will have little capacity to change current conceptions of legal responsibility. Again, the reason for this, as I see it, is that compatibilist sensibilities about free will, though appealing, prevent important policy changes when it comes to considerations about legal responsibility that is ultimately libertarian. A final example: Michael Gazzaniga and Megan Steven in "Free Will in the Twenty-First Century: A Discussion of Neuroscience and Law," hold that "it

[61] Joshua Greene and Jonathan Cohen, "For the Law, Neuroscience Changes Nothing and Everything," in *Law and the Brain*, ed. Oliver R. Goodenough and Semir Zeki (Oxford: Oxford University Press, 2006), 208.
[62] Ibid., p. 221.

is important to examine these issues [neuroscience and free will] because someday – a day not so far away – they will dominate the legal community."[63] However, they argue that though neuroscience provides some evidence against free will – the controversial research of Benjamin Libet that finds that the brain is activated in decision-making prior to conscious awareness of decisions, and research in the correlations between violent crimes, anti-social personality disorders such as psychopathy, and abnormalities in the prefrontal cortex and amygdala – ultimately neuroscience will have little effect on current conceptions of legal responsibility.

This is the case, they hold, for two reasons. First, it is unlikely if not impossible that neuroscience will be able to indicate a part of the brain that would reveal culpability. They write, "our argument is that neuroscience can offer very little to the understanding of responsibility. Responsibility is a human construct, and no pixel on a brain scan will ever be able to show culpability or non-culpability."[64] Secondly they argue that the legal conception of responsibility is based on the commitment that humans are practical reasoners with free will and consequently are exculpable only to the degree that their capacity to reason is proven to be suspect. Ultimately, though they admit that humans are a part of a deterministic system, Gazzaniga and Steven hold that "responsibility is a social construct and exists in the rules of the society. It does not exist in the neuronal structure of the brain"[65] and for this reason neuroscience may have little ability to change notions of legal responsibility.

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[63] Michael Gazzaniga and Megan Steven, "Free Will in the Twenty-First Century: A Discussion of Neuroscience and Law," in *Neuroscience and the Law: Brain, Mind, and the Scales of Justice*, ed. Brent Garland (New York: Dana, 2004), 52.
[64] Ibid., 66.
[65] Ibid., 68.

I agree with Gazzaniga and Steven's intuitions that neuroscience will not reveal a part of the brain that can decide culpability and also that responsibility is a social construct. However, I disagree with their conclusion that neuroscience may have little ability to change notions of legal responsibility precisely because human beings are viewed legally as practical reasoners with "free will." It is this conception of human beings and responsibility that is at odds with the growing understanding of the human brain that neuroscience is providing. Gazzaniga's and Steven's conclusion reflects that insidious effect that compatibilist sensibilities have had on coming to terms with a new approach to responsibility that would take into account the degree to which it is a social construct and not founded on a *metaphysical* construct, as I will show is Spinoza's position.

In conclusion, the contemporary debate concerning free will and moral responsibility seems to be irresolvable with respect to the compatibility problem of free will and determinism, one camp arguing such compatibility is impossible, the other arguing that free will is compatible with, if not exclusively intelligible because of, determinism. The apparent *aporia* concerning the compatibility problem, I argue, is a result of the fact that incompatibilists and compatibilists employ a different meaning for the term 'free will'. This difference, I hold, is already apparent when we look at the historical paradigms for 'free will' that incompatibilism and compatibilism are founded upon, namely Kant and Hume respectively. A further problem, which can also be seen in its historical paradigm, is that though compatibilists mean something different by 'free will' they often argue for a similar conception of moral responsibility to that of incompatibilism. Ultimately, this not only furthers the apparent inability to resolve the compatibility problem, but also creates confusion among non-philosophers, such as

scientists and legal theorists, entering the debate, who have looked to philosophers for answers.

Having isolated these problems in the contemporary free will debate, in the following I want to argue that the philosophy of Spinoza can offer a productive paradigm for thinking about free will, determinism, and moral, as well as legal, responsibility. Spinoza has alternately been interpreted as an incompatibilist and a compatibilist and, somewhat paradoxically, he is both. However, this is due to the fact that Spinoza makes a clear distinction between free will and what he calls 'freedom', which he argues is compatible with determinism. Spinoza is an incompatibilist, a hard determinist to be precise, because he denies the existence of free will and its compatibility with determinism. However, he can also be interpreted as a compatibilist insofar as he offers a rich theory of human freedom that is compatible with determinism. But in contradistinction to common compatibilists, Spinoza does not retain moral responsibility as an attribute of human agents dependent on free will or freedom, but rather offers a new foundation for thinking about human responsibility, both moral and legal.

Chapter 2: Spinoza the Incompatibilist or Spinoza's Critique of Free Will

2.1 An Ethics Naturalized

Spinoza's *Ethics*, despite the richness of its metaphysical, physical, and epistemological insights, presents primarily an ethics, that is, it presents an attempt at grappling with, and providing solutions to, the timeless philosophical quandaries – what is the good life? And how exactly can human beings achieve such a life? As Spinoza himself qualifies at the beginning of Part II of the *Ethics*, having just presented the metaphysical foundations for this ethics, "I pass now to explaining those things which must necessarily follow from the essence of God, or the infinite and eternal being – not, indeed, all of them, for we have demonstrated that infinitely many things must follow from it in infinitely many modes, *but only those that can lead us, by the hand, as it were, to knowledge of the human mind and its highest blessedness*" (*E*2pref.) [my emphasis].[66]

Spinoza's main philosophical concern, self-admittedly, is to give an account of "human blessedness", his term for happiness and human flourishing, and this is the guiding principle throughout the *Ethics*. Just as Descartes professed in his image of the "tree of knowledge", the roots of which are metaphysics, the trunk physics, and the branches the practical sciences, that the fruit and highest science of this tree is the study of morals,[67] so too does Spinoza see the study of morals as the highest end of philosophy. And while Descartes, for whatever reason, failed to provide such a system

[66] All references to Spinoza's works are presented as in-text citations, following common scholarly practice. All references to Spinoza's *Ethics* are from *A Spinoza Reader*, ed. and trans. Edwin Curley (Princeton: Princeton University Press, 1994). The references to the *Ethics* follow the practice of referring to first the part and then the specific proposition, definition, axiom, etc. For instance, (*E*3p9) refers to *Ethics* part 3, proposition 9. All other references are from *Spinoza: Complete Works*, trans. Sam Shirley (Indianapolis: Hackett, 2002). *Ep.* refers to the letters. *TTP* refers to the *Tractatus Theologico-Politicus* . *TP* refers to the *Tractatus Politicus*.

[67] See René Descartes, preface to *Principles of Philosophy*, in *The Philosophical Writings of Descartes* Vol.1, trans. J. Cottingham, et al. (Cambridge: Cambridge University Press, 1985), 186.

of morals, Spinoza in many ways, though not expressively, took up the completion of the Cartesian project, albeit with quite a few radical differences. It is important to keep this in mind while approaching the *Ethics* to avoid getting lost in what might seem like grand metaphysical claims presented in an often forbidding geometrical method, that are, in truth, rather modest with respect to modern science especially taken in the context of Spinoza's philosophical end – to provide an account of the correct way of living.

Following Descartes' image of the sciences, Spinoza's ethics is critically informed by his metaphysics, physics, and consequent epistemology. For Spinoza, ethics "must be based on metaphysics and physics" (*Ep*. 27, 839) and this is nowhere more the case than in his commitment to determinism and his view on the human will. Spinoza can be interpreted, in the contemporary language of free will, as an incompatibilist, more specifically a hard determinist, that is, he holds both that determinism is true and that human beings do not have free will. It might be surprising, given the trend of contemporary academic debates on free will overviewed in the last chapter and the general *doxai* concerning the matter, that Spinoza could deny free will and still offer a rich ethics, that he could have anything meaningful to say about "blessedness" or how it is attainable. But it is precisely because his ethics is informed by metaphysics and physics that Spinoza believes he does have something to say about the right way of living, and moreover, why his ethics ought to be taken more seriously today.

Perhaps there is nothing terribly unique in the view that ethics ought to be founded on metaphysical or physical principles. Hitherto, most philosophers, from Plato and Aristotle to Hellenistic and Medieval thinkers, based moral principles on their larger commitments about the nature of reality or being or even numbers. However,

Spinoza stands apart from these previous thinkers, because of the radical commitment to naturalism in his philosophy. Now, 'naturalism' is a nebulous term in need of definition and it often defies clear demarcation, always depending on the rather large question of what is taken as natural. For now, minimally, I will define Spinoza's naturalism as a commitment to making no explanatory appeals to anything outside of nature, especially with respect to explaining human behavior.[68] Of course, what Spinoza means by nature has yet to be defined, but it will be. What should be clear from the outset, again minimally, is that in Spinoza's philosophy there is no appeal to *sui generis* causes, transcendent gods, or magic of any sort.

A commitment to naturalism so defined may not seem so unusual in the discipline of philosophy, particularly today, but as Spinoza constantly points out, "things fall apart" as soon as the philosophical eye is turned towards the study of human beings. Spinoza writes, "most of those who have written about the affects, and men's way of living, seem to treat, not of natural things, which follow the common laws of Nature, but of things outside Nature. Indeed they seem to conceive man in Nature as a dominion within a dominion [*imperium in imperio*]. For they believe that man disturbs, rather than follows, the order of nature, that he has absolute power over his actions, and that he is determined only by himself" (*E*3pref.). Spinoza's point is that when it comes to what may now be called the "human sciences", however broadly construed, all scientific knowledge of nature and the natural world seems to lose its

[68] For instance, Jonathan Bennett writes, "Spinoza could not regard humanity favoured by a personal creator of the universe; so he lacked one common support for the view that humans have features not found elsewhere in the universe. He had indeed no patience with that view. His thinking is firmly grounded in the conviction that there is nothing fundamentally special about mankind as compared with chimpanzees and earth worms and cabbages and rivers; for Spinoza, man is a part of nature." Jonathan Bennett, *A Study of Spinoza's* Ethics, 35-36. For a discussion of Spinoza's rejection of the distinction of *contra naturam* (against nature) and *secundum naturam* (according to nature) see Alan Gabbey, "Spinoza's natural science and methodology," in *The Cambridge Companion to Spinoza*, ed. Don Garrett (Cambridge: Cambridge University Press, 1996), 180-182.

relevance, and human beings are viewed as somehow distinct from other natural things, possessing a kind of *imperium*, an order or power, entirely of its own kind. Spinoza, of course, is thinking here of the elusive power of free will, which, like a kind of magic, seems to disrupt the normal course of nature. With his commitment to naturalism, however, Spinoza wants to stress that human beings are a part of nature and that their actions and lives are not somehow outside and above it. Therefore, any kind of "human science", and particularly a system of ethics, for Spinoza, must be a study of human beings as natural beings "just as if it were a question of lines, planes, and bodies" (*E*3pref.).[69]

2.2 The Illusion of Free Will

Spinoza recognizes the source of the great failure to treat the study of human beings as a study of just another part of nature following the laws of nature as all parts of nature do; that source is the human belief in free will, which, for Spinoza, is based on an illusion or imagining. The belief in free will is not simply a bit of bad philosophy or

[69] Commentators, though generally impressed with Spinoza's commitment to naturalism in explaining human behavior, also question the success of his naturalistic project. For instance, Bennett writes of Spinoza, "he fails, however, in at least two ways, probably in three. His account of us is impoverished: it positively excludes some large aspects of human nature, such as our ability to act because we have purposes. Also, some of what it included is misconstructed out of the basic materials. And – the third possible failure – Spinoza's list of concepts for describing the rest of Nature is probably too long: he credits reality as a whole with a feature that seems to be confined if not to its human then to its animal fragments." Jonathan Bennett, *A Study of Spinoza* Ethics, 38. Against Bennett's first point, see Edwin Curley, "On Bennett's Spinoza: the issue of Teleology," in *Spinoza: Issues and Directions : The Proceedings of the Chicago Spinoza Conference*, ed. Edwin Curley and Pierre-Franc□ois Moreau (Leiden: E. J. Brill, 1990), 39-52. A more recent discussion of this issue can be found in Charles Jarrett, "Teleology and Spinoza's Doctrine of Final Causes," in *Desire and Affect: Spinoza as Psychologist*, ed. Yirmiyahu Yovel (New York: Little Room Press, 1999), 3-17. An interesting rejoinder to Bennett's third point can be garnered from Don Garrett's account of Spinoza's incremental naturalism in Don Garrett, "Representation and Consciousness in Spinoza's Naturalistic Theory of the Imagination," in *Interpreting Spinoza*, ed. Charles Hueneman (Cambridge: Cambridge University Press, 2008), 4-25. Michael Della Rocca also argues, for similar reasons to Bennett's, that Spinoza's naturalistic account of human psychology is ultimately unsuccessful. See Michael Della Rocca, "Spinoza's Metaphysical Psychology," in *The Cambridge Companion to Spinoza*, 192-266. Though he notes, "this failure should not obscure the fact that Spinoza's general program of naturalizing psychology is a valuable and appealing one and that Spinoza's execution of it, even where unsuccessful , is a rich source of philosophical insight." Ibid., 193.

theology that has become so thoroughly ensconced both in academic and everyday interpretations of the world that it has become difficult to see otherwise, as, for instance, Aristotle's philosophy was for centuries in the study of science. Spinoza recognizes that the belief in free will is a fundamental part of how human beings experience themselves, their actions, and their lives. He also identifies why human beings are so convinced that their will is free. He argues, "men are born ignorant of the causes of things, and [...] they all want to seek their own advantage, and are conscious of this appetite. From these [assumptions] it follows [...] that men think themselves free, because they are conscious of their volitions and their appetite, and do not think, even in their dreams, of the causes by which they are disposed to wanting and willing, because they are ignorant of [those causes]" (*E*1appendix).[70] Spinoza's point is deceptively simple. Human beings take themselves to have free will because they are ignorant. But this ignorance is manifold. First, they are ignorant of the causes that determine their actions. This is a result of the fact that humans are conscious of their volitions, appetites, and desires, and because of this consciousness, take their actions to stem solely from some inner power of the self, namely free will. These causes, for Spinoza, are complex and determined *ad infinitum*. Secondly, human beings, for the most part, are also ignorant that they are ignorant of the causes that determine their actions. Consequently, the consciousness of their volitions, appetites, and desires without awareness of their causes, prevents human beings from even questioning what they take to be their free will or seeking the true causes that determine their actions.

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[70] Incidentally, Derk Pereboom alludes to this passage when arguing against the "significant phenomenological evidence" for libertarian free will. He writes, "however, the Spinozan response to this claim, that we believe our decisions are free only because we are ignorant of their causes, has not been successfully countered. The lesson to draw from Spinoza is that phenomenology apt to generate a belief that we have libertarian free will would be just the same if decisions were instead causally determined and we were ignorant of enough of the causes." Derk Pereboom, "Hard Compatibilism," 113.

Bringing the question of free will into the foreground, Spinoza draws an analogy between the everyday consciousness of volitions with the accompanying belief in free will and examples in which the freedom of the will might seem more questionable than usual, writing, "in the same way [as all humans take themselves to be free] a baby thinks that it freely desires milk, an angry child revenge, a coward flight. Again, a drunken man believes that it is from his free decision that he says what later, when sober, would wish to be left unsaid. So, too, the delirious, the loquacious, and many others of this kind believe that they act from free decision, and not that they are carried away by impulse" (*Ep*. 58, 909). In these examples, the agents are all ignorant of the causes of their actions, volitions, and desires, and also ignorant of this ignorance. Assuming, under general conditions, humans did act freely, these agents all exhibit some kind of inhibition to the functioning of free will. The infant lacks a full grasp of its environment, simply and instinctually desiring nourishment. The child and the coward are blinded by their passions. The drunkard is under the influence of a drug, losing his sense of propriety and shame that would otherwise force him to hold his tongue. And the delirious man has perhaps only the most tenuous grasp of reality. Yet all of these agents are still conscious of their volitions and take themselves to be acting freely, though from an external perspective that opinion seems rather suspect. But for Spinoza, all human beings, in their ignorance, are in a similar condition. Again, Spinoza argues, "human freedom which all men boast of possessing [...] consists solely in this, that men are conscious of their desire and unaware of the causes by which they are determined" (*Ep*. 58, 909).

Spinoza recognizes that the belief in free will is so seductive precisely because human beings are conscious of their appetites, desires, and actions and, therefore, they

really *imagine* themselves to be free. He goes so far as to write, "since this preconception is innate in all men, they cannot so easily be rid of it" (*Ep*. 58, 909). But for Spinoza, this belief is simply based upon an imagining, and does not involve any adequate ideas, by which Spinoza means true knowledge. However, even knowledge that there is no free will, as Spinoza hopes to provide by rational argument, does not act as a simple corrective to the belief of free will stemming from the imagination. Even with knowledge that human beings lack free will, the imagined freedom of the will persists, which is why the belief in free will can be so insidious. Spinoza provides an analogy of how the error involved in the belief in free will can still persist in the imagination. He writes, "similarly, when we look at the sun, we imagine it as about two hundred feet away from us, an error which does not consist simply in this imagining, but in the fact that we imagine it in this way, we are ignorant of its true distance and the cause of this imagining. For even if we later come to know that it is more than six hundred diameters of the earth away from us, we nevertheless imagine it as near. For we imagine the sun so near not because we do not know its true distance, but because an affection of our body involves the essence of the sun insofar as our body is affected by the sun" (*E*2p35s). Just as human beings, despite knowing the true (approximate) distance of the sun from the earth, still imagine that it is much nearer, so too do they continue to imagine that they act from a power of free will. Both the belief in, or imagining of, the nearness of the sun and the belief in, or imagining of, free will persist because, in a fundamental way, that really is how it *seems* to human beings, even if they know better.

Making this point about free will as clear as the noon day sun, Spinoza provides another, perhaps more poignant, example of a stone that is thrown up into the air.

Spinoza writes, “a stone receives from the impulsion of an external cause a fixed quantity of motion whereby it will necessarily continue to move when the impulsion of the external cause has ceased. The stone’s continuance in motion is constrained, not because it is necessary, but because it must be defined by the impulsion received from the external cause. What here applies to the stone must be understood of every individual thing, however complex its structure and various its functions. For every single thing is necessarily determined by an external cause to exist and to act in a fixed and determinate way” (*Ep*. 58, 909). Here Spinoza is setting up the condition under which, he argues, all things in nature exist, namely a thoroughgoing determinism. However, he continues, “furthermore, conceive if you please, that while continuing in motion the stone thinks, and knows that it is endeavoring, as far as in it lies, to continue in motion. Now this stone, since it is conscious only in its endeavor [*conari*] and is not at all indifferent, will surely think it is completely free, and that it continues in motion for no other reason than that it so wishes” (*Ep*. 58, 909). Like human beings, the supposedly conscious stone is only aware of its endeavor [*conatus*] and desires to persist in its motion, to persist in its present state of action and being, which, lacking knowledge of the true cause of its motions, it takes to be a matter of its own free will.

This passage provides the opportunity to introduce a notion that is fundamental to Spinoza’s philosophy and his discussion of will, namely the notion of endeavor or striving [*conatus*]. In the above example of the stone, Spinoza writes that the stone is “endeavoring, as far as in it lies, to continue in motion” meaning that the stone strives to persist in its being, whatever the state of that being may be. This is its *conatus*. The *conatus* is the endeavor or striving of any given thing to persist in its own being. Spinoza writes, “each thing, as far as it can by its own power, strives to persevere in its

being" (*E*3p6). The *conatus* is, basically, the principle of self-preservation, but it does not simply apply to human beings; it applies to all natural beings, as in the stone example. Or perhaps to put it more aptly, given Spinoza's commitment to naturalism, all things in nature have a *conatus* and humans, being a part of nature, have a *conatus* as well. The *conatus*, as Spinoza puts it, is the very essence of any given thing. "The striving by which each thing strives to persevere in its being is nothing but the actual essence of the thing" (*E*3p7). It is important to keep in mind that 'essence' here should not be confused with something like an Aristotelian substantial form, or anything with the supposed status of a universal. Essences, in Spinoza's account, are particular. He defines 'essence' in the following way: "I say that to the essence of any thing belongs that which, being given, the thing is necessarily posited and which, being taken away, the thing is necessarily taken away; or that without which the thing can neither be nor be conceived, and which can neither be nor be conceived without the thing" (*E*2d2). By arguing that the *conatus* is the essence of any given thing, Spinoza's point is merely that everything exists and can be understood primarily as conative beings, that is, the existence of any given thing is primarily somehow a striving towards self-preservation. But, of course, a thing preserves itself, as Spinoza qualifies, "as far as it can by its own power." Different kinds of beings of varying structural complexity, and even different individuals with the same kind of being, i.e. humans, have varying degrees of conative power. This conative power in humans fluctuates to the degree to which any given human being is passive or active with respect to the causes that determine her actions. These fluctuations are sometimes experienced as affects, or emotions, positive affects increasing the conative power, negative affects decreasing it.

This may all seem strange now, and more must, and will be explained about this aspect of Spinoza's philosophy as it plays a large role in his understanding of freedom and ethical and social life. But in order to take away some of the strangeness of Spinoza's position that all things have a *conatus*, it may be helpful to think of the *conatus* with respect to non-living things, less psychologically and more mechanically, though for Spinoza there is a sense that both perspectives hold.[71] The notion of the *conatus* is akin or even equivalent to the law of inertia, that is, all things resist the change in their state of motion or rest. However, Spinoza's theory of *conatus* emphasizes more persistence than resistance.

The *conatus* is central to Spinoza's critique of free will, because, as mentioned above, the consciousness that humans have of their own striving or *conatus*, what Spinoza entitles desire, is responsible, in part, for the belief in free will. Furthermore,

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[71] Spinoza writes, "for the things we have shown [concerning the relationship between mind and body] so far are completely general and do not pertain more to man than to other individuals, all of which though in different degrees, are nevertheless animate. For of each thing there is necessarily an idea in God, of which God is the cause in the same way as he is of the idea of the human body. And so whatever we have said of the idea of the human body must be said of the idea of anything" (*E*2p13s). Spinoza is committed to this doctrine of "panpsychism", as it is sometimes called, because of his doctrine of parallelism, that is, that for each thing there is an idea that correlates with that thing. There is, of course, much controversy among commentators concerning how to interpret both of these interrelated doctrines, the latter of which will need to be addressed again later. Concerning Spinoza's "panpsychism", one common suggestion is that Spinoza by emphasizing in the above passage that *other individuals* besides humans are animate has in mind particularly organic individuals and not all things. But this ignores the greater context of Spinoza's commitment to parallelism and his use of the term 'thing' [*res*], even in the above passage. I think a more fruitful strategy for grasping Spinoza's point is to emphasize the correlation between the complexity of a thing and the complexity of its "mind". Spinoza himself continues, "however, we also cannot deny that ideas differ among themselves, as the object themselves do, and that one is more excellent than the other and contains more reality, just as the object of the one is more excellent than the object of the other and contains more reality" (Ibid). Any interpretive strategy, however, will rely heavily on grappling with what Spinoza means by idea and its consequences for his philosophy of mind. Don Garrett gives an account of how Spinoza can distinguish different degrees of complexity of the mind with incremental naturalism in Don Garrett, "Representation and Consciousness," 4-25. Wallace I. Matson also makes the suggestion that if Spinoza's ideas are interpreted as beliefs as in his own analysis, some sense can be made of Spinoza's pronouncement that everything is animated. He writes, "all things, even the inorganic, behave, and differently in different circumstances. So they have what I have called beliefs. And the totality of a stone's beliefs – a totality of one, perhaps – is the stone's mind. Consequently the stone is literally *animate*. But in saying so we are by no means ascribing consciousness to it." Wallace Matson, "Spinoza on Belief," in *Spinoza on Knowledge and the Human Mind*, ed. Yirmiyahu Yovel (New York: E. J. Brill, 1993), 74.

Spinoza uses the term '*conatus*' as something like an umbrella term, by it comprehending "together all the strivings of human nature that we signify by the name appetite, will, desire, or impulse" (*E*3 def. of affects 1). However, Spinoza makes a slight, yet significant, distinction between will and desire that begins to shed light on what he takes the will to be, and also provides the starting point for presenting his argument that the will is not free. Spinoza writes with respect to the *conatus*, "when this striving is related only to the mind, it is called will; when it is related to the mind and the body together, it is called appetite" (*E*3p9s).[72] This distinction does not seem of dire consequence as of yet, but it is a signpost that Spinoza does not take the will to relate so much to the body, as to the mind. Part of the reason for this is, as Spinoza writes, "by will I understand a faculty of affirming and denying, and not desire. I say that I understand the faculty by which the mind affirms or denies something true or something false, and not the desire by which the mind wants a thing or avoids it" (*E*2p48s). Distinguishing the will from desire as the faculty of affirming or denying something as true, reaffirms the fact that Spinoza takes the will to be related to the mind alone, and, in fact, Spinoza equates the will with the mind or intellect.[73] For Spinoza, "the will and the intellect are one and the same" (*E*2p49c). Spinoza's point is that the will is simply a faculty that affirms and denies individual ideas, and, for this reason, it is nothing more than singular volitions, or singular affirmations and negations of ideas, because there is no difference between affirming or denying an idea and having or not having that idea. What this ultimately means is that, for Spinoza, the will is not an extra

[72] Spinoza uses appetite and desire almost interchangeably. Here he continues, "between appetite and desire there is no difference, except that desire is generally related to men insofar as they are conscious of their appetite. So *desire* can be defined as *appetite together with consciousness of the appetite*" (*E*3p9s).
[73] Bennett suggests that Spinoza equates the will with the intellect because he takes ideas to be akin to beliefs. See Jonathan Bennett, *A Study of Spinoza's* Ethics, 162-167. Wallace Matson builds on Bennett's interpretation in Wallace Matson, "Spinoza on Belief," 67-81.

absolute faculty of choice as libertarians have conceived of the will. It is not some power that stands apart from the singular affirmations or negations of ideas, and, therefore, cannot be called free.

The will conceived as anything other than singular volitions, i.e. singular affirmations or negations of ideas, is just an *ens rationis*, a mental creation. Spinoza recognizes that human beings have a tendency to create universals through the use of imagination. But universals, for Spinoza, are merely nominal, created by combining images with respect to what they all have in common.[74] The notion of "the will" being something outside or above individual, singular volitions is merely such a universal, or mental being, produced from the many single volitions. Spinoza argues, "there is in the mind no absolute faculty of understanding, desiring, loving, and the like. From this it follows that these and similar faculties are either complete fictions or nothing but metaphysical beings, *or* universals, which we are used to forming from particulars. So intellect and will are to this or that idea, or to this or that volition as 'stone-ness' is to this or that stone, or man is to Peter or Paul" (*E*2p48s). For Spinoza, just as the universal 'man' has no ontological status outside of its nominal use, neither does 'the will' or 'the intellect'; and just as there are only individual men, there are only individual volitions and ideas.

[74] Spinoza writes, "those notions they call *Universal* like Man, Horse, Dog, and the like, have arisen from similar causes, namely, because so many images (e.g. of men) are formed at one time in the human body that they surpass the power of the imagining – not entirely of course, but still to the point where the mind can imagine neither slight differences of the singular [men] (such as color and size of each one, etc.) nor their determinate number, and imagine distinctly only what they all agree in, insofar as they affect the body" (*E*2p40s1).

2.3 The Human Mind

Given that Spinoza equates the will with the intellect, as the affirmations or negations of individual ideas, it is now necessary to delve deeper into Spinoza's epistemology and what he takes the human mind to be in order to adequately grasp why, for him, the will is not, and could not, be free. As a starting point, for Spinoza, "the first thing which constitutes the actual being of a human mind is nothing but the idea of a singular thing which actually exists" (*E*2p11) and "the object of the idea constituting the human mind is the body, or a certain mode of extension which actually exists, and nothing else" (*E*2p13). Before explaining what exactly Spinoza means by this, it is important to know that Spinoza's ontology recognizes primarily two kinds of things, or more properly, two kinds of considerations of things, what Spinoza calls attributes.[75] These two kinds of things are thought and extension, which considered as particular individuals, or what Spinoza calls modes, are ideas and bodies respectively. Initially, this appears to be a standard Cartesian ontology, and Spinoza and Descartes are not entirely dissimilar with this claim. Descartes holds that there are two kinds of substances, *res extensa* and *res cogitans*, extended things and thinking things, or bodies and minds.[76] For Descartes, these two substances *qua* substance are entirely distinct, body being understood through the attribute of extension and mind being understood through the attribute of thought. Because of his dualism, Descartes had not a little trouble explaining how the body and mind can interact, though he insisted that such causal interactions occur.

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[75] Spinoza defines 'attribute' as "what the intellect perceives of substance, as constituting its essence" (*E*1d4).

[76] Technically, Descartes recognizes three substances. One is an absolutely independent, infinite substance, namely God, and then there are two substances that are finite, created, and not dependent on anything else for their existence except God, namely *res extensa* and *res cogitans*. See René Descartes, *Principles of Philosophy*.

Spinoza, on the other hand, is not a dualist[77] in the strong Cartesian sense, even though he also recognizes that there are such things as ideas and bodies, thought and extension. Rather, Spinoza is a monist arguing that there is only one substance, which he entitles God or Nature [*Deus sive Natura*].[78] This one substance can be understood as being and including everything that exists (*E*1p15),[79] individual existing things being modifications or affections of the one substance, or what Spinoza calls modes. However, substance has at least two attributes,[80] thought and extension, which for Spinoza means

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[77] Spinoza's philosophy of mind is probably best characterized as committed to a dual aspect theory. Bennett, for instance, argues that Spinoza's philosophy is committed to property dualism. See Jonathan Bennett, *A Study of Spinoza's* Ethics, 41-50.

[78] I find, on my reading, the actual nomenclature to be insignificant. Spinoza equates God with Nature and though his "God" does retain some traditional theological characteristics such as being the *ens realissimus*, and perhaps omnipotence and omniscience, these characteristics take on a different non-theological meaning in Spinoza's philosophy. However, because Spinoza's use of 'God' has no similarity with the use of 'God' as a transcendent creator in the Judeo-Christian-Islamic tradition, I will avoid its use for the preference of 'Nature', for clarity's sake. For more on what Spinoza means by 'God or Nature' see following fn.

[79] Spinoza writes, "whatever is, is in God, and nothing can be conceived without God," (*E*1p15). However, Edwin Curley has pointed out that conceiving of Spinoza's God or substance as the whole of nature causes some interpretive problems concerning the relationship between substance, attributes, infinite modes, and finite modes. For instance, he questions particularly how a finite mode, which is often interpreted as a particular thing, is to inhere in substance as a property. Consequent of his analysis of the relationship between substance as mode as primarily causal, he argues that God or substance "denotes not the whole of Nature, but only its active part, its primary element." Edwin Curley, *Spinoza's Metaphysics*, 74. Ultimately, Curley equates *Natura Naturans* with the most general facts that universal laws describe. See Edwin Curley, *Spinoza's Metaphysics*, esp. 45-81. Bennett offers, against Curley, a reading of modes as properties (at least spatial properties). See Jonathan Bennett, *A Study of Spinoza's* Ethics, 81-110. For another objection that particulars inhere in Spinoza's substance, see John Carriero, "On the Relationship Between Mode and Substance in Spinoza's Metaphysics," *Journal of the History of Philosophy* 33 no. 2 (1995): 245-73. Steven Nadler also objects to Curley's identification of God only with *Natura Naturans* as failing to capture key elements of Spinoza's understanding of the relationship between substance and finite things and his identification of God with Nature. See Steven Nadler, "Whatever is, is in God": Substance and Things in Spinoza's Metaphysics," in *Interpreting Spinoza*, 53-71.

[80] For Spinoza, substance is defined as having an infinity of attributes, as he writes "by God I understand a being absolutely infinite, that is, a substance consisting of an infinity of attributes, of which each one expresses an eternal and infinite essence (*E*1d6). As Bennett points out, by an infinity of attributes Spinoza does not mean a numerical infinity, but rather a totality. See Jonathan Bennett, *A Study of Spinoza's* Ethics, 75-76. Thus, on this reasoning, God or Nature has all attributes. However, Spinoza is only concerned with two attributes, thought and extension, and these are the only two attributes that concern human beings. He writes, "it is thus clear that the human mind – i.e., the idea of the human body – involves and expresses no other attribute of God except these two. Now (by Prop. 10, II), no other attribute of God can be inferred or conceived from these two attributes, or from their affections. So I conclude that the human mind can attain knowledge of no other attribute of God, than these two, which was the point at issue" (*Ep*. 64, 918-919). It is questionable, to me, whether Spinoza held that there are any other attributes.

that there are two manners in which substance can be understood or considered. What this means is that substance considered through the attribute of extension is an attending to nature as an extended thing, or the modes of substance that are bodies. Likewise, substance considered through the attribute of thought is an attending to nature as a thinking thing, or the modes of substance that are ideas. This latter point, considering nature as a thinking thing, may initially seem strange, but Spinoza is attempting to give a naturalized account of thought and ideas and he takes the existence of thought or ideas to be based on empirical evidence that everyone would readily accept. He writes as an axiom, "man thinks" (*E*2a2) and defines 'idea' as "a concept of the mind which the mind forms because it is a thinking thing" (*E*2d3). Spinoza takes up the task of explaining how exactly this is possible. Spinoza's point in arguing that nature can be considered as a thinking thing is based on the fact that just as humans are aware of bodies in nature and can consider nature as an extended thing, so too are humans aware of thoughts or ideas and can consider nature as a thinking thing.[81]

A final, and crucial, point before returning to the human mind: Spinoza argues that the consideration of nature as an extended thing and the consideration of nature as a thinking thing is ultimately always a consideration of the same thing, just from two different perspectives or aspects. He writes, "the thinking substance and the extended substance are one and the same substance, which is now comprehended under this attribute, now under that. So also a mode of extension and the idea of that mode are

[81] Again, Spinoza is committed to a dual aspect philosophy of mind and has systematic epistemological reasons for not being reductionist about the mental and physical. For an illuminating discussion concerning this, see Michael Della Rocca, "Introduction," in *Representation and the Mind-Body Problem in Spinoza* (New York: Oxford University Press, 1996), 3-18.

one and the same thing, but expressed in two ways" (*E*2p7s).[82] Spinoza's point is that bodies and ideas express the same thing, though in a different and irreducible way. A consequence of this is that for every body there is a correlating idea or thought of that body. Both an idea and a body are the expression of the same thing. To explain this by example, Spinoza writes, "a circle existing in Nature and the idea of the existing circle, which is also in God [or Nature] are one and the same thing, which is explained through different attributes" (*E*2p7s). Extrapolating an analogy from Spinoza's example to better elucidate his point, any given circle with radius r in analytic geometry can be expressed by the equation $x^2 + y^2 = r^2$ and with this equation can be mapped upon a Cartesian coordinate system. The same circle, therefore, can be expressed as an extended thing or as an equation or thought. In this way, the circle is both a body and an idea, which expresses the same thing, though in a different form.[83]

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[82] *E*2p7 states: "The order and connection of ideas is the same as the order and connection of things." The demonstration for this proposition is *E*1a4: "Cognition of the effect depends on cognition of the cause." There is much controversy among commentators concerning this proposition, its demonstration, and its intended consequences, but minimally, Spinoza is proposing the order of ideas is the same as the order of things, because any knowledge of an effect (an idea) could not be explained causally by that effect (an extended thing), because any mode can only be conceived through its attribute. Bennett suggests that Spinoza's demonstration makes more sense by supplementing it with *E*2p3. See Jonathan Bennett, *A Study of Spinoza's* Ethics, 130-131. See also, Michael Della Rocca, *Representation and the Mind-Body Problem*, 141-156.

[83] This example was introduced by Ernst Cassirer. See Ernst Cassirer, *Das Erkenntnisproblem in der Philosophie und Wissenschaft der neueren Zeit* Vol. 2 (Darmstadt: Wissenschaftliche Buchgesellschaft, 1994), 117-118. I use this example merely as an analogy. Commentators have interpreted Spinoza's so called parallelism in a variety of different ways, not necessarily as strictly logical. However, Edwin Curley, for instance, offers an influential and textually supported logical interpretation of this doctrine of Spinoza as the identification of facts and proposition concerning facts. On his reading, the attribute of extension is identified with nomological facts and the attribute of thought with universal propositions about those facts. Likewise, finite modes are identified with particular facts, and ideas with particular propositions about those facts. See Edwin Curley, *Spinoza's Metaphysics*, 45-81. Bennett, on the other hand, has worked out an interpretation in which he holds Spinoza's thesis about the identity of ideas and bodies is an identity of properties of modes, such that there are transattribute properties and unabstractable differentia for modes. See Jonathan Bennett, "Spinoza's Mind-Body Identity Thesis," *The Journal of Philosophy* 78 (1981): 573-84, and Jonathan Bennett, *A Study of Spinoza's* Ethics, 125-153. Michael Della Rocca offers a stronger interpretation of the numerical identity of mind-body, which I favor. He contends that Spinoza is committed to a numerical identity theory despite objection from Bennett et al., insofar as Spinoza takes there to be a referential opacity between attributes. See Michael Della Rocca, "Causation and Spinoza's Claim of Identity," *History of Philosophy Quarterly* 8 no. 3 (1991): 265-75; Michael Della

It is because all bodies have a correlating idea that Spinoza argues, "the first thing which constitutes the actual being of a human mind is nothing but the idea of a singular thing which actually exists" (*E*2p11). This actually existing thing is an extended thing, namely the human body. So, for Spinoza, the mind is the idea of the body. Furthermore, the body that correlates with the mind is the one that the mind is aware of, for "we feel that a certain body [NS: our body] is affected in many ways" (*E*2a4). A human being as a certain mode of nature can be expressed as an extended thing or as a thinking thing. And it is in this way that Spinoza explains the connection between the mind and the body, that is, they are the same thing considered in two different ways. Spinoza writes, "from these [propositions] we understand not only that the human mind is united to the body, but also what should be understood by the union of mind and body" (*E*2p13s). Therefore, Spinoza obviates Descartes' problem of understanding the connection of the mind and the body.

Of course, to say that the mind is the idea of the body seems to oversimplify the complex and often obscure nature of the human mind. However, this is not the case for Spinoza. Firstly, Spinoza recognizes that the human body is very complex. He writes, "the human body is composed of a great many individuals of different natures, each of which is highly complex (*E*2Post.1). Thus, the human body is composed of other individual bodies and these bodies likewise may be composed of other individual bodies and so on and so forth; and, though Spinoza does not specify the degree to which this complexity can be analyzed, e.g. on the microscopic level, he does give a definition of what he takes an individual to be such that it accounts for a great variety of the

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Rocca, "Spinoza's Argument for Identity Theory," *Philosophical Review* 102 no. 2 (1993): 183-213; and Michael Della Rocca, *Representation and the Mind-Body Problem*, esp. 118-171.

anatomical taxonomy used in the biological sciences.[84] He writes, "when a number of bodies, whether of the same or of different size, are so constrained by other bodies that they lie upon one another, or if they so move, whether with the same degree or different degrees of speed, that they communicate their motions to each other in a certain fixed manner, we shall say that those bodies are united with one another and that they all together compose one body or individual, which is distinguished from others by this union of body" (*E*2definition).

Spinoza comes up with this definition of an individual because of his argument that there is only one substance and so "bodies are distinguished from one another by reason of motion and rest, speed and slowness, and not by reason of substance" (*E*2pl1). So an individual body is one in which the motion or rest of all its parts maintain a certain ratio.[85] This is significant because an individual composite body can undergo many changes of its parts or its motion and rest, but as long as it retains a certain ratio, it retains its nature and identity (*E*2pl4) (*E*2pl5) (*E*2pl6) (*E*2pl7).[86]

Because the human body is complex and composed of a great many individual bodies and the human mind is the idea of the human body, the human mind is likewise complex and composed of a great many individual ideas. Spinoza writes, "the idea that constitutes the formal being of the human mind is not simple, but composed of a great many ideas" (*E*2p15) and these ideas correlate with the individual bodies that compose the human body. Furthermore, the human mind is not composed only of the ideas that

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[84] For more on Spinoza's view of simplest bodies [*corpora simplicissima*] see Jacob Adler, "Spinoza's Physical Philosophy," *Archiv für Geschichte der Philosophie* 78 no. 3 (1996): 252-76.

[85] For an analysis of Spinoza on individuals see Steven Barbone, "What Counts as an Individual for Spinoza?" in *Spinoza: Metaphysical Themes*, ed. Olli Koistinen (Oxford: Oxford University Press, 2002), 89-112.

[86] Jacob Adler argues that "ratio of motion and rest" [*ratio motus et quietis*] should be taken in a non-technical and non-quantifiable sense as a kind of pattern of homeostasis. See Jacob Adler, "Spinoza's Physical Philosophy."

correlate with its composite body, but also of a great many other ideas, as well. These ideas are ones that correlate with the affections of the human body by other external bodies, as well as ideas of these ideas. What this means is that, for Spinoza, when the body interacts with other bodies in the external world, the mind has ideas of these bodies in such a way that it has an idea of its body as it is affected by the external bodies. Such an idea "involves the nature of the human body and at the same time the nature of the external body" (*E*2p16). This is how Spinoza understands what is meant by 'perception'.[87]

But it is important to note, in order to avoid confusion, that though Spinoza uses the term 'perceive' [*percipere*], he does not mean by perception that the mind is acted upon by a body. Accordingly, it is not completely passive with respect to an external object. The body may be partially passive with respect to the external body that is affecting it, but the mind only has an idea of the affection of its body. And thus, "the human mind perceives the nature of a great many bodies together with the nature of its own body" (E2p16c1) and "the ideas which we have of external bodies indicate the condition of our body more than the nature of the external bodies" (E2p16c2).

This latter point is significant because it points out the fact that the majority of ideas the human mind has have to do with the affections of our body. In fact, for Spinoza, the only way that the mind is aware of itself or its body is through the ideas it has of the affections of its body (E2P190) (E2p23), that is, the way in which its body is

[87] Margaret D. Wilson has argued that "Spinoza's system does not provide a plausible or coherent position about (real) minds and their relations to bodies." Margaret D. Wilson, "Objects, Ideas, and 'Minds'": Comments on Spinoza's Theory of Mind," in *Spinoza: Critical Assessments of Leading Philosophers* Vol. 1, ed. Genevieve Lloyd (London: Routledge, 2001), 111. Her contention is that Spinoza's theory of mind cannot account for representation, consciousness, and other aspects of human mentality while also failing to both distinguish between conscious and unconscious individuals and give an adequate solution to the mind-body problem. Don Garrett has offered a response to Wilson attempting to account for these aspects of human mentality through Spinoza's approach to philosophy as an "incremental naturalism". See Don Garrett, "Representation and Consciousness," 4-25.

affected by other bodies. For instance, the awareness I have of my body simply standing involves a great many relations my body has with all the bodies in its local environment. My feet are placed on the floor. Air surrounds my skin. My field of view is stimulated by light reflecting off the bodies around me, and so on and so forth. It is only with respect to all of these affections of my body, as well as any internal affections, that my mind is aware of its body and hence itself.

Secondly, though the mind is the idea of the human body, or the complex of ideas of the parts of the human body and all its affections, Spinoza does not mean to say that the mind has complete knowledge, or adequate ideas, to use his language, of all of these composing bodies and their affections. He is quite clear that, for the most part, the mind lacks adequate knowledge of the parts composing the human body (*E*2p24), of the external bodies affecting the human body (*E*2p25) (*E*2p27) and of itself (E2p29). Spinoza writes, "from this it follows that so long as the mind perceives things from the common order of Nature, it does not have an adequate, but only confused and mutilated knowledge of itself, of its own body, and of external bodies" (*E*2p29).

In order to understand what Spinoza means by inadequate knowledge it is important to note that Spinoza distinguishes three different kinds of knowledge. The first kind he calls opinion or imagination. This kind of knowledge comes "from singular things which have been represented to us through the senses in a way which is mutilated, confused, and without order for the intellect" or "from signs, for example, from the fact that, having heard or read certain words, we recollect things, and form certain ideas of them" (*E*2p40s2). Knowledge of this kind, or let us say, propositions[88]

[88] Many commentators take Spinoza to equate, more or less, ideas with propositions, or the content of propositions and the content of ideas. For example, see Edwin Curley, *Spinoza's Metaphysics*, 45-81; Jonathan Bennett, *A Study of Spinoza's* Ethics, 162-91; Wallace Matson, "Spinoza on Belief," 67-81.

about facts of this kind, can be true or false, but it never involves adequate ideas, that is, it is always partial knowledge based on subjective associations and perspectives. Spinoza writes, "if the human body has once been affected by two or more bodies at the same time, then the mind subsequently imagines one of them, it will immediately recollect the others also" (*E*2p18), but this recollecting and imagining is based solely on subjective associations derived from ideas of the affections of the body, "but not on the ideas which explain the connection of ideas" (*E*2p18). To provide a very famous example, when Marcel sips his lavender tea with crumbs of the *petites madeleines* in Marcel Proust's *Swann's Way* and feels an ineffable joy the reason for which he cannot initially recall, he continues to sip the tea in the hopes that his memory, with each sip, will become clearer and clearer. This failing, he finally thinks, "it is plain that the object of my quest, the truth, lies not in the cup but in myself. The tea has called up in me, but does not itself understand, and can only repeat indefinitely with a gradual loss of strength, the same testimony; which I, too, cannot interpret, though I hope at least to be able to call upon the tea for it again and to find it there presently, intact and at my disposal, for my final enlightenment."[89] Perhaps an overly elaborate example, but the tea and crumbs are not inherently connected in a causal way with, say, joy, or youth, or Sunday mornings at Combray and young love. However, Marcel imagines this connection, also recognizing "the truth lies not in the cup but in myself." Though, it is not always as easy, as in this example, to distinguish subjective association from real causal connection.

[89] Marcel Proust, *Swann's Way*, in *Remembrance of Things Past* Vol. 1, trans. C. K. Scott-Moncrieff (New York: Vintage Books, 1982), 48.

The second kind of knowledge Spinoza calls 'reason' and it comes "from the fact that we have common notions and adequate ideas of the properties of things" (*E*2p40s2). This kind of knowledge always involves adequate ideas, because "those things which are common to all, and which are equally in the part and in the whole, can only be conceived adequately" (*E*p28). It is important to note that by 'adequate idea' Spinoza means "an idea which, insofar as it is considered in itself, without relation to an object, has all the properties, or intrinsic denominations of a true idea" (*E*2d4). What this means is that ideas are not adequate insofar as they correspond with an object; rather, they are adequate with respect to themselves. Spinoza makes this distinction, "between a true and an adequate idea I recognize no difference but this, that the word 'true' has regard only to the agreement of the idea with its object [*ideatum*], whereas the word 'adequate' has regard to the nature of the idea itself" (*Ep*. 60, 912-913). For instance, I can have an adequate idea of a circle if I have an idea of "a space described by a line of which one point is fixed and the other moveable" (*Ep*.60, 913) and this idea contains in itself what a circle is without relation to any given circle, though it would be true of any given circle.

Ultimately, what Spinoza has in mind by the knowledge he calls 'reason' is scientific knowledge of the kind found in mathematics, and also mechanics and optics, knowledge that concerns the universal or common properties of bodies with respect to motion and rest. This kind of knowledge is not haphazard or based on a subjective connection or association of ideas, but rather it is a comprehension of the causal connections between things and hence the general nature of those things.[90] This

[90] Spinoza holds that "the knowledge of an effect depends on, and involves knowledge of its cause" (*E*1a4) so that fully understanding the cause of a thing is fully comprehending what that thing is. For instance,

knowledge is adequate because insofar as human beings are bodies they can have a complete knowledge of the commonalities of extended things. The final kind of knowledge Spinoza calls 'intuitive' and it is also a comprehension of the nature of things. It is difficult to say what exactly Spinoza means by 'intuitive knowledge', and though widely discussed, it is only necessary to note that it also involves adequate ideas. Spinoza describes intuitive knowledge as proceeding "from an adequate idea of the formal essence of certain attributes of God to the adequate knowledge of the essences of things" (*E*2p40s2).

To give an illustration of the differences between these kinds of knowledge, Spinoza gives this famous example: "Suppose there are three numbers, and the problem is to find a fourth which is to the third as the second is to the first. Merchants do not hesitate to multiply the second by the third, and divide the product by the first, because they have not yet forgotten what they heard from their teachers without any demonstration, or because they have often found this in the simplest numbers, or from the force of the demonstration of P19 in Book VII of Euclid, namely from the common property of proportionals. But in the simplest numbers none of this is necessary. Given the numbers 1, 2, and 3, no one fails to see that the fourth proportional is 6 – and we see this much more clearly because we infer the fourth number from the ratio which, in one glance, we see the first number to have to the second" (*E*2p40s2).

More must be said about adequate knowledge, but for now, I would like to focus on the first kind of knowledge, what Spinoza calls imagination, because it provides the origin for the illusion of free will. This kind of knowledge is always inadequate and the

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understanding the cause of a circle, that is, the rule for a circle's construction is, fully understanding what a circle is.

perceptions the human mind has of external bodies or, more properly, the ideas it has of the affections of its body are, for the most part, knowledge based on the imagination. Spinoza writes, "the affections of the human body whose ideas present external bodies as present to us, we shall call images of things, though they do not reproduce the figures of things. And when the mind regards bodies in this way, we shall say that it imagines" (*E*2p17s). Of course, Spinoza does not mean that these ideas are fictional or even that they are images in any pictorial sense. An image in that sense, say the one found inverted on the retina in the visual system, is something that is always extended, so it is always a part of the body and not the mind. Rather, by imagination Spinoza means inadequate ideas of singular things. The reason why perceptions of external objects are imaginings and inadequate ideas is because they are ideas of the affection of the human body, and not ideas of the actually external object. For instance, Spinoza gives this example: "we clearly understand the difference between the idea of, say Peter, which constitutes the essence of Peter's mind, and the idea of Peter which is in another man, say in Paul. For the former directly explains the essence of Peter's body, and does not involve existence, except as long as Peter exists; but the latter indicates the condition of Paul's body more than Peter's nature, and therefore, while that condition of Paul's body lasts, Paul's mind will still regard Peter as present to itself, even though Peter does not exist" (*E*2p17s). In this example, it is clear that Paul's idea of Peter is not adequate insofar as it does not grasp the essence of Peter in the same way that my adequate idea of a circle mentioned above grasps the essence of a circle. Paul's knowledge of Peter is, therefore, based on his imagination rather than on adequate ideas, and for this reason, he may take Peter to exist, when he actually no longer does.

Given that Spinoza takes the majority of perceptions and ideas the human mind has of external bodies, its own body, and itself to be imagination, it becomes clearer what it means that human beings imagine themselves to be free. Human beings, for the most part, have only an inadequate knowledge of themselves with respect to body and mind, to their environment, and to the interactions between the two. For this reason, they are not usually aware of the causes that determine their actions. Just as in the above example where Paul may believe that Peter exists, even though he does not, because he has only an inadequate idea of Peter's mind and, furthermore, there is no idea in Paul's mind that would take away his belief in Peter's continued existence, so too do human beings believe themselves free when they are not aware of the causes that really determine their actions.

2.4 The Human Will and Determinism

Now that it is understood that Spinoza takes the human mind to be the idea of the human body, or more specifically, the composite of the ideas of the parts of the human body along with the ideas of its affections, we can come to terms with what he means by the human will. As was mentioned, the will is the same as the intellect. However, given that Spinoza does not think of the mind as some subject, substratum, or substance that somehow contains ideas or thought, but simply, it is these very ideas and thoughts (although related to a particular body), the will is simply the affirmation or negation of these singular ideas. Spinoza's point is that the will is not a power of choice to affirm or negate ideas, but is these very affirmations and negations. Spinoza writes, "those who think that ideas consist in images which are formed in us from encounters with bodies, are convinced that those ideas of things of which we can form no similar

image are not ideas, but only fictions which we feign from a free choice of the will. They look on ideas, therefore, as mute pictures on a panel, and preoccupied with this prejudice, do not see that an idea, insofar as it is an idea, involves an affirmation or negation" (E2p49s). For Spinoza, the very ideas or the mind having ideas, therefore, already involve a certain affirmation or negation.

For instance, when the mind perceives an external body, (and remember this means that the mind has an idea of an affection of its body by an external object which "involves both the nature of the human body and at the same time the nature of the external body" (*E*2p16)), then the mind affirms something of this idea, minimally that this external body exists and is present.[91] The mind will continue in this affirmation of the existence of the external body until another idea excludes this first idea. For instance, if I am sitting in a café and a friend of mine walks in, then my mind has an idea of her that affirms her existence and presence and I will continue in this affirmation until I am so affected that this idea is excluded from my mind, namely, when she leaves. Of course, because this kind of knowledge is inadequate, it may very well be that I continue in my affirmation of the idea of her presence, despite the fact that this is false, namely, that she has left, though I mistakenly believe she is still present. All of the ideas the mind has are, therefore, at the same time affirmations or negations of these individual ideas.

In arguing that the will is the same as the intellect and that the volitions are simply singular ideas, Spinoza is critiquing free will in three different and connected ways. First of all, he is arguing against Descartes' view of the will and the mind,

[91] Spinoza writes, "if the human body is affected with a mode that involves the nature of an external body, the human mind will regard the same external body as actually existing, or as present to it, until the body is affected, by an affect that excludes the existence or presence of that body" (*E*p17).

specifically with respect to what Daniel Dennett coined the "Cartesian theatre,"[92] that is, the idea that there is some power of the intellect or will outside of the ideas or thoughts themselves, which somehow views these ideas and makes decisions based on the information viewed or given to confirm or negate them. Descartes held this view partially in order to explain how false judgments were possible, despite the fact that he holds that a non-deceiving God provides human beings with a finite but non-defective intellect. Descartes concludes that false judgments are possible because the intellect and will are separate faculties of the mind. For Descartes, there is a disparity between the power of the intellect and the power of the will, that is, while the intellect is finite, the will is infinite. By positing the human will as infinite, Descartes means that, in itself, there is no limitation on it to affirm or deny any given idea whatsoever, though there may be a lack of concomitant power of knowledge. Descartes argues, "this is owing to the fact that willing is merely a matter of being able to do or not do the same thing, that is, of being able to affirm or deny, to pursue or shun; or better still, the will consists solely in the fact that when something is proposed to us by the intellect either to affirm or deny, to pursue or to shun, we are moved in such a way that we sense that we are determined to it by no external force."[93] Ultimately, Descartes argues that the cause of error is that the extension of the will is greater than that of the intellect, and, therefore, humans assent or deny (a capacity of the will) without having clear and distinct ideas. In order to avoid error Descartes suggests suspending judgment in cases where the intellect does not have clear and distinct ideas.

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[92] Daniel Dennett, "Multiple Drafts Versus the Cartesian Theatre," in *Consciousness Explained* (New York: Back Bay Books, 1992), 101-139.
[93] René Descartes, *Meditations on First Philosophy*, 84.

Spinoza, however, does not think such voluntary suspension of judgment is possible, because such a suspension conceives the will as an absolute power of choice. He writes, "[I deny] that we have a free power of suspending judgment. For when we say that someone suspends judgment, we are saying nothing but that he sees that he does not perceive the thing adequately. Suspension of judgment, therefore, is really a perception, not [an act of] free will" (*E*2p49s). This is an instance of a larger point about the will for Spinoza. Because the will is simply the affirmations and negations of singular ideas, it makes no sense to call it an absolute power of choice; for this reason it must be determined and cannot be called free, as will be explained in the final point.

Secondly, Spinoza is critiquing the notion that the mind or will determines the body to act (or vice versa), which is inherent in the notion of free will. For instance, it matters little if the will is free if it has no actual effect on the actions in the physical world in which the body partakes. However, as was mentioned earlier, the will refers only to the mind, because it is the mind. For this reason, Spinoza argues, "the body cannot determine the mind to thinking, and the mind cannot determine the body to motion, to rest, or to anything else (if there is anything else)" (*E*3p2). This follows, partially, from what Spinoza takes the mind and body, or thought and extension, to be, namely, two expressions of the same thing. The human mind is the idea of the human body; so, consequently, it does not make much sense to take the two to causally interact. What happens with respect to the body as an extended thing happens with respect to the mind as a thinking thing. In Spinoza's words, "the order and connection of ideas is the same as the order and connection of things" (*E*2p7). Furthermore, following the law of inertia, Spinoza holds that the motion and rest of a body is always dependent upon another body. Spinoza recognized that this might have been a sticking point for his

contemporaries, as perhaps it still is today, as "they are so firmly persuaded that the body now moves, now is at rest, solely from the mind's command, and that it does a great many things which depend only on the mind's will and its art of thinking" (*E*3p2s). However, this again reflects what Spinoza readily admits – that the mind has, for the most part, inadequate knowledge of the body and itself. As he famously points out, "no one has yet determined what the body can do from the laws of Nature alone, insofar as Nature is considered to be corporeal, and what the body can do only if it is determined by the mind. For no one has yet come to know the structures of the body so accurately that he could explain all its functions – not to mention that many things are observed in the lower animals which far surpass human ingenuity, and that sleepwalkers do a great many things in their sleep which they would not dare to awake. This shows well enough that the body itself, simply from the laws of its own nature, can do many things at which its mind wonders" (*E*3p2s). With modern advances in medical and brain sciences and increased understanding of the human body and brain today, Spinoza's point should be well taken.

And finally, because the human will is simply the singular affirmations and negations of ideas, Spinoza takes it to be necessarily determined. Spinoza argues, "the will cannot be called a free cause, but only a necessary one" (*E*1p32) because "every singular thing, or any thing which is finite and has a determinate existence, can neither exist nor be determined to produce an effect unless it is determined to exist and produce an effect by another cause, which is also finite and has a determinate existence; and again, this cause also can neither exist nor be determined to produce an effect unless it is determined to exist and produce an effect by another, which is also finite and has a determinate existence, and so on, to infinity" (*E*1p28). This is just a blanket statement

of Spinoza's determinism. What is significant about it is that Spinoza holds that all things in nature, or what he would call all modes of an infinite substance, are determined. And because he recognizes two kinds of things in nature, or two considerations of things, bodies and ideas, both of these follow a complex of causes with absolute necessity. So just as all bodies are determined by other bodies with respect to motion and rest (and even with respect to their existence, for nothing comes out of nothing), so too are ideas determined by causes that are other ideas. And this makes sense, again, given that Spinoza takes bodies and ideas to be two different expressions of the same thing. Both bodies and ideas being a part of nature, are, therefore, determined by, and follow, natural laws.

2.5 Concluding Remark: Free Will Versus Freedom

As should now be clear, Spinoza absolutely denies free will given that he takes the will to be the affirmation and negations of singular ideas, and that these singular ideas have no effect on bodies and, finally, these ideas are just as causally determined as bodies are. I want to emphasize this point about Spinoza's determinism because, though he denies the compatibility of free will and determinism and, thus, in this respect he is an incompatibilist, he does have a theory of freedom, which will be elucidated in the next chapter. Spinoza's theory of freedom is not unlike what some compatibilists call 'free wil'l, so in this respect he can be interpreted as a compatibilist, as well. Nevertheless, freedom for Spinoza is completely different from free will. In other words, Spinoza is not a compatibilist under the definition of 'compatibilism' as the compatibility of *free will* and *determinism*. He does not think that free will is compatible with determinism, precisely because all ideas (and consequently the human

will) are determined. This is an important point, because, returning to remarks made at the beginning of this chapter, some compatibilists (less than libertarians, but much more than hard determinists) often see man as a "dominion within a dominion" as Spinoza criticizes (*E*3pref.). They recognize that nature is determined, that there are strict, or at least probabilistic laws of nature, yet they still want to allow, somehow, for the possibility of a kind of free will that would allow moral responsibility in an incompatibilist sense. Again, I find that there is confusion about the difference between free will and freedom in the contemporary debate that I think Spinoza's philosophy can rectify, and if that is the case, then the term 'free will' as used by compatibilists simply muddies the waters, so to speak, of the free will discussion. Defenses of compatibilist 'free will' ultimately entail, at some point, attempts at sneaking in alternative possibilities and/or a power of choice in the incongruous context of determinism, or, as in the case with classical compatibilism, making a distinction between external and internal constraints. However, such a distinction between external and internal constraints does not imply free will as a power of choice and a moral responsibility that would require free choice. As Spinoza responds to a contemporary, G.H. Schuller, who had asked about free will on behalf of a friend, "for when he [Schuller's friend] says [...] that the free man is he who is not constrained by any external cause, if by constrained he means acting against one's will, I agree in some cases we are in no way constrained and that in this sense we have free will. But if by constrained he means acting necessarily, though not against one's will, I deny that in any instance we are free" (*Ep*. 58, pp. 909-910). But to make full sense of this statement, we must now turn to Spinoza's theory of freedom.

Chapter 3: Spinoza the Compatibilist or Spinoza's Theory of Freedom

3.1 Moral Responsibility, Take One

As mentioned in the first chapter, the question of free will has always been a weighty one because it appears that so much rides on a human capacity for choice. The general philosophical concern is that the denial of free will, in any sense of the word, entails the denial of moral responsibility. And such a denial would supposedly make any ethics impossible. Historically, we find the roots of this modern emphasis on free will in ethics above all in Kant's very influential practical philosophy. For Kant, as we have seen, an agent can be moral only if her actions can somehow be ascribed to her will, and for Kant the actions of an agent can only be ascribed to her, that is, she can only be a moral being, if her will is a power of free choice.[94] Thus, without free will in the strict sense of the word, it would be impossible to talk about praising and blaming actions and rewarding and punishing agents. But in a less strict sense, other philosophers, compatibilists as well as incompatibilists, hold the view that without free will, human beings would be incapable of directing their lives, incapable of determining themselves, incapable of self-betterment. Without free will, human life would be empty, meaningless, devoid of hope. Or so the story goes.

Spinoza, however, tells a different story. Though, as we have seen in the last chapter, Spinoza denies free will, he still retains a theory of human freedom, a notion of the good life that humans strive toward, and even a rich sense of moral responsibility. And if it is at all surprising that Spinoza develops an ethics despite denying free will, perhaps it is even more surprising that Spinoza takes the knowledge that humans lack

[94] See my introduction on Kant.

free will to be a crucial part of his ethics.[95] After arguing against free will in *E*2p49 Spinoza writes in the Scholium, "it remains now to indicate how much knowledge of this doctrine [against free will] is to our advantage in life," that is, rather than detract from human life, Spinoza takes the denial of free will to be of great value for humans. He continues with these following considerations:

> First, the denial of free will teaches humans that they only act out of the necessity of Nature, and by taking part in this necessity can achieve a human freedom, virtue, and happiness insofar as their highest goal is knowledge of Nature.
>
> Second, it teaches humans "how we must bear ourselves concerning matters of fortune, or things which are not in our power, that is, concerning things which do not follow from our nature – that we must expect and bear calmly both good fortune and bad" (*E*2p49s).
>
> Third, he even states "this doctrine contributes to social life," because insofar humans know that they lack free will, they will be less severe with themselves and the actions of others. That is, "it teaches us to hate no one, to disesteem no one, to mock no one, to be angry at no one, to envy no one; and also insofar as it teaches that each of us should be content with his own things, and should be helpful to his neighbor," (*E*2p49s).
>
> Moreover, Spinoza claims that the doctrine of the denial of free will can greatly advance progress in politics, writing, "finally, this doctrine also

[95] Timothy L. S. Sprigge writes, "the most striking thing, of course, about Spinoza's treatment of human emotion and behavior is his uncompromising determinism and the claim that its truth is ethically helpful rather than the reverse." Timothy L. S. Sprigge, "Spinoza and the Motives of Right Action," in *Spinoza on Reason and the 'Free Man'*, ed. Y. Yovel (New York: Little Room Press, 2004), 106. See also, William Franken, "Spinoza's 'New Morality': Notes on Book IV," in *Spinoza: Essays in Interpretation*, ed. Eugene Freeman and Maurice Mandelbaum (La Salle: Open Court, 1975), 84-100.

> contributes, to no small extent, to the common society insofar as it teaches how citizens are to be governed and led, not so that they may be slaves, but that they may do freely the things which are best" (*E*2p49s).

Each of the four considerations that Spinoza outlines points to particular significant aspects of his ethical and political theory, though, at this point they appear only in outline. Within the first consideration he points to the basis of his theory of freedom and, along with the second consideration, to his understanding of virtue and happiness. In the third and fourth consideration the basis of his understanding of moral and legal responsibility can be found, which will be elucidated in the next chapter.

But before I proceed to give an account of Spinoza's theory of freedom and his ethics without free will, I would like to make some preliminary remarks on moral responsibility because this is the concern most philosophers have about the problem of free will. If there is no such thing as free will how is it possible to hold an agent responsible for her actions? After all, if her actions are determined and she could not have possibly done otherwise, then on what grounds can her actions be worthy of praise or blame? The answer appears to be that it is, indeed, impossible. I believe that this intuition is, for the most part, correct. If an agent does not have free will as a capacity of choice, then, strictly speaking, she cannot be held morally responsible for her actions, at least under a *certain theory* of moral responsibility.

Spinoza denies that human beings have free will. Therefore, *prima facie*, he denies that human beings can be held morally responsible. However, he does have a conception of human freedom not unlike that offered by many compatibilists. But unlike many compatibilists, and this is important, he still denies that human beings have some metaphysical quality or attribute of being morally responsible based on what

compatibilists call 'free will'. However, such a conception of moral responsibility, which both incompatibilists and most compatibilists wish to attribute to human beings, is an impoverished concept. Such a concept of moral responsibility necessarily, if not intentionally, considers human beings as metaphysical substances, as transcendental *Ich*s, so to speak, abstracted from any social context within which their actions can have any real ethical content. Such a view of responsibility abstracts from any of the particularities by which a human being's character and rational motivations can be assessed. I admit that Spinoza does not retain this thin, abstract sense of moral responsibility. However, I want to argue that his philosophy can serve as a new paradigm for a richer, concrete sense of what moral responsibility actually is, a sense that has more to do with an individual as a social and political being, rather than with her "inborn" capacity for free will or freedom. But before we get ahead of ourselves, I want to show how Spinoza's philosophy has an affinity to some compatibilist positions insofar as Spinoza gives an account of human *freedom* compatible with determinism.

3.2 Affects, Passions and Actions

Again, though he adamantly denies *free will*, explaining it as an illusion, Spinoza still retains a theory of *freedom* akin to many compatibilist positions. His theory of freedom, in the most basic terms, has to do with an agent's activity, as opposed to passivity, with respect to her affects, and this, in turn, has to do primarily with the amount of conative power an agent has. What exactly this means will have to be explained in detail, but it is important to keep in mind, throughout this discussion, that Spinoza does not consider human beings to lack freedom because they are determined with respect to their actions. He does not at one moment disavow determinism; rather,

“human bondage”, as he calls an individual's lack of freedom is a result of “man’s lack of power to moderate and restrain the affects” (*E*4pref.), that is to say, for the most part, the power of a human being to act is overwhelmed by the power of other things that act upon her. Again this will need to be explained in greater detail, and the best place to begin such an explanation is with what Spinoza means by ‘affect’.

As mentioned in the previous chapter, for Spinoza, the ideas that initially constitute the human mind are ideas of the affections of the human body. Furthermore, the human individual, being complex, is affected by many other individuals (not just other human beings, but everything in nature) in a multitude of ways. This, in general, is what Spinoza means by 'affects' – the affections of the body and the ideas of these affections in that body’s mind. But, more specifically, Spinoza holds that the affections of the body express an increase or decrease in the body's power of acting, and likewise the ideas of these affections are an increase or decrease in the mind’s power of thinking. Spinoza writes, "by affect I understand the affections of the body by which the body's power of acting is increased or diminished, aided or restrained, and at the same time, the ideas of these affections" (*E*3d3). However, Spinoza recognizes that not all the affections of the body increase or decrease its power of acting, writing "the human body can be affected in many ways in which its power of acting is increased or diminished, and also in others which render its power of acting neither greater or less" (*E*4 Post.10). Nevertheless, ‘affect’ will be used to refer to affections of the body that increase or diminish the body's power of acting, and likewise the ideas of these affections that the mind has.

This may, initially, seem like an odd way of defining ‘affects’ which are, after all, emotions and it might be confusing as to what exactly Spinoza means by ‘the body's

power of acting' and 'the minds power of thinking'. However, recall that Spinoza considers human beings, and, in fact, everything, primarily as conative beings. A human individual has a *conatus*, or rather, she is a *conatus*, that is, human beings strive to persevere in their being, and this is the very essence of human beings. From the aspect of the attribute of extension, just as all simple bodies, by the law of inertia,[96] will preserve their state of motion or rest, human beings too strive to persevere in their being. Of course, the human body is a complex body, with all of its constitutive bodies being in a variety of complex states of motion and rest (patterns of homeostasis). Spinoza argues that in order to retain the genuine ratio of motion and rest integral to its preservation, the human body "requires a great many other bodies, by which it is, as it were, continually regenerated" (*E*2 Post. 3). Similarly, just as a body can impart its motion to another body or be an impediment to the constant motion of another body, there are affections of the human body that increase or diminish its power of activity. In accordance with the complexity of the human body, it can be affected by many bodies in many ways.

The mind being the idea of the body, the *conatus* or the striving to persevere in being, likewise undergoes an increase or decrease in power. In fact, the *conatus*, from the aspect of the attribute of thought, is the human will. Spinoza writes, "when this striving is related only to the mind, it is called will; but when it is related to the mind and the body together, it is called appetite" (*E*3p9s). The consciousness of appetite, as

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[96] Some commentators have shied away from reading Spinoza's *conatus* theory as akin to the law of inertia, but I agree with Lee C. Rice who writes, "it is unconvincing to suggest, as Matheron does, that one should not read *conatus* as 'psychic' generalization of physical inertia; since Spinoza's choice of the term (which denoted physical inertia in precisely the sense intended by classical physics) itself invites such a reading, which is subsequently confirmed by the use the concept is put in EIIIp7-EIIIp9." Lee C. Rice, "Action in Spinoza's Account of Affectivity," in *Desire and Affect: Spinoza as Psychologist*, ed. Yirmiyahu Yovel (New York: Little Room Press, 1999), 156.

mentioned earlier, is desire and, therefore, the very essence of human beings, their *conatus* can also be called 'desire', insofar as it is conscious. This desire is always based on the fundamental desire to persevere in being. Furthermore, insofar as there are affections of the body that increase or diminish the body's power of acting, or its power to persevere in its being, there are ideas of these affections that increase or diminish the mind's power of thinking. And "the idea of anything that increases or diminishes, aids or restrains, our body's power of acting, increases or diminishes, aids or restrains, our mind's power of thinking" (*E*3p11). Now it is easier to understand how affections of the body and ideas of these affections can be related to emotions. When the mind has an idea of an affection of the body that increases the body's power of acting, or, what is the same, increases its power of thinking, it experiences joy or pleasure. Likewise, when the mind has an idea of an affection that diminishes the body's power of acting, it experiences sadness or pain. Spinoza writes, "by joy [*laetiti*a], therefore, I shall understand in what follows that passion by which the mind passes to a greater perfection. And by sadness [*tristitia*] that passion by which it passes to a lesser perfection. The affect of joy which is related to the mind and body at once I call pleasure (*titillatio*) or cheerfulness [*hilaritas*], and that of sadness, pain [*dolor*] or melancholy [*melancholia*]" (*E*3p11s). By 'passage to greater perfection' and 'passage to lesser perfection'[97] Spinoza does not mean anything particularly special besides the passage to a greater power of thinking (or in relation to the body, a greater power of activity), that is, a passage to a greater or lesser power to strive to persevere in being.[98]

[97] For a discussion of the connection of emotional states with change of states in Spinoza, and its importance in understanding the intensity of emotions see Aaron Ben-Ze'ev, "Emotion and Change: A Spinozistic Account," in *Desire and Affect: Spinoza as Psychologist*, 139-154.
[98] Spinoza uses the terms 'power', 'reality', 'perfection', and, as we shall, see 'virtue' interchangeably.

To give a simple and perhaps crude, but rather apt, example of what Spinoza is getting at by "passage to greater or lesser perfection" and the resultant affect of joy and pleasure, sadness and pain: suppose I did not have time to eat breakfast this morning. As the morning progresses towards noon, my blood sugar levels lower and as my body becomes lethargic and sluggish. I find it increasingly hard to concentrate and am more prone to irritability. I feel the pain of hunger. In Spinoza's words, I am passing to a lesser degree of perfection. But as I eat lunch, besides the pleasure I may take in relieving hunger and in tasting the means of nourishment, my blood sugar levels begin to be regulated properly. I feel more energetic and more focused. In general, I feel better. This is, more or less, an example of what Spinoza means by a "passage to greater or lesser perfection". Of course, this is a simple and isolated example. The human body is constantly undergoing affections and the mind is constantly having ideas of these affections (albeit, they are not all conscious ideas), and some are far more or far less powerful than those related to regulating blood sugar levels.[99]

In general, however, for Spinoza these three affects – desire (*conatus*, appetite, will), joy, and sadness – are the basis of all affects and he attempts to explain the entire variety of human emotions through these three, by considering the various combinations of affects, the variety of objects of desire, and the different circumstances under which humans have such desires with respect to themselves and others, as well as time and space. From the primary affects of desire, joy and pleasure, and sadness and pain, Spinoza is capable of deducing, using a logical and causal method, a plethora of affects such as hope, fear, anger, pride, ambition, jealousy, sympathy, and so on and so

[99] For an analysis of the varying affective power of ideas and affects, see Don Garrett, "Representation and Consciousness," 4-25,

forth. A great many of these affects are complex, that is, they do not simply involve joy or sadness, but rather some mixture of the two, mixtures of these mixtures, etc.[100] However, an important distinction between affects, for Spinoza, is whether they involve joy and pleasure or sadness and pain, because joyful affects increase the *conatus* of an individual, that is, joyful affects increase the power of an individual, while sorrowful affects diminish it or decrease the power of an individual, desire always being a desire for power to persevere in being. So affects can be divided into good and bad affects, depending on whether they are an increase or a diminishment of an individual's conatus.

To give an example: Spinoza defines 'love' as "joy with the accompanying idea of an external cause" and 'hate' as "sadness with the accompanying idea of an external cause" (*E*3p13s). As the body strives for satisfaction of its desires, for Spinoza, "the mind as far as it can, strives to imagine those things that increase or aid the body's power of acting" (*E*3p12) and "when the mind imagines those things that diminish or restrain the body's power of acting, it strives, as far as it can, to recollect things that exclude their existence" (*E*3p13). Spinoza's point is that when the human body is affected by an external individual, the mind imagines, i.e. has an inadequate idea of, an external body as present. If the mind imagines, that is, conceives an external body as present, a thing that increases the body's activity, then its power of thinking is increased, i.e. it has the passion joy. But if the mind imagines things that decrease the body's activity, its power of thinking will be decreased, i.e. it will have the passion of sadness. Therefore, when the mind passes to a greater degree of perfection with an

[100] For an in depth analysis of Spinoza's theory of passions, see Michael Lebuffe, "The Anatomy of the Passions," in *The Cambridge Companion to Spinoza's* Ethics, ed. Olli Koistinen (Cambridge: Cambridge University Press, 2009), 188-222.

accompanying idea of an external cause it has the affect of love for this imagined cause, i.e. the human being loves whatever it is that is affecting it with joy, and *mutatis mutandis* for the affect of hate. Love and hate are important affects for Spinoza since the majority of affects involve either love or hate or some combinations of the two, but, of course, 'love' and 'hate' defined in this way can refer to any external object, such as wealth, esteem, food etc. and not merely other human beings.

However, besides this fundamental difference of good and bad affects, there is another very important distinction between affects that Spinoza makes, and that is the distinction between passions and actions. This distinction, perhaps obviously, has to do with whether a human being acts or is acted upon. But, if Spinoza denies free will and holds that human beings are determined with respect to all their actions, how could he possibly retain a difference between a human individual acting and being acted upon? Spinoza responds, "I say that we act when something happens, in us or outside us, of which we are the adequate cause, that is (by D1), when something in us or outside us follows from our nature, which can be clearly and distinctly understood through it alone. On the other hand, I say that we are acted on when something happens in us, or something follows from our nature, of which we are only the partial cause" (*E*3d2). By 'adequate cause' Spinoza means that cause "whose effect can be clearly and distinctly perceived through it. But I call it partial, or inadequate, if its effect cannot be understood through it alone" (*E*3d1).

More will have to be explained about what exactly Spinoza means by an 'adequate cause', how being an adequate cause, human beings can act, and how a human being can become an adequate cause, but for now I want to point out that Spinoza makes a distinction between a passion and an action and this distinction is related to knowledge.

This is to say, passions involve the mind having inadequate ideas, while actions involve the mind having adequate ideas. Spinoza argues, "our mind does certain things (acts) and undergoes other things, namely, insofar as it has adequate ideas, it necessarily does certain things, and insofar as it has inadequate ideas, it necessarily undergoes other things" (*E*3p1). However, because the ideas of the affections of the body are, for the most part, inadequate, that is, they are imagination, the majority of affects human beings have are passions. For the most part, therefore, human beings are acted upon rather than act. A human being is acted upon more often than she acts because she is necessarily a part of nature and there are other individuals in nature by which she is necessarily affected. However, recall that this does not mean that all passions diminish a human's power of activity. It should be clear for Spinoza that insofar as a human being acts she always experiences joy because acting is an expression of, as well as an increase in, her power, or *conatus*. Nevertheless, a human being's power of activity is increased as well if she experiences a passion that is one of joy and pleasure, although this is a result of being acted upon. Human beings, when undergoing *passions of joy*, do not act, but their power of acting may still increase.[101]

3.3 "Human Bondage" or When Human Are Not Free

As mentioned above, Spinoza takes the human lack of freedom, or 'human bondage' as he calls it, to have to do with "man's lack of power to moderate and restrain

[101] Some commentators have noted that there seems to be a problem with Spinoza's position that some passions can lead to a greater power of acting in an individual. Bennett writes, "if there is active pleasure then why is pleasure defined in p11s as a passion?" Jonathan Bennett, *A Study of Spinoza's* Ethics, 240. In response to this problem, Michael Schrivjers writes, "there are certain external influences on the body that favor or diminish its capacity to interact with other bodies, so that it is more or less easy to do what it does autonomously." Michael Schrivjers, "The *Conatus* and the Mutual Relationship Between Active and Passive Affects in Spinoza," in *Desire and Affect: Spinoza as Psychologist*, 74-75. For further discussion of this problem, see Lee C. Rice, "Action in Spinoza's Account of Affectivity" in *Desire and Affect: Spinoza as Psychologist*, 155-168.

the affects [...] [f]or the man who is subject to affects is under the control, not of himself, but fortune, in whose power he so greatly is that often, though he sees the better for himself, he is still forced to follow the worse" (*E*4pref.). Insofar as a human being is affected by passions, she cannot be said to be acting freely, because she is being acted upon by external (or internal) forces, in which she is only a partial cause. In Spinoza's terms, she is not the adequate cause of her affects, and again, this will be further explained.

For now, I would like to present the general position that human beings have in nature with respect to their passive affects according to Spinoza. It is important to note, first of all, that Spinoza does not think that there is anything absolutely bad about passions,[102] or that these passions need to be or even can be completely under human control, say in the way that the Stoic, or sometimes Platonic, philosophy advocates.[103] As is clear from above, some passions, namely joyful or pleasurable passions, can even increase the power of activity, or the *conatus*, of an individual, and insofar as they do so, such passions are salutary for human freedom, virtue, and happiness, at least in the long run. In addition, because affects in general, and hence also passions, are the affections of the body and the (inadequate) ideas of these affections, human beings when acted upon necessarily undergo passions.

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[102] On the importance of passions for freedom, virtue, and blessedness, see Ursula Goldenbaum, "The Affects as a Condition of Human Freedom in Spinoza's *Ethics*," in *Spinoza on Reason and the "Free Man"*, 149-165.

[103] The Stoa believed that with proper practice, a human being could, in principle, not experience any affects. Such a human being would be led in her actions entirely by rational judgment. For a general ongoing comparison of Spinoza and the Stoics, see Moira Gatens and Genevieve Lloyd, *Collective Imaginings: Spinoza, Past and Present* (London: Routledge, 1999). Plato, too, seems to advocate the complete regulations of desires (*epithumiai*) by reason. For further discussion on Spinoza's and Platonism, see Susan James, "Freedom, Slavery, and the Passions," in *The Cambridge Companion to Spinoza's* Ethics, 223-226.

This is to say, because human beings are a part of nature, and not a kingdom within a kingdom with their own special power of free will, human beings necessarily endure passions, or are affected by things. Spinoza writes, "we are acted upon (*patimur*), insofar as we are *a part* of Nature, *which* cannot be conceived through itself, without the others" (*E*4p2) [my translation and emphasis] and "it is impossible that a man should not be part of Nature, and that he should be able to undergo no changes except those that can be understood through his own nature alone, and of which he is the adequate cause" (*E*4p4). With this latter point, it is clear how Spinoza fundamentally differs from the Stoics, who argued that with proper training of the ruling principle, or *logos*, a human being could achieve *ataraxia*, or a state of complete self-sufficiency. In such a state, the Stoic sage would not be acted upon at all by nature, and hence would not undergo any passions, which for the Stoics were intrinsically bad and based on false judgments. Spinoza, however, in opposition to the whole of the history of philosophy does not take the passions, or the human lack of power to control the passions, to be inherently wrong, evil, or vicious, particularly because human beings, as a part of nature, are *necessarily* acted upon. In fact, for Spinoza, if all passions were always joyful and pleasurable for all human beings, though humans would not be in any sense be free, i.e. not active, they would fare rather well.

However, for Spinoza, this is not only not the case, but it could not possibly be the case. This is because, again, human beings are a part of nature and are necessarily acted upon and, with respect to *passions*, the cause of joy and pleasure (or sadness and pain) is in most respects subjective, that is, it depends on the individual, or her experiences and knowledge. Spinoza writes, “any thing can be the accidental cause of joy, sadness, or desire” (*E*3p15) and this, in turn, is because “if the mind has once been

affected by two affects at once, then afterwards, when it is affected by one of them, it will also be affected by the other" (*E*3p14). So, for the most part, the passions of joy, sadness, and desire are based on subjective associations of the imagination. And this just reiterates what passions are, that is, inadequate ideas of the affections of the body. This is a result of the fact that, for Spinoza, human beings do not desire things because these are good or bad, but rather they think things are good or bad because they desire, or are averse to, them. Spinoza writes, "we neither strive for, nor will, neither want, nor desire anything because we judge it to be good; on the contrary, we judge something to be good because we strive for it, will it, want it, and desire it" (*E*3p9s). *Prima facie*, therefore, it seems like Spinoza is a moral relativist. There is no such thing as an absolute good or absolute evil in nature. "As far as good and evil are concerned, they also indicate nothing positive in things, considered in themselves, nor are they anything other than modes of thinking, or notions we form because we compare things to one another" (*E*4pref.).

Because good and evil are just "modes of thinking" for humans "the knowledge of good and evil is nothing but an affect of joy or sadness, insofar as we are conscious of it" (*E*4p8). This is to say, what any individual takes to be knowledge of good and evil is simply this individual's idea of those things that this individual experiences with an accompanied affect of joy and pleasure or sadness and pain. Again, this means that, for Spinoza, knowledge of good and evil is initially subjective, based on affects of joy or sadness of individuals. Of course, in the long run, what an individual takes to be good or evil at times may not be advantageous or disadvantageous to her. Insofar as human striving is a striving to persevere in being, that is, to keep or even increase her power of activity, this striving can be more or less successful depending upon what is thought of

as good or evil. What human beings desire, though initially considered as a cause of joy and pleasure and, therefore, good, may not ultimately be so. What might initially be an increase in a human's power of activity may quickly turn into a diminishment.

To take a simple example, any kind of drug abuse, from caffeine to narcotics, tends to follow this development of what seems initially good, pleasant, or useful, but turns out, over time, to cause everything from minor health issues to major life crises. Therefore, although Spinoza rejects an *absolute* measure for good and evil, because nothing in nature is inherently good or evil, his ethics still hopes to provide a criterion to distinguish what is good or evil for human individuals.

Because an individual may not know what is really good for her and because her striving is a striving to persevere in being, Spinoza considers it useful to retain the use of 'good' and 'evil' within the new ethics that he is advocating for individuals seeking freedom, virtue, and happiness. This is to say, the discrepancy between what an individual takes to be good or evil for herself, and what is actually good or evil, allows Spinoza to create a normative ethics despite the fact that he also claims there is nothing *absolutely* good or evil in nature. The ethical problem is that a human individual strives to persevere in her being and anything that is auxiliary to this striving can be taken to be good, whereas anything that interferes with this striving can be taken to be evil. However it is not clear what is, in fact, good or evil for an individual. Thus, even though good and evil are at first only subjective values by which individuals indicate what they strive for, or desire, Spinoza argues that these evaluative terms are needed in ethics, writing that, "still we must retain these words. For because we desire to form an idea of

man, as a model of human nature which we may look to, it will be useful to us to retain these same words" (*E*4 pref.).[104]

What does Spinoza exactly mean by such an idea of man as a model of human nature? The model of human nature that Spinoza refers to is that of a *free man*, that is, a human being whose power of activity is far greater than the powers that act upon him. Such a *free man*, given his power of activity, would not be overcome by passions, or by forces acting upon him. Since human desire or striving is ultimately a striving to persevere in being, which can be pursued best by being active and, therefore, free from being acted upon, this striving can be understood as a desire to achieve such freedom. For this reason, Spinoza holds that the *free man* can be understood as a model of human nature that humans should strive toward. For Spinoza, however, the *free man* is an ideal, and consequently not entirely attainable, for the reasons mentioned above and more that we will examine shortly.

The *free man* as an ideal model of human nature is presented by Spinoza as a measure for what is *really* good and evil for human beings. In some respects, the *free man* is not unlike Aristotle's *pronimos*, the prudent man that Aristotle argues is the measure toward which a human being can look in order discern right action from wrong within their practical reasoning.[105] Likewise, the *free man* is comparable to the Stoic *sage* that the Stoic took as a model for correct behavior. The model of the *free man* in Spinoza's ethics serves the purpose of giving a guiding principle for discerning what is good and evil in the affects and how to approach the right way of living without going

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[104] For an analysis of the different ways in which Spinoza uses 'good' and 'evil', see Charles Jarrett, "Spinoza on the Relativity of Good and Evil," in *Spinoza: Metaphysical Themes*, 159-181.
[105] Aristotle, *The Nicomachean Ethics*, trans. Terence Irwin (Indianapolis: Hackett Publishing Co., 1999), 18-29.

through a long process of deliberation (or given Spinoza's geometric method, long demonstrations).

Take an example: Spinoza states, "hate can never be good" (*E*5p45) and thus all the passions that involve hate – envy, mockery, disdain, anger, vengeance and so on and so forth – can never be good. The demonstration of this proposition starts from Spinoza's definition of 'hate'. He defines 'hate' as sadness or pain (one of the three primary affects) accompanied by the idea of an external cause. Insofar as hate is sadness or pain, this passion diminishes an individual's power of activity and hence her striving to preserve in being, or *conatus*. Therefore, because it diminishes an individual's power of activity, hate can never be good. From this demonstration, Spinoza derives the maxim of life that "he who lives according to the guidance of reason strives, as far as he can, to repay the other's hate, anger, and disdain, with love, or nobility" (*E*4p46). But, because working through such a rational demonstration may not be plausible in heated moments of, say, anger, Spinoza provides the *free man* as model or abbreviation of the rules for freedom, virtue, and happiness. The model of the *free man,* which is formed according to Spinoza's demonstrations of what is good and evil in affects, can, once again, serve as a guiding principle when such a long discourse about the outcome of an individual's actions cannot be afforded.

With this model of human nature in mind, Spinoza qualifies further what he means by 'good' and 'evil'. He writes, "in what follows, therefore, I shall understand by good what we know *certainly* is a means by which we approach nearer and nearer to the model of human nature we set before ourselves. By evil, what we *certainly* know prevents us from becoming like that model" (*E*4pref.) [my emphasis]. Likewise, from a consideration of the demonstrations that Spinoza gives of what is good and evil in

affects for an individual's striving to persevere in being, Spinoza writes, "by good I shall understand what we *certainly* know to be useful to us" (*E*4d1) and "by evil, however, I shall understand what we *certainly* know prevents us from being masters of some good" (*E*4d2) [my emphasis]. These definitions of good and evil, derived from the affective nature of humans within Nature following natural laws, is, therefore, the foundation for Spinoza's normative ethics. This is to say, solely on the basis of the human striving for self-preservation Spinoza is capable of presenting a new ethics that is at once naturalistic and normative.

With these new definitions of good and evil, humans can know what is, in fact, good and evil. There is still a problem, however, namely that human beings, for the most part, because their knowledge is based upon inadequate ideas or their imagination, their adequate ideas, i.e. what they *certainly* know to be useful to them, can be overwhelmed by their inadequate ideas. Spinoza argues "a desire which arises from true knowledge of good and evil, insofar as this knowledge concerns the future, can be quite easily restrained or extinguished by a desire for the pleasure of the moment" (*E*4p16). Therefore, even when a human being has true knowledge of good and evil, that is, knowledge of what is certainly useful or not, this does not necessarily mean that she can strive towards what is known by adequate ideas as good and avoid what is known to be evil. This is because, again, insofar as human beings are a part of nature they are necessarily acted upon, and consequently suffer passions, good or bad. For Spinoza this is just a reflection of the finiteness of a human being. He argues, "the force by which a man perseveres in existing is limited, and infinitely surpassed by, the power of external causes" (*E*4p3). This, again, is just to say that human beings are necessarily acted upon precisely because their power of acting is limited and finite. Being a part of nature, an

individual cannot avoid undergoing some passions. And this can create a problem for an individual's flourishing because "the force and growth of any passion, and its perseverance in existing, are not defined by the power by which we strive to persevere in existing, but by the power of an external cause compared with our own" (*E*4p5).

Spinoza's point is that because human beings are always necessarily acted upon to a rather large extent, and because their power to persevere in being is often less than the power of external causes, they are often overwhelmed by external causes and, thus, their passions, or, as he would put it, they are "in bondage". In such a situation "the force of any passion, or affect, can surpass the other actions, or power, of a man, so that the affect clings to the man" (*E*4p6). It is for this reason that even with true knowledge of good and evil a human being may still be powerless to strive towards what she knows is really useful for her, i.e. towards what would ultimately increase her power of activity (*E*4p15).[106] In general, this is the condition in which human beings find themselves in nature, a finite power with respect to the powers that act upon them, and this is the cause of humans not being free in any absolute sense.

It is precisely for this reason that Spinoza offers the *free man* as a model of human nature that individuals can strive towards as an ideal in circumstances when they are overwhelmed by passion. The *free man* is guided by reason in his actions, and as we shall see, it is because he is guided by reason that he is free. Again, from the model of the *free man* an individual can discern what is in fact good and evil and this knowledge provides a guiding principle for an individual striving for the correct way of

[106] Referring to Spinoza's view on the *akratic* disposition of human individuals Yovel writes, "this will normally occur when we have a general, though abstract, knowledge of good and bad – but we fail to know the *concrete apparatus,* or the causal chain, by which the good (or the bad) thing might actually happen." Yirmiyahu Yovel, "Incomplete Rationality in Spinoza's *Ethics*: Three Basic Forms," in *Spinoza on Reason and the "Free Man"*, 21.

living in situations in which it might be difficult to come to the same conclusions through rational deliberation. But how does the model of the *free man* serve this purpose? In general, Spinoza presents the *free man* as having strength of character (*fortitudo*) to which Spinoza relates "all actions that follow from affects related to the mind insofar as it understands" (*E*3p59s). He divides strength of character into two general virtues – tenacity (*animositas*) and nobility (*generositas*). Spinoza defines 'tenacity' as "the desire by which each one strives, solely from the dictates of reason, to persevere in his being" and 'nobility' as "the desire by which each one strives, solely from the dictate of reason, to aid other men and join them to him in friendship" (*E*3p59s). These two virtues that the *free man* has, prevent him from undergoing bad passions, and therefore, allow him to be active with respect to his striving to persevere in his being. But again, the *free man* is a model to which individuals can look to insofar as they are not completely guided by reason and do not have adequate ideas of what is really useful.[107]

So, insofar as individuals do not have adequate knowledge of good or evil they can follow the measure of the *free man* and the moral precept or maxims of life that are incarnated in this ideal model of human nature to discern the best course of action. Spinoza writes, "the best thing, then, that we can do, so long as we do not have perfect knowledge of our affects, is to conceive a correct principle of living, or sure maxims of life, commit them to memory, and to apply them constantly to the particular cases

[107] For a provocative interpretation of the ideal of the 'free man' as the measure of good and evil as merely provisional for Spinoza, see Herman De Dijn, "*Ethics* IV: The Ladder, not the Top: The Provisional Morals of the Philosopher," in *Spinoza on Reason and the "Free Man"*, 37-56. De Dijn argues that the human struggle to overcome *akrasia* is still a problem even given true knowledge of good and evil based on the ideal of the 'free man'. He thinks that ultimately the "remedies for the passions" that Spinoza puts forward as a psychotherapy provides the real solution for the human pursuit of freedom, virtue, and happiness. See my discussion of the "remedies" in Chapter 3.5 An Ethics Without Free Will.

frequently encountered in life. In this way our imagination will be extensively affected by them, as we shall always have them ready" (*E*5p11s). As an example, recall that Spinoza lays down the maxim that hate ought to be reciprocated by love and nobility. Spinoza argues, "but in order that we may have this rule of reason ready when it is needed, we ought to think about and meditate frequently on the common wrongs of men, and how they may be warded off best by nobility. For if we join the image of wrong to the imagination of this maxim, it will always be ready for us when a wrong is done to us" (*E*5p11s). In this way, the *free man* can be looked to as an incarnation of the maxims of life that Spinoza deduces from the affects that individuals experience by being a part of nature.[108]

3.4 Freedom, Virtue, and Blessedness

The finiteness of a human being, that is, the necessity by which an individual is acted upon by external and internal forces, entails, for Spinoza, that human beings not only do not have a free will but also cannot be *absolutely* free. Spinoza argues, "that thing is called free which exists from the necessity of its nature alone, and is determined to act by itself alone. But a thing is called necessary, or rather compelled, which is determined by another to exist and to produce an effect in a certain and determinate

[108] Besides the general model of the *free man* as an individual who avoids bad affects and is led by reason, Spinoza gives a few rules or precepts that the *free man* would always follow. Though these are somewhat sparse, these rules represent what should always be avoided in life if an individual desires to be free and are, for Spinoza, the most useful rules to keep in mind in order to act as opposed to being acted upon. Spinoza writes, "a free man thinks nothing less of death, and his wisdom is a meditation on life, not death" (*E*4p67), indicating that the *free man* is never led by the bad passion of fear in his behavior. Likewise, "a free man who lives among the ignorant strives, as far as he can, to avoid their favors" (*E*4p70), because accepting the favors of those who do not know what is in fact good and evil forces an individual to conform to the capricious desires of others. Spinoza also writes, "only free men are very thankful to one another" (*E*4p71) and "a free man always acts honestly, never deceptively" (*E*4p72) for these, again, allow an individual to avoid situations in which they are no longer free, but subject to bad passions.

manner" (*E*1d7). For this reason, only Nature or God can be conceived as absolutely free. However, by saying Nature is free Spinoza does not anthropomorphize nature, but rather understands freedom as something that is natural, and not somehow a supernatural power of the human will. Nature is free insofar as everything, i.e. every effect, follows from nature as its cause from the necessity of natural laws and there is no power that can undermine these laws. This is not to say that all effects do not follow from natural laws with absolute necessity. There is not a conflict, for Spinoza, between necessity and freedom, because freedom is not a matter of choice.

However, as already mentioned, a human being can be free, or more aptly, she can have greater or lesser degrees of freedom in her actions, depending on the degree to which she is acting or acted upon. This relative freedom, of course, is limited, gradient, and subject to fluctuation. Human freedom, for Spinoza, is not a given as free will is conceived as a given faculty, nor is it something that can ever be completely achieved, rather individuals can become more or less free, compared not only with respect to each other, but even with respect to themselves over time or in particular actions or life events. Like the *free man* proposed as a model of human nature that individuals can look towards as an ideal, absolute freedom is an ideal, that is to say, it is impossible for a human being to be absolutely free, only acting and never acted upon, like Nature or God.

For Spinoza, human freedom has to do with an individual's power of activity. Spinoza argues, "we act when something happens, in us or outside us, of which we are the adequate cause, that is, when something in us or outside us follows from our nature, which can be clearly and distinctly understood through it alone" (*E*3d2). And, again, by 'adequate cause' Spinoza means that cause "whose effect can be clearly and distinctly perceived through it" (*E*3d1). What this means is that insofar as an individual has

adequate ideas she is the adequate cause of her action, that is, she acts, and to this extent she is free, not only ideally, but really.

Initially this might seem to go against Spinoza's strict determinism. How is it possible for an individual to act, that is, ascribe an action as stemming from herself as cause, when that individual is determined in her action by a complex of infinite causes? Well, first of all, recall that for Spinoza the mind is the idea of the body and constituted primarily of the ideas of the affections of this body. For the most part the ideas of these affections of the body are inadequate, that is, they are the imagination and ordered according to subjective associations. However, when an individual has adequate ideas, those ideas constitute a part of her mind as well. For this reason, the individual becomes part of the causal order of nature as a complete cause that brings about a specific effect. Hence, she is the adequate cause of that effect insofar as that effect can be understood as stemming clearly and distinctly from her nature. In other words, she acts rather than being acted upon, and insofar as she acts her action is free.[109]

But how does a human being obtain adequate ideas? Remember that Spinoza recognizes three kinds of knowledge – imagination, reason, and intuitive knowledge – and that the latter two kinds of knowledge always involve adequate ideas. Spinoza characterizes intuitive knowledge as a "kind of knowing (that) proceeds from an adequate idea of the formal essence of certain attributes of God (or Nature) to the

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[109] G. H. R. Parkinson offers an interesting interpretation of how Spinoza views the difference between a free and unfree action through a "double causal relation". He writes, "it seems that Spinoza is saying that an explanation of some event in terms of endeavor or power is of a different type from one which explains an event in terms of some other event. He is arguing in effect that it is one thing to say (e.g.) that he moves his hand in a certain way because of a prior movement in another part of his body; it is another thing to say that he moves his hand in a certain way because he wants a house to live in. In the former case, an action follows from a prior action (in Spinoza's terms one mode effect another); in the latter case, an action is seen as following from an endeavor – in the last resort, an endeavor on the part of a thing, insofar as it is 'in itself', to preserver in its own being." G. H. R. Parkinson, "Spinoza on the Power and Freedom of Man," in *Spinoza: Essays in Interpretation,* 18-19.

adequate knowledge of the essence of things" (*E*2p40s2). But, for the most part and initially, adequate ideas are derived from rational knowledge. Rational knowledge involves "common notions and adequate ideas of the properties of things" (Ibid). Common notions are derived from the commonalities in things. For instance, Spinoza argues, "all bodies agree in certain things" (*E*2l2), that is, minimally all bodies are a part of the attribute of extension and as such they are in varying states of motion and rest. The science of mechanics is based on the fact that the motion and rest of bodies follows common natural laws because all bodies agree in certain things. Furthermore, "those things which are common to all, and which are equally in the part and in the whole can only be conceived adequately" (*E*2p3). Knowledge of mechanics, i.e. bodies in motion, therefore, would involve adequate ideas and from these adequate ideas an individual can understand the effects that would follow from given causes. So, "if something is common to, and peculiar to, the human body and certain external bodies by which the human body is usually affected, and is equally in the part and in the whole of each of them, its idea will also be adequate in the mind" (*E*2p39). What Spinoza means by this is that the human body, being a body, has certain things in common with external bodies that affect it and, therefore, an individual can have adequate ideas of these commonalities.

Ultimately, much of what Spinoza means by adequate ideas is an understanding of the causal order of nature which is, again, based on what is common to all bodies with respect to their motion and rest. And understanding the causal order of nature for an individual is understanding the complex of causes and effects within which that individual finds herself. So the more adequate ideas a human being has, the more she

understand, the causal order of nature of which she is a part (or more loosely, her environment), and the more active and free she can be.

Initially, this may seem to be a strange way of understanding the possibility of an individual acting as opposed to being acted upon, but consider the following analogy: suppose we were to place a human being on a sailboat in the middle of an ocean and suppose this human being has neither knowledge or experience with sailing, navigation, or any other art or science that would allow her to operate the vessel. We can imagine how the sailboat and its unfortunate passenger would be tossed around by the waves of the sea. Its sails would be propelled haphazardly by any chance winds that it would catch, as its navigator lacks the knowledge that would allow her to harness the wind productively. With a great deal of luck, the sailboat in its meandering might happen upon a shore safely, but should it happen upon hazardous weather surely it will not fare well.

However, if we were to endow the passenger of the sailboat in the middle of the ocean with all kinds of knowledge concerning sailing and navigation, she would be able to harness the wind most efficiently and navigate her sailboat wherever she pleased, sometimes more smoothly, sometimes less. And if the vessel happened upon stormy weather, her knowledge would provide her with the best chances of avoiding danger and of surviving.

In the first instance of the ignorant sailor, it is clear how her sailboat is simply and completely acted upon by forces outside of her control. Whereas in the second case of the knowledgeable sailor, even given the exact same external circumstances as in the first, her knowledge allows her to withstand and use the forces acting upon her and her sailboat, and navigate safely.

Furthermore, rational knowledge is what allows an individual to become freer because, as mentioned above, one of the greatest impediments to human freedom is bad passions which result from inadequate ideas, that is, not fully understanding what is, in fact, good and evil in affects. Although all affects, and therefore even bad passions, are ideas and consequently involve thinking, because bad passions are inadequate ideas they can prevent a human being from being active. Rational knowledge, however, involves adequate ideas, i.e. knowledge of causes and effects acting within Nature. With such knowledge an individual comes to understand what is really advantageous or disadvantageous to her over time.

This is important because there is a temporal and spatial aspect to affects insofar as the pleasures (or pains) at present are always more salient to humans than the pleasure or pains of the future or at a spatial distance, which in fact will turn out to be the greater good or evil. Spinoza writes, "an affect whose cause we imagine to be with us in the present is stronger than if we did not imagine it to be with us" (*E*4p9) and "we are affected more intensely towards a future thing which we imagine will be quickly present, than if we imagine the time when it will exist to be further from the present. We are also affected more intensely by the memory of a thing we imagine to be not long past, than if we imagine it to be long past" (*E*4p10). In some respects, the fact that humans are more easily affected by a thing present or nearer to the present seems to be a simple point. But it is very powerful, because the temptation of a pleasant present thing which is bad in the long term poses one of the largest impediments for individuals who already know what is in fact good and evil. Humans are easily seduced by and succumb to the pleasures of the moment with disregard for the future, sometimes disastrous, effects,

which is why rational knowledge allows an individual greater power to overcome and endure passions.[110]

For instance, an individual may be aware of the negative effects that smoking has on her health, and that the continuation of such a habit may lead to a painful death. However, the present pleasure of smoking outweighs the pain in the distant future. Likewise, the present pain suffered from trying to quit outweighs the benefit of a healthy lifestyle in the future. But the more an individual has adequate ideas, that is, really knows the causes and effects involved in smoking in this example, the less she will be affected by what is apparently good or evil in the present. Of course, humans are presented with the problem of knowing what is, in fact, good or evil for them on a daily basis, from dietary choices to finding a suitable mate. Spinoza's point is that the more humans know about Nature, i.e. themselves and the world they live in, the more they act as opposed to being acted upon by passions, and, consequently, the freer they are and the greater their ability to persevere in their being will be.

This is how Spinoza presents the character of human freedom. But as mentioned, human freedom is not something individuals are born with, in the way that free will is often conceived. Obviously, infants do not have adequate ideas that would allow them to be the adequate cause of their actions, to act as opposed to be acted upon. In fact, infants are a good example of individuals who are primarily acted upon. So the question arises: how it is possible to become freer given the condition in which human individuals find themselves initially?[111] To answer this question it is important to

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[110] For an analysis of the effect of time on acting rationally see Gideon Segal, "Time, Rationality, and Intuitive Knowledge," in *Spinoza on Reason and the "Free Man"*, 83-101. See also Moira Gatens and Genevieve Lloyd, *Collective Imaginings*, 51-53.

[111] Yirmiyahu Yovel has developed an interpretation of how Spinoza views the development of rationality in human beings that proposes three levels of incomplete rationality: nascent rationality, ineffective

remember that, for Spinoza, passions, i.e. being acted upon, are not all necessarily bad.[112] Good or joyful passions insofar as they are an expression of an increase of an individual's power of activity are obviously conducive to human freedom, insofar as all individuals are striving to persevere in their being. Therefore, even if an individual, say, a child, does not yet have adequate knowledge of nature to the point where she can be said to act rather than be acted upon, she may still increase her power of activity.

This is how Spinoza understands the beginning of virtue, because he identifies virtue with power. Spinoza writes, "by virtue and power I understand the same thing, that is, virtue, insofar as it is related to man, is the very essence, or nature, of man, insofar as he has power of bringing about certain things, which can be understood through the laws of his nature alone" (*E*4d8). Thus, for Spinoza the *conatus* or striving to persevere in being, one of the three basic affects, is the very foundation of virtue and "no virtue can be conceived prior to this" (*E*4p22).[113] Spinoza writes, "the more each one strives, and is able, to seek his own advantage, that is, to preserve his being, the more he is endowed with virtue; conversely, insofar as each one neglects his own advantage, that is, neglects to preserve his being, he lacks power" (*E*4p20) and "the foundation of virtue is this very striving to preserve one's own being, and [...] happiness consists in a man's being able to preserve his being" (*E*4p18s).

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rationality, and effective rationality, through which an individual's rational knowledge would escalate to the rationality Spinoza proposes is freedom, virtue, and blessedness. See Yirmiyahu Yovel, "Incomplete Rationality," 15-35.

[112] Ursula Goldenbaum writes, "in an adequate idea there is nothing that is positively false; similarly, no passions are, in themselves or in their entire nature, bad or wrong [...] Inadequate ideas are, in Spinoza's view, not only defective and representative of the lowest kind of knowledge, they are, at the same time, indispensable for gaining new ideas. Inadequate ideas are the result of the affection of an individual caused by other individuals, and without these affections we cannot gain new ideas." Ursula Goldenbaum, "The Affects as a Condition of Human Freedom," 157-158.

[113] As many commentators mention, Spinoza ultimately views the *conatus* as more than the mere endeavor for self-preservation. See, for instance, Yirmiyahu Yovel, "Transcending Mere Survival: From *Conatus* to *Conatus Intelligendi*," in *Desire and Affect: Spinoza as Psychologist*, 45-61.

Because virtue is power for Spinoza, insofar as a human increases her power to persevere in her being, she is increasing her virtue. Furthermore, increasing the power to persevere in being involves acting as opposed to being acted upon, which, in turn, involves having adequate ideas. For this reason, Spinoza writes, "what we strive for from reason is nothing but understanding; nor does the mind, insofar is it uses reason, judge anything else useful to itself except what leads to understanding" (*E*4p26). This is to say, again, that the more adequate ideas an individual has, the more free she is and the more she is capable of persevering in her being and acting with knowledge of what is in fact good and evil for this purpose. Ultimately, the more power of acting an individual has, that is, the more free she is, the greater is her joy because, for Spinoza, "when the mind considers itself and its power of acting, it rejoices, and does so the more, the more distinctly it imagines itself and its power of acting" (*E*3p53). For Spinoza, the sense of self-satisfaction that comes from being free and virtuous is what he means by blessedness or happiness. He argues, "self-esteem [*aquiscentia in se ipso*] is really the highest thing we can hope for. For no one strives to preserve his being for the sake of any end" (*E*4p52s). Spinoza's point is that the good life consists in an individual's joy in actively existing, avoiding what is to her disadvantage and pursuing what is to her advantage through her capacity to rationally approach her environment and achieve freedom to her best capabilities, although still in a limited way.

3.5 An Ethics without Free Will

Despite the fact that he denies the existence of free will, Spinoza, as we have seen, has a theory of freedom and a new ethics, one which attempts to answer how human beings can achieve the good life, or what Spinoza would call 'blessedness', by achieving

virtue and freedom. This fact might, initially, seem counter intuitive insofar as a denial of free will would seem to entail, not only a denial of moral responsibility, which is arguably the foundation of any ethics, but also a fundamental destruction of an individual's capacity to actually strive towards achieving the good life. The intuition behind this common way of thinking is that if everything is determined and there is no free will, then human beings do not have any control over their actions and would not be able to change anything about their lives insofar as all of their actions are determined from the start. If some individuals can achieve what Spinoza calls freedom and blessedness, then they have been determined to pursue and achieve such a life from the start. It would seem that the real foundation of such an ethics without free will is just moral luck.[114]

However, for Spinoza, the more adequate knowledge an individual has of herself and the world she exists in, the more power of acting she has. Thus, insofar as she has a certain degree of freedom, she is really capable of changing things within her power. Because of this, Spinoza ultimately argues that necessity and determinism do not necessarily undermine the control an individual has over her life, as is the common intuition concerning determinism. This, in turn, is because, according to Spinoza, human individuals are determined in their actions, in various ways, by the ends that they seek. This is to say that, the hope for some good or the fear of some evil determines individuals to direct their lives and actions towards those goods that they desire.

However, there still may be a nagging suspicion that this is still all just a matter of moral luck. For instance, it could be argued that for Spinoza, those agents that do

[114] Bernard Williams, who coined this term, uses it in very specific way which I do not intend. See, Bernard Williams, "Moral Luck," in *Moral Luck* (Cambridge: Cambridge University Press, 1981), 20-39. I intend more the way Thomas Nagel has used the term. See, Thomas Nagel, "Moral Luck," in *Mortal Question* (Cambridge: Cambridge University Press, 1974), 24-38.

have control over their lives are those agents who have achieved a certain degree of freedom, a freedom they were determined to achieve. Furthermore, those agents who are sufficiently determined to direct their lives towards the hope for some supreme good, say, freedom, virtue, and blessedness, are nevertheless determined to pursue these things. Are not these agents just lucky to be so determined?

To some degree, the answer is yes. Some human beings seem to have been born into more felicitous situations than others for achieving freedom, virtue, and blessedness. It is a fact of the *contingency* of human existence that some individuals are born in wealthy, politically stable, flourishing states, as opposed to third world countries. It is a fact of the *contingency* of human existence that some individuals are born into nurturing and loving families and communities that can satisfy their physical, intellectual, and moral needs, better than others. It is a fact of the *contingency* of human existence that some individuals are born more intelligent, more attractive, or more talented than other individuals. But this has nothing to do with determinism or the denial of free will. Having a free power of choice cannot change any of these contingencies either.[115]

It may seem that those human beings that can achieve freedom, virtue, and blessedness are just luckier than those who do not, and certainly some individuals start out with certain advantages, such as those mentioned above. However, for Spinoza, everyone, in principle, can achieve freedom, virtue, and blessedness. First of all, Spinoza argues that it is not as if there are only some individuals who are determined to hope for these goods. In other words, freedom, virtue, and blessedness are what every

[115] Compare similar statements by Dennett. Daniel Dennett, *Freedom Evolves* (New York: Viking, 2003), esp. 156-162.

human individual is pursuing. This is because, according to Spinoza, all human individuals strive to persevere in their being and, again, "the striving to preserve oneself is the first and only foundation of virtue. For no other principle can be conceived prior to this one and no virtue can be conceived without it." (*E*4p22c). Spinoza's point is that freedom, virtue, and blessedness are goods that all human beings are determined to desire because the foundation of these goods is the human *conatus*, the very essence of what a human being is. Therefore, according to Spinoza, it would not make sense to argue that it is a matter of luck that certain individuals are determined to pursue these and others are not.

Secondly, it is true that those individuals that have a certain degree of control over their lives and can effect change in their present condition also have a certain degree of Spinozistic freedom. However, Spinoza argues that it is possible, in principle, for all human beings to achieve a certain degree of freedom. Of course, this is difficult because, as was mentioned in the last chapter, an individual's power is infinitely surpassed by that of nature, she cannot help but be acted upon by external causes, and human freedom is a function of acting rather than being acted upon, actions rather than passions. However, in his *Ethics* Spinoza prescribes "a means, or a way, to freedom."

Again, for the most part, human beings find themselves in a condition such that they are ruled by their passions, that is, not free or, as Spinoza puts it, in a state of human bondage. Again, he writes, "man's lack of power to moderate and restrain the affects I call bondage. For the man who is subject to affects is under the control, not of himself, but of fortune, in whose power he so greatly is that often, though he sees the better for himself, he is still forced to follow the worse" (*E*4 pref.). Spinoza does not think that human beings can have *complete* control over their affects; however he offers

a kind of psychic therapy[116] to help individuals moderate and restrain bad passions that has many affinities to contemporary methods in cognitive therapy and cognitive behavioral therapy.

Cognitive therapy, which is effective in treating anxiety and mood disorders such as depression among other psychiatric disorders, was developed by psychiatrist Aaron Beck in the 1960's. Beck realized that many patients who suffer from anxiety or mood disorders tend to experience negative affects because of cognitive distortions concerning themselves and their environment. These cognitive distortions include such things as personalization, overgeneralization, magnification, and arbitrary inference, and often create a feedback loop in which distorted thinking causes negative feelings which cause more distorted thinking which causes more negative feelings, and so on and so forth; or as Spinoza would describe it, "the force of any passion, or affect, can surpass the other actions, or power, of a man, so that the affect stubbornly clings to the man" (*E*4p6).

Though there are a variety of different techniques employed in cognitive therapy, all of them attempt to break this feedback loop by changing negative thought patterns into positive thought patterns. Cognitive therapy teaches patients to catch themselves when they have a distorted thought, to identify the distortions, and to remedy the distorted way of thinking with more positive and accurate ways of thinking. Over time, patients can change the way they think.[117] As psychologist Jonathan Haidt remarks,

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[116] See Walter Bernard, "Psychotherapeutic principles in Spinoza's *Ethics*," in *Speculum Spinozanum 1677-1977*, ed. Siegfried Hessing (London: Routlege, 1977), 63-80. Also see Herman De Djin, *Spinoza: The Way to Wisdom*, (West Lafayette: Purdue University Press, 1996).

[117] See, Jonathan Haidt, "Changing your Mind," in *The Happiness Hypothesis: Finding Modern Truth in Ancient Wisdom* (New York: Basic Books , 2006), 23-44.

cognitive behavioral therapy works because "with each reframing, and each simple task accomplished, the client receives a little reward, a little flash of relief or pleasure."[118]

Spinoza offers a similar kind of psychic therapy describing the power the mind has over the affects writing, "I believe everyone in fact knows them by experience, though they neither observe them accurately, nor see them distinctly" (*E*5pref.). He outlines these techniques writing, "the power of the mind over the affects consists: I. In the knowledge itself of the affects; II. In the fact that it [the mind] separates the affects from the thought of an external cause, which we imagine confusedly; III. In the time by which the affection related to things we understand surpasses those related to things we conceive confusedly, or in a mutilated way; IV. In the multiplicity of causes by which affections related to common properties or to God are encouraged; V. Finally, in the order by which the mind can order its affects and connect them to one another" (*E*5p20s).

As mentioned in the last chapter, passive affects concern inadequate knowledge of those things acting upon an individual, thus making her passive rather than active. All of the suggested techniques involve the individual becoming more active, and therefore freer, by either increasing adequate knowledge (analogous to correcting cognitive distortion with more accurate ways of thinking in cognitive behavioral therapy) or making the external causes of affects less powerful. We will take a closer look at Spinoza's first techniques and more briefly at the other four to get a better understanding of how he thinks this "way to freedom" works.[119]

Spinoza's first technique involves an individual fully understanding her affects.

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[118] Ibid., 38.

[119] While many commentators are generally sympathetic to Spinoza's "remedies", Jonathan Bennett is notably very critical. See, Jonathan Bennett, *A Study of Spinoza's* Ethics, 329-355.

Passive affects, i.e. passions, are, after all, based on inadequate knowledge, so Spinoza's suggestion here is to move from inadequate knowledge to adequate knowledge by attempting to fully understand a passion, that is, to understand its cause. This has two main effects. First of all, by the very thinking about her passion, a passive state, the individual is already more active. Instead of just being absorbed in, say anger, she is thinking about the cause of her anger, whether this is an appropriate reaction, whether there are not more constructive ways of dealing with her present situation. This is similar to a patient who is undergoing cognitive therapy catching her distorted thoughts, identifying the distortion, and reframing her way of thinking, but, of course, it has a more general application.

Secondly, by fully understanding her affect an individual changes it from a passion to an action because it is now related to an adequate idea. This is because, Spinoza argues, "an affect which is a passion ceases to be a passion as soon as we form a clear and distinct idea of it" (*E*5p3). By fully understanding an affect, an agent moves from having an inadequate idea to an adequate idea. Spinoza writes, "there is nothing from which some effect does not follow, and we understand clearly and distinctly whatever follows from an idea which is adequate in us; hence, each of us has – in part, at least, if not absolutely – the power to understand himself and his affects, and consequently, the power to bring it about that he is less acted on by them" (*E*5p4s). In principle, for Spinoza, all passions can become actions as soon as we have adequate knowledge of them. Spinoza argues, "all the appetites, or desires, are passions only insofar as they arise from inadequate ideas, and are counted as virtues when they are aroused or generated by adequate ideas. For all desires by which we are determined to do something can arise as much from adequate ideas as from inadequate ideas" (*E*5p4s).

Spinoza's second technique involves separating affects from the idea of the external cause. Spinoza argues, "if we separate emotions, or affects, from the thought of an external cause and join them to other thoughts, then the love, or hate, towards the external cause is destroyed, as are the vacillation of the mind arising from these affects" (*E*5p2). For Spinoza, love and hate are joy and sadness, respectively, with an accompanying idea of an external cause, so by separating the affect from the thought of the external cause the affect becomes unrelated to the external cause. Thus, it can be understood in itself allowing the mind to form a clear and distinct idea. It might be difficult to grasp what Spinoza means by separating the affect from the external cause in the abstract, but consider the example of the jealous lover. Spinoza defines jealousy as "a vacillation of the mind born of love and hatred together, accompanied by the idea of another who is envied" (*E*3p35s). The external ideas that accompany the joy and sadness are the beloved and the (imagined) new lover who is envied. By separating the affect from the idea of the external cause, Spinoza is suggesting that one could come to terms with the jealousy. For instance, the jealous lover might consider that her affect reflects more her own insecurities or self-esteem, or that jealousy poisons love, or love, if it is stable, cannot be engendered by fear. This is just to say that the jealous lover can come to terms with her affect and form a clear and distinct idea of it, that is, form an adequate idea.

Spinoza's third technique involves the fact that "affects aroused by reason are, if we take account of time, more powerful than those related to singular things we regard as absent" (*E*5p7). Simply put, "time heals all wounds", but Spinoza gives an account why this is. Whereas passions are inadequate ideas, that is, ideas of the affections of the body by external bodies, and diminish with the absence of the external body, an affect

related to reason is an adequate idea and, thus, understood *sub species aeternitatis*. "So such an affect will always remain the same, and hence the affects which are contrary to it [i.e., passions] and are not encouraged by their external cause will have to accommodate themselves to it more and more, until they are no longer contrary to it" (*E*5p7dem.).

Spinoza's fourth and fifth techniques are more concerned with preventing the mind from being adversely affected by passions than they are with overcoming a specific passion, after the fact of its existence. The fourth technique involves relating an affect to a multitude of things or causes, because "if an affect is related to more and different causes which the mind considers together with the affect itself, it is less harmful, we are less acted on by it, and we are affected less toward each cause, than is the case with another equally great affect, which is related only to one cause, or to fewer causes" (*E*5p9). This is the case because, when considering that affect, the mind is engaged in thinking a multitude of different ideas, that is, its power of thinking is increased. Finally, the fifth technique involves the fact that Spinoza argues, "so long as we are not torn by affects contrary to our nature, we have the power of ordering and connecting the affection of the body according to the order of the intellect" (*E*5p10). What this amounts to is that the mind will be less affected by negative passions, the more adequate ideas it has. For instance, Spinoza gives the example of avoiding hatred by meditating "frequently on the common wrongs of men, and how they may be warded off best by nobility" (*E*5p10s). All the techniques Spinoza mentions allow an individual to be rationally responsive to her environment, rather than just be led by her emotions, and insofar as she is led by reason and adequate knowledge, she is free. And again, this kind of freedom, Spinoza argues, is in principle available to all agents.

Chapter 4: Spinoza on Moral and Legal Responsibility

4.1 Reward and Punishment

So far, I have argued that Spinoza is an incompatibilist insofar as he argues that *free will* is not compatible with determinism and, as a determinist, he also denies the existence of *free will*. However, Spinoza is also a compatibilist insofar as he argues that *freedom* is compatible with determinism and his conception of *freedom* plays a pivotal role in his new ethics, providing for even happiness and a joyful life. Nevertheless, Spinoza denies the existence of moral responsibility as it is conceived by both incompatibilists and compatibilists. That is to say, individuals *qua* individual do not have the capacity to be morally responsible, even though they can achieve a certain degree of freedom.

The denial of this kind of moral responsibility would seem to create a rather large problem for ethics. In fact, it would seem to destroy the very possibility of ethics. The problem goes something like this: if there is no free will and, therefore, no moral responsibility, there is no reason to follow any ethical or moral principles. Everyone can just do whatever they want, because after all, they can just claim to be determined to do those things anyway. In the words of a contemporary correspondent of Spinoza's, William van Blyenbergh, "Why not enrich myself by abominable means? Why not indiscriminately do whatever I like, according to the promptings of the flesh?" (*Ep*. 20, 817) It would appear that, without free will, moral chaos would ensue. Moreover, leaving ethics proper aside, if determinism is true and there is no free will, why would anyone follow the laws of their political state? If everyone is just determined in their actions, should they not also be exculpable in the eyes of the law and would this not, in

turn, destroy the purpose of the law? How can the state justify punishment of criminals if determinism is true?

These ethical and legal issues, apparently engendered by the truth of determinism, were, indeed, brought to Spinoza's attention by another more philosophically educated contemporary, namely his friend and frequent correspondent Henry Oldenburg, secretary of the Royal Society of London. Oldenburg, in 1675, asked Spinoza to "elucidate and moderate those passages in the *Tractatus Theologico-Politicus* (*TTP*) which have proved (to be) a stumbling block to readers" (*Ep*.71, 940). Spinoza's *TTP*, a treatise arguing, among many other things, for religious tolerance and freedom of speech, was published anonymously in 1670 and is far less explicit about Spinoza's views on God (or Nature) and free will than is his *Ethics*, which was only published posthumously in 1677. The passages Oldenburg is particularly concerned about are "those which appear to treat in an ambiguous way of God and Nature, which many people consider you have confused with each other" (*Ep*. 71, 940).[120] It was feared by his contemporaries that Spinoza, by equating God with Nature, effectively eliminates free will as a power of choice for both God and man, which, as we have seen, he actually does.

In Letter 74, Oldenburg more specifically addresses the concern his contemporaries had with Spinoza's philosophy writing, "I will tell you what it is that particularly pains them. You appear to postulate a fatalistic necessity in all things and actions. If this is conceded and affirmed, they say, the sinews of all law, all virtue and religion are severed, and all reward and punishments are pointless. They consider that

[120] For further commentary on Spinoza's equation of God with Nature in the *TTP*, see Yitzhak Melamed, "The Metaphysics of the *Theological-Political Treatise*," in *Spinoza's Theological Political Treatise*, ed. Yitzhak Melamed and Michael Rosenthal (Cambridge: Cambridge University Press, 2010), 133-137.

whatever compels or brings necessity to bear, excuses; and they hold that no one will thus be without excuse" (*Ep*. 74, 943-944). Spinoza's contemporaries were concerned with "excuse in the sight of God", but their concern is equally applicable to all virtue and law (as well as religion), the "sinews" of which are severed by the fatalistic necessity in all things. What exactly are the sinews of virtue, law, and religion that they speak of? The answer is reward and punishment. In their eyes, it is reward and punishment that generate the power to induce agents to follow ethical, legal, and religious principles. However, determinism seems to make reward and punishment futile and pointless because determinism means that human individuals have no control over their lives and, therefore, human individuals are always excusable.

In his response to Oldenburg, Spinoza bluntly admits his determinism. However, not only does Spinoza recognize the significance of the institution of reward and punishment, but he also preserves it. He states, "this inevitable necessity of things does not do away with either divine or human laws. For moral precepts, whether or not they receive from God himself the form of command or law, are none the less divine and salutary, and whether the good that follows from virtue and the divine love is bestowed upon by God as judge, or whether it emanates from the necessity of his divine nature, it will not on that account be more or less desirable, just as on the other hand the evils that follow from wicked deeds and passions are not less to be feared because they necessarily follow from them. And finally, whether we do what we do necessarily or contingently, we are still led by hope and fear" (*Ep*. 75, 945). This powerful statement needs much unpacking, but provisionally Spinoza's point is that regardless of whether or not human actions are determined, law, divine or human, that is, moral or political, and its concomitant framework of reward and punishment are tantamount for regulating

human behavior, which is always led by the hope for some good and the fear of some evil. The good that is hoped for by following laws and the evil that is feared by transgressing them, is no less good or evil without free will as a power of choice.

Spinoza's statement above that "this inevitable necessity of things does not do away with either divine or human law" most likely struck his contemporaries as paradoxical, as it might still strike us today. The lingering question is, again, what use does divine or human law have if human beings do not have a free will? To answer this question, let us first look at what Spinoza understands by 'law'.[121] In Chapter 4 of the *TTP* Spinoza defines 'law' "taken in the absolute sense" as "that according to which each individual thing - either all in general or those of the same kind - act in one and the same fixed and determinate manner, this manner depending either on Nature's necessity or on human will. A law that depends on Nature's necessity is one which necessarily follows from the very nature of the thing, that is, its definition; a law which depends on human will, and which could more properly be termed a statute (*ius*), is one which men ordain for themselves and for others with view to making life more secure and more convenient, or for other reason" (*TTP* 4, 426). Notice that Spinoza when introducing human law as following from human will does not refer to a *free* will and provides the same definition for both, because, for Spinoza, all law is ultimately natural law insofar as everything follows from God or Nature and human beings produce their law in a necessary way.

[121] For an extensive analysis of Spinoza on law, see Gail Balaief, *Spinoza's Philosophy of Law* (The Hague: P.H. Klop N.V., 1971); Jon Wetlesen, *The Sage and the Way: Spinoza's Ethics of Freedom* (Assen: Van Gorcum, 1979) 322-352; and Donald Rutherford ,"Spinoza's Conception of Law," in *Spinoza's Theological-Political Treatise*, 143-167.

Thus, in the "absolute sense" of law, human law is a part of natural law.[122] But it is interesting to note that Spinoza thinks that the term 'law' is applied most often to natural phenomena only by analogy writing, "ordinarily 'law' is used to mean simply a command which men can either obey or disobey, inasmuch as it restricts the total range of human power within set limits and demands nothing beyond the capacity of that power" (*TTP* 4, 427). Spinoza's point is that the ordinary usage of 'law' refers to *constraining* human action, rather than *compelling* it. Thus, human laws can be followed or transgressed, while natural law does not have this quality. For this reason, Spinoza qualifies, "it seems more fitting that law should be defined in its narrower sense, that is, as a rule of life which man prescribes for himself or for others for some purpose" (*TTP* 4, 427).[123]

With this narrower definition of 'law' as "a rule of conduct which men lay down for themselves or for others to some end" (*TTP* 4, 427), Spinoza further divides law into human and divine law. By 'human law' Spinoza specifically means, "a prescribed rule of conduct whose sole aim is to safeguard life and the commonwealth" (*TTP* 4, 427), or what we might call 'political' or 'civil' law of a particular state at a given time. By 'divine law' he specifically means, "that which is concerned only with the supreme good, that is, the true knowledge and love of God" (*TTP* 4, 427), or what we might call 'religious' and 'moral' law. The difference between human and divine law is the difference of the end towards which the law is directed from the human perspective.

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[122] Gail Belaief writes, "human laws are indirectly dependent on laws of God [...] since men are part of the natural world which is ordered by God, it is true to say that ultimately the moral and civil laws are laws of God insofar as He is responsible for everything that occurs in the universe." Gail Belaief, *Spinoza's Philosophy of Law*, 43.

[123] Donald Rutherford disagrees that Spinoza's holds this definition as the primary one. Rather, he argues that Spinoza maintains the primary definition of 'law' as natural law. See Donald Rutherford, "Spinoza's Conception of Law,"145. I, however, agree with Edwin Curley that Spinoza's original definition of law is merely provisional. See Edwin Curley, "The State of Nature and its Law in Hobbes and Spinoza," *Philosophical Topics* 19 no.1 (1991): 97-117.

Now, by 'divine law' Spinoza does not mean to indicate that these rules of conduct are the commandments of a transcendent, creator God. Remember, Spinoza equates God with Nature, which was the original concern Oldenburg mentions his contemporaries had with certain passages of the *TTP*. Therefore, "divine law" in Spinoza's sense concerns the true knowledge and love of *Nature*, which leads to the supreme good for human beings. This is to say that the "divine law" is the rule of conduct that allows humans to achieve freedom, virtue, and happiness. This law Spinoza propounds as moral precepts in his *Ethics*, as was described in the last chapter. These laws follow from human nature, that is, they describe what is, in fact, good for human individuals in their striving to persevere in their being, based upon rational knowledge of human beings and nature in general.

However, it is not the case that all individuals can access and follow "divine law" through reason alone, and, therefore, traditionally, divine law took the form of divine commandments ensconced within a system of reward and punishment (while still including, more or less, what Spinoza indicates by 'divine law'). For Spinoza, what is true in Holy Scripture and "divine law" can also be can be gained by adequate knowledge, because "divine law" is a rule of conduct men lay down for themselves "which is concerned only with the supreme good, that is, the true knowledge and love of God" (*TTP* 4, 427). That is to say, "divine law" follows from human nature which is a part of Nature, but while the *free man* follows these moral precepts because he rationally knows what is, in fact, advantageous for him, other individuals follow moral precepts because they are led by their passions, namely the hope for some good or the

fear of some evil, that is, reward and punishment.[124] Though the reward and punishment is ultimately the same for the *free man* and other individuals, the *free man* is led by reason while other individuals are led by imagination, or inadequate ideas. Likewise, human law, that is, political law, uses a system of reward and punishment to regulate human behavior through hope and fear. Human law provides security and stability for the state in which human individuals co-exist and punishes those who transgress the laws. And just as in the case of "divine law", the *free man* follows human law because he rationally knows his advantage, while other individuals are more led by their passions.

Returning to Spinoza's response to Oldenburg, determinism does not do away with law, moral or political, because the utility of the law, that is, the great advantages that following the law provides for the individual and the community and the disadvantages that result from transgressing the law are retained whether or not human beings have free will. Ultimately, for Spinoza, moral precepts and the law are ensconced in a system of reward and punishment that is necessary for regulating human behavior even without free will.

To understand how this is possible, consider that Spinoza argues that the good that follows from virtue and "divine law" is good regardless of whether human individuals are determined in their actions. This may seem initially to be a simple and almost tautological point. True, some good is good regardless of how it is acquired. So

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[124] Referring to this, Heidi Ravven writes, "hope and fear, emotions characteristic of a weak mind, impede self-determination, leaving a person vulnerable to external, social control. Religious authorities exercise control over the masses by inspiring hope and fear of imagined rewards and punishments. Yet they can thereby act to further the social good – although at the cost to personal autonomy – when they so induce in the multitude the desire to do what is in the public interest." Heidi Ravven, "Spinoza's Rupture with Tradition – His hints of a Jewish Modernity," in *Jewish Themes in Spinoza's Philosophy*, ed. Heidi Ravven and Lenn Goodman (Albany: SUNY Press, 2002), 202.

what? Spinoza's point, however, is a bit subtler. To say that the good that follows from "divine law" is good regardless of whether humans are determined in their actions is to say that such a good is still an end toward which human individuals strive, and, for this reason, it can influence (*determine*) human actions as a motivation and, thus, a determination.

Let us suppose, for instance, that Spinoza's "divine law" does take the form of commandments from a transcendent God, as Spinoza's contemporaries would argue, and following the divine law is rewarded, while transgressing it, punished. If a human individual is sufficiently aware of the consequences of following the divine law that is commanded, then she will be motivated by the good she desires to align her actions with the law, that is, her actions will be determined by the hope for some good or the fear of some evil. If she does not hope for the good that is the reward for following the divine law or does not fear the evil that results from transgressing it, then she is not so determined in her actions to follow the divine law, but is determined by the hope for some other good, say, an immediate pleasure possible only by transgressing the law. Spinoza's point is that regardless of whether the "divine law" takes the form of a command or follows from natural necessity, what usually determines a human's actions is the hope for some good and the fear of some evil. And, according to Spinoza's ethics, human individuals are rewarded and punished by following the moral precepts that he outlines. By following the "divine law" human individuals pursue those things that are in fact to their advantage and avoid things that are harmful, and thus live better and happier lives.

For this reason, from the perspective of Spinoza's philosophy, it does not matter whether human beings have a choice or are determined with respect to their actions,

because human action will usually be motivated, in following "divine law" for instance, by the hope for some good or the fear of some evil. This is why Spinoza writes, "and finally, whether we do what we do necessarily or contingently, we are still led by hope and fear" (*Ep*. 75), implying that human actions are determined, in part, by the end they seek.

For Spinoza, human law works the exact same way as divine law. Human law uses a system of reward and punishment to regulate human behavior in the state. Following the law provides citizens with all the benefits of a stable political community, in which they can better persevere in their being, pursuing what is in fact to their advantage. Transgressing the law, however, has its consequences in the form of varied punishments. Just as in the case of divine law, it is the hope for some good and fear of some evil that determines human behavior to conform to human law.

4.2 Moral Responsibility, Take Two

My claim above was that, according to Spinoza, determinism and the denial of free will destroys neither ethics nor law, because agents can still be determined to follow ethical rules and the law by the hope for some good or the fear of some evil, that is, by a system of reward or punishment. It is reward and punishment, Spinoza argues, that, for the most part, regulate and determine human behavior even though human beings lack free will, just as they would if human beings did have a free will. However, in the context of attributing *libertarian* free will to individuals, it would be rather hard to make intelligible how a choice can be free under these circumstances, unless it is not somehow completely arbitrary, that is, not determined by some reward or punishment. If an individual's action, or choice of action, is *determined* by the expectation of some

reward or punishment, then it cannot be said to stem from free will or a free power of choice. This is why Kant argued that actions based on hypothetical maxims could not be free.[125] Nevertheless, if a choice can only be free if it is arbitrary, that is, not determined by some reward or punishment or anything else,[126] then free will would seem to have far dire consequences for ethics and law than determinism. This is Hume's problem with libertarian free will, or what he calls the 'liberty of indifference'.[127] A compatibilist conception of free will, like that of Hume, avoids this problem by readily admitting that human beings are determined by, say, reward and punishment and, insofar as an individual is acting from some appropriate free internal cause, broadly construed, the reward or punishment is justified. However, Spinoza is denying that moral responsibility requires either incompatibilist or compatibilist conceptions of free will, though he maintains that reward and punishment regulates human behavior, insofar as it determines it.

Given common intuitions as well as the current philosophical discussions concerning the consequences of denying free will, Spinoza's answer to this problem seems paradoxical. It seems to miss the larger picture entirely. For the incompatibilists, if determinism is true and human beings lack free will, then human beings cannot be ultimately responsible for their actions and, therefore, do not deserve reward or punishment.[128] For the compatibilist, though, if determinism is true, then it is still possible to attribute actions to individual's free choice such that they are morally

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[125] See my introduction on Kant's theory of freedom.
[126] Kant, initially, tried to resolve this by arguing that the will is determined by the very form of the moral law which he claims is a fact [*das Factum*] of pure practical reason. See Immanuel Kant, *Critique of Practical Reason*, trans. Werner Pluhar (Indianapolis: Hackett Publishing, 2002). But, as I argue, in my introduction, this initial theory of free will could not account for moral responsibility.
[127] See my introduction on Hume.
[128] See Chapter 1.4 Incompatibilism.

responsible and deserving of reward and punishment.[129] If Spinoza denies both these types of individual moral responsibility, and he does, then how can he argue that reward and punishment, and their underlying practices of praising and blaming, can still regulate and determine human behavior? If, as both incompatibilists and compatibilists argue, human beings are not morally responsible if they lack free will, then reward and punishment and practices of praising and blaming cannot be justified. That is, after all, what is really at stake in the endless discussion of free will.

To begin answering this apparent paradox, recall that Spinoza's system of ethics is grounded in a kind of ethical egoism, that is, it is grounded in his argument that human individuals strive to persevere in their being. The reward for an individual striving to persevere in her being, i.e. rationally pursuing what is in fact her advantage and rationally avoiding what is in fact to her disadvantage (the basic principle behind Spinoza's ethics) is greater freedom, virtue, and blessedness and the punishment is less of these. And ultimately, for Spinoza, freedom, virtue, and blessedness, are what all human individuals strive for insofar as they persevere in their being, being successful to the extent that they have adequate ideas. So far, however, we have only been considering Spinoza's ethics for an individual *qua* individual, but Spinoza's approach to responsibility starts rather by taking into account the necessity of society and social life in order for an individual to even survive and ultimately pursue these goods.[130] This is to say, Spinoza never conceives human beings as isolated individuals, but recognizes that they live, by necessity, always within some form of society. This follows from

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[129] See Chapter 1.3 Compatibilism.

[130] Spinoza's move from ethical egoism to a social ethics is often criticized. See, for instance, Michael Della Rocca, "Egoism and the Imitation of Affects in Spinoza," in *Spinoza on Reason and the "Free Man"*, 123-143. For a defense of Spinoza argument, see Diane Steinberg, "Spinoza's Ethical Doctrine and the Unity of Human Nature," in *Essays on Early Modern Philosophy Volume 10: Baruch Spinoza*, ed. Vere Cappell (New York: Garland Publishing, Inc., 1992), 357-378.

Spinoza's argument that the power of an individual is far surpassed by the power of external causes, and, therefore, in order to persevere in their being individuals must combine their power and form communities. For this reason, starting from a kind of ethical egoism, Spinoza ultimately ends up with a kind of social contract theory of ethics, that is, a theory of ethics in which ethical rules are founded on what would be (ultimately rationally) acceptable by other individuals of a community for the preservation and good of the whole community on which said individuals depend for their own preservation. Furthermore, it is within this greater social context that Spinoza provides an understanding of moral responsibility without free will, and justifies practices of praising and blaming.

Surprisingly, for Spinoza, practices of praising and blaming have nothing to do with free will. He defines 'blame' as "the sadness to which we are averse to [an individual's] action" and 'praise' as "the joy with which we imagine the action of another by which he has striven to please us" (*E*3p29s). Praise and blame, therefore, are affects resulting from an individual's interaction with others within a community as an individual.[131] An individual's action affects another individual or community such that the response is praise or blame as joy or sadness accompanying the idea of the action.[132] The point is that, for Spinoza, practices of praising and blaming and moral responsibility can occur only in a social context, outside of which they are unintelligible. This may seem fairly obvious since, after all, someone else has to do the praising or blaming,

[131] There is some controversy among commentators about whether Spinoza takes a community to be literally an individual or only metaphorically so. For an overview of this controversy, see Lee C. Rice, "Individual and Community in Spinoza's Social Psychology" in *Spinoza: Issues and Directions*, 271-85. See also Steven Barbone, "What Counts as an Individual for Spinoza?" 89-112.

[132] Don Garrett emphasizes Spinoza's definitions of praise and blame in differentiating Spinoza from both incompatibilists and compatibilists. He points out that unlike both, Spinoza has an asymmetrical theory of freedom such that, though, individuals cannot be morally responsible for evil actions, which are not free, they can be responsible for good actions insofar as the actions are done freely. See Don Garrett, "Spinoza's Ethical Theory," in *The Cambridge Companion to Spinoza*, 298-307.

whether it is another individual, a community, or God. But what Spinoza is getting at is that praising and blaming, as such, are social actions that have nothing to do with the metaphysics of the free will of individuals. Moreover, for Spinoza, responsibility is not a metaphysical entity inherent in *individuals* but is produced by social interactions.

It is interesting to note that, centuries later, P.F. Strawson would make a very similar claim in his very influential and controversial 1962 article "Freedom and Resentment."[133] P.F. Strawson, in his classic article, is fairly agnostic about the compatibility issue of free will and determinism. Instead of discussing directly the compatibility problem, he focuses attention on what he calls reactive attitudes in order to make explicit the affective and social nature of moral responsibility. He defines 'reactive attitudes' as "the non-detached attitudes and reactions of people directly involved in transactions with each other; of the attitudes and reactions of offended parties and beneficiaries; of such things as gratitude, resentment, forgiveness, love, and hurt feelings."[134] Reactive attitudes have a general significance for human beings in their social interactions and relations, but Strawson also emphasizes the specific significance of reactive attitudes in how human beings interpret the perceived benefit or injury they receive in these interactions and relationships. Ultimately, for Strawson, the different kinds of reactive attitudes constitute human beings' moral attitudes towards members of a moral community, and, insofar as humans view an agent as part of a moral community, Strawson argues, human beings cannot avoid having these attitudes and holding agents morally responsible. For this reason, he concludes that the thesis of

[133] P. F. Strawson, "Freedom and Resentment," in *Perspectives on Moral Responsibility*, ed. J. M. Fischer and Mark Ravizza (Ithaca: Cornell University Press, 1993), 44-66.
[134] Ibid., 28.

determinism, if true, would and should not conflict with moral responsibility, thus understood.[135]

Nevertheless, Spinoza was the first to have the insight, which runs counter to almost all the current literature on moral responsibility, that practices of praising and blaming are not a result of individuals being morally responsible as individuals, but rather moral responsibility is a result of the social practices of praising and blaming. To alter Hobbes' famous dictum that citizens are not born, but made, for Spinoza, morally responsible individuals are likewise not born, they are made. To make sense of this, we now turn to Spinoza's philosophy of society.

4.3 The Formation of Society and Responsible Individuals

Recall that for Spinoza, the power of external causes is infinitely greater in comparison to the power of any given individual and for this reason human beings, in their striving to persevere in their being, naturally come together, indeed must come together, and form relationships. In fact, human beings can never be isolated individuals for Spinoza, precisely because their power to persevere in being is so small in comparison to external causes.[136] He states, "now to provide all this [all the things required for self-preservation] the strength of each single person would scarcely suffice if men did not lend mutual aid" (*E*4 App. 28) and "it is scarcely possible for men to support life and cultivate their minds without mutual assistance" (*TP* 2, 687). By

[135] For in depth analysis and criticism of Strawson's positions see Michael S. McKenna and Paul Russell, ed. *Free Will and Reactive Attitudes* (London: Ashgate, 2008).

[136] Mora Gatens and Genevieve Lloyd make this point writing, "Spinoza's version of sociability is grounded, as we have seen, in his metaphysics of individuality and his physics of bodies. To be an individual at all is to be exposed to the external force of other bodies – to the powers, whether congenial or antagonistic – of other individuals. Since human individuals are able by virtue of their bodily complexity to imagine and remember, this intrinsic exposure to other forces – means that, for them, individuality comes to involve sociability as the recognition and enactment of relations of interdependence." Moira Gatens and Genevieve Lloyd, *Collective Imagining*, 54.

necessity, human beings require each other for their self-preservation and, therefore, Spinoza assumes that human beings are always in some sort of society, whether this society is more formally organized through complex laws, and hence political, or is more a loose association of individuals banding together for mutual aid. Like Hobbes, Spinoza considers the conditions of individuals in a hypothetical state of nature to explain the necessity by which individuals form society for their own preservation.[137] However, in contrast to Hobbes' use of a proposed state of nature the purpose of which is to provide the hypothetical conditions for the formation of a political state under the presupposition of the equality of human beings, Spinoza conceives of the foundation for political society as stemming from earlier natural societies formed by individuals. The point I want to emphasize is that, for Spinoza, human beings are naturally found in some kind of society and he proposes a "state of nature" merely as a thought experiment that allows for differentiating the status of the individual outside and inside of a political state.[138]

With this in mind, Spinoza argues that in a state of nature the natural right of any individual is co-extensive with her power, that is, her *conatus* or power to strive in persevering in her being. This is because everything that exists, exists by the absolute power of nature and therefore "it follows that every natural thing has as much right from Nature as it has power to exist and to act" (*TP* 2, 683). Thus, natural right, for Spinoza, is coextensive with natural power. He writes, "by the right of nature, then, I understand

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[137] For commentary on Spinoza's relation to Hobbes, see Edwin Curley, "Kissinger, Spinoza, and Genghis Kahn," in *The Cambridge Companion to Spinoza*, 315-42. Also, for differences between Spinoza and Hobbes, see Hilail Gildin, "Spinoza and the Political Problem," in *Spinoza: A Collection of Critical Essays*, ed. Marjorie Grene (Garden City: Anchor Books), 377-387.

[138] Moira Gatens and Genevieve Lloyd, for instance, write, "human life is originally and necessarily collective life and one must look to the elements of collective life which may lead people to come to agree on appropriate constraints to the exercise of natural rights they each individually possess." Moira Gatens and Genevieve Lloyd, *Collective Imagining*, 92.

the laws or rules of Nature in accordance with which all things come to be; that is, the very power of Nature. So the natural right of Nature as a whole, and consequently the natural right of every individual, is coextensive with its power. Consequently, whatever each man does from the laws of his own nature, he does by the sovereign right of Nature, and he has as much right over Nature as his power extends" (*TP* 2, 683). This is to say that, like Hobbes, Spinoza holds that individuals in a state of nature have the right to do anything within their power. Everything that a human being does she is determined to do from the laws of nature, and, therefore, is within her natural right just as "fish are determined by nature to swim, and the big ones to eat the smaller ones" (*TTP* 16, 526-527). This reiterates the fact that, for Spinoza, moral responsibility is not something human beings have in a state of nature outside of social life. In a state of nature, there is no morality, and hence also no moral responsibility. Perhaps an individual will be praised or blamed for her actions, according to how Spinoza defines praise and blame, but she has no reason to be responsive. Spinoza hits the point home writing, "it follows that Nature's established order, under which all men are born and for the most part live, forbids only those things that no one desires and no one can do; it does not frown on strife, or hatred, or anger, or deceit, or anything at all urged by appetite" (*TP* 2, 685).

Furthermore, as mentioned, human individuals, for the most part, are not led by reason to pursue those things that are, in fact, good, that is, those things that are known to be useful in striving to persevere in being. Rather, individuals take to be good whatever they desire, and though, as should be clear, in a state of nature, this is entirely within their natural right, it does create much conflict, competition, and enmity amongst individuals. Again, like Hobbes, Spinoza recognizes that humans, because they

are more led by their passions than by reason would be, therefore, enemies in a state of nature. He argues, "insofar as men are assailed by anger, envy, or any emotion deriving from hatred, they are drawn apart and are contrary to one another and are therefore the more to be feared, as they have more power and are more cunning and astute than other animals. And since men are by nature especially subject to these emotions, men are therefore by nature enemies" (*TP* 2, 686).

Human beings in a state of nature, that is, considered as isolated individuals, quite evidently, would have a problem. While their individual power is directed towards self-preservation, all other individuals (not only humans) represent a threat to their power, and, consequently, their right. For Spinoza, if an individual cannot preserve her power then she equally cannot preserve her right. Spinoza argues, "every man is subject to another's right [*alterius juris*] as long as he is in the other's power, and he is in control of his own right [*sui juris*] to the extent that he can repel all force, take whatever vengeance he pleases for injury done to him, and, in general, lives as he chooses to live" (*TP* 2, 685). However, given that an individual's power is so finite in comparison with the power of external forces, she is constantly in fear of the power of others and on the brink of losing her right to another. Spinoza writes, "hence it follows that as long as a human's natural right is determined by the power of each single individual and is possessed by each alone; it is of no account and is notional rather than factual, since there is no assurance that it can be made good. And there is no doubt that the more cause of fear a man has, the less power, and consequently the less right, he possesses" (*TP* 2, 687). An individual's natural power alone, therefore, is not enough, despite the fact that, *prima facie*, it appears to be unlimited. Though an individual's power in a state of nature is not limited by the *mores* of a community or the laws of a political state,

it is, in fact, limited by everything else in nature – the power of each other human individual, predatory animals, scarcity of food and shelter, inclement weather and so on and so forth. Obviously, such a situation is not conducive to an individual's striving to persevere in her being.

Nevertheless, by joining together, individuals can increase their power to persevere in their being. Spinoza writes, "if two men come together and join forces, they have more power over Nature, and consequently more right, than either one alone; and the greater the number who form a union in this way, the more right [and power] they will together possess" (*TP* 2, 686). This is to say, the more human beings join together, the greater is their power to persevere in their being, overcoming the power of nature acting against them to their own detriment. Together, human beings are capable of enduring their natural condition by providing each other with the necessities of life and protection through mutual aid. Spinoza argues, "the formation of society is advantageous, even absolutely necessary, not merely for security against enemies but for the efficient organization of an economy. If men did not afford one another mutual aid, they would lack both the skill and the time to support and preserve themselves to the greatest possible extent. All men are not suited to all activities, and no single person would be capable of supplying all his own needs" (*TTP* 5, 438). Given that the natural forces working against human individuals are so great in comparison with their individual power, it is only through forming communities that human beings can possibly survive. It is for this reason, Spinoza argues, that human beings are always part of some society and are, therefore, social animals. He writes, "and if it is on these grounds – that men in a state of Nature can scarcely be in control of their own right –

that the Schoolmen want to call man a social animal, I have nothing to say against them" (*TP* 2, 687).

So, for the sake of persevering in her being, an individual joins her power with the power of other individuals to form a community or social unit. With their combined power, individuals in a community can better persevere in their being, but only insofar as their actions serve and preserve the community. For Spinoza, a community of individuals can be considered as a new kind of individual, just like a human body is a complex individual composed of simpler individual bodies. And just as an individual strives to persevere in its being, a community strives to persevere in its being; this implies that all of its parts, i.e. the human individuals that make up the community, strive for the preservation of the community, working together more or less harmoniously and avoiding conflict as much as possible so that they can each benefit from communal living.

Because of this, in a community an individual no longer has the right to do whatever she wants, and live as she pleases, as she would in the hypothetical state of nature. She has to conform her actions to those things that are advantageous to the preservation of the community or what the community as a whole considers to be advantageous. In attempting to persevere in her being, an individual now strives to preserve the community which, again, allows her to preserve herself. For this reason, all the individuals in the community now share a common value, preserving the community which allows them to preserve themselves. They now "bind themselves by those bonds most apt to make one people of them, and absolutely, to do those things which serve to strengthen friendships" (*E*4 App. 12). Certain *mores* develop founded on the common

goal of preserving the community.[139] Some of these *mores* are integral for any community, such as prohibitions against deceit, theft, or murder, but others may be specific to the community, such as prohibitions against certain sexual practices, diet, or firing tenured faculty members. It is interesting to note here that Spinoza's philosophy can absorb a great variety of social practices and *mores*. That is to say that Spinoza's ethics is sensitive to the fact that different societies, cultures, and communities have different specific *mores* and customs depending on the concrete needs of a society or community.

By being part of a community, an individual is expected to follow the *mores* of the community and fulfill her social role. This is to say, she is now responsible for her actions in a way that she would not be in the state of nature. This is precisely what it means to be morally responsible, i.e. responding to the expectations of society. She would not have been responsible in a hypothetical state of nature because she had nothing to which to respond. In any community, however, in order to continue to be part of the community, she has to be responsible and also fulfill certain responsibilities she is expected to fulfill, even those implicitly expected. If, for instance, she is part of a small agricultural community in which she is responsible for milling wheat and fails to fulfill this responsibility, then the community will hold her responsible for the fact that they cannot make and eat bread. If she continues to fail to fulfill her responsibility, she

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[139] Heidi Ravven emphasizes the importance of the imagination for this process writing, "human beings in the throes of Spinoza's version of the imaginative life, in keeping with Hobbes' grim assessment of humanity, are overcome with extreme and often vicious emotions. Nevertheless, they are not in a condition of war of all against all. Instead, they are parties to an unstable kind of conformity, a conformity that can be seen to arise first from common associations based in common memories, common language, and common texts – that is a common tradition. This is a primitive form of the group mind. The common desires, hopes, and fear instituted in tandem by both legal and religious systems of reward and punishment contribute to the formation of the social body. The imagination in both forms, cognitive and affective, is a powerful socializing force." Heidi Ravven, "Spinoza's Rupture with Tradition," 202-203.

no longer serves this role in the community and she herself will be blamed. Likewise, if an individual is part of an academic community, and she has teaching responsibilities which she continually fails to fulfill, then she will be blamed and may no longer be permitted to teach at that academic institution. Spinoza's point is that in a social context, individuals need to be held responsible for their actions by others, but also, equally importantly, they want to be held responsible by others, because only in this mutual way can they reap the benefits of social life.

4.4 Justifying Practices of Praising and Blaming

In a social context, therefore, Spinoza argues that individuals *become* morally responsible because it is a necessary condition of being part of, and preserving, a community or society. Insofar as an individual wants to take part in society, which Spinoza argues is necessary for her to strive in persevering in her being, she will become morally responsible for her actions. This understanding of moral responsibility differs completely from how the concept of individual moral responsibility is commonly used when talking about free will and determinism. 'Moral responsibility', in the common usage, is usually taken to mean the conditions or criteria under which moral agents as individuals can be praised or blamed, rewarded and punished, for their actions, this condition being free will, in both libertarian or compatibilist sense. Moral responsibility, therefore, seems to be some kind of attribute of an individual agent *qua* agent. Under this conception of moral responsibility, it is only if an agent is capable of moral responsibility that she is deserving of praise or blame for her action. Spinoza denies this sense of moral responsibility, because he denies that human beings have free will. However, rather than moral responsibility being a condition for praise and blame,

Spinoza would argue that social practices of praise and blame are the condition for creating morally responsible individuals.[140]

Spinoza holds this to be true in part because he argues that individuals are determined in their actions by the hope for some good or the fear of some evil,[141] or at least what they take to be good or evil, and in part because of how he defines praise and blame. Again, Spinoza defines 'blame' as "the sadness to which we are averse to [an individual's] action" and 'praise' as "the joy with which we imagine the action of another by which he has striven to please us" (*E*3p29s). Praise and blame are, therefore, affective responses of an individual or a community when considering an action of another individual that affects them. In the state of nature where there is no such thing as moral responsibility, there may be much praising and blaming insofar as individuals may be adverse or pleased by the actions of others, but such praising and blaming would be as pointless as that felt by a little fish toward a larger one who eats it. This is because, in a hypothetical state of nature an individual is unresponsive to praise and blame insofar as there would be no consequences for her actions by being praised or blamed for them.

However, in a social context, an individual is responsive to praise and blame precisely because there will be consequences for how her actions affect other individuals and the community as a whole. If she is deceitful, then she will no longer be trusted. If she lacks industry, then she does not reap the benefits of the industry of others. If she

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[140] On the significance of practices of praise and blame for instilling social *mores*, see Jon Wetlesen, *The Sage and the Way*, 289-95.

[141] I emphasize the affects of hope and fear for simplicity's sake, but, as Jon Wetlesen points out, "in addition to fear and hope, Spinoza mentions other species of hatred and love which may serve as a motivational basis for the structures of compliance. He mentions respect, which is produced by a combination of fear and admiration; he mentions the love of one's benefactor and the love of one's country. These kinds of motivations are not so purely self-regarding as the former ones, but tend to shade off into more comprehensive kinds, which consist in the identification of the individual with certain other individuals or groups." Ibid., 294.

fails to follow the *mores* of her community, then she is cast out of social life. Again, for Spinoza, individuals both want and need to be part of a community and take part in social life and this is only possible if they take responsibility for their actions. Furthermore, it is such practices of praise and blame that create responsible individuals. Without these practices individuals would neither recognize how their actions affect others, nor have any reason to regulate their actions to conform to the necessities of social living.

For Spinoza, the creation of responsible individuals has nothing to do with free will which he considers to be an illusion, nor even with freedom which humans reach and can increase to some extent. Responsibility, though, is ultimately explained by his analysis of human affects, particularly the affective responses of praise and blame by individuals in society. However, the response of an individual to others' praise and blame of her action is also crucial with respect to her responsive affects. Spinoza argues, "if someone has done something which he imagines affects others with joy, he will be affected with joy accompanied by the idea of himself as cause, or he will regard himself with joy. If, on the other hand he has done something which he imagines affects others with sadness, he will regard himself with sadness" (*E*3p30). For these reasons, it is the pleasure associated with being praised and the pain associated with being blamed by others that instills in individuals both an understanding of how their actions affect others and a motivation to act and be treated according to that morality. Individuals are led by their affective nature to pursue what are considered good actions and avoid what are considered bad actions in a given society.

What Spinoza is suggesting here is readily seen in the way parents educate their children. Children, especially if they are very young, have absolutely no understanding

of right or wrong action, what is appropriate or inappropriate, what is useful and harmful, how they act responsibly or not, and so on and so forth. How could they? These are all things that children must learn. But they do not learn right from wrong merely by the communication of information from their parents or other adults. Rather, they develop an understanding of morality, or, more simply of social norms, by being praised and blamed. It is not enough for a child to be told that something is right or wrong, pleasing or displeasing, they only *really* learn this when they understand that their behavior and actions have consequences reflected in the response of others, namely their parents and teachers, that is, when they are praised and blamed, rewarded and punished. Spinoza writes, "it is no wonder sadness follows absolutely all those acts which from custom are called *wrong*, and joy, those which are called *right*. For [...] we easily understand that this depends chiefly on education. Parents – by blaming the former acts, and often scolding their children on account of them, and on the other hand, by recommending and praising the latter acts – have brought it about that emotions of sadness were joined to the one kind of act, and those of joy to the other" (*E*3 def. of affects 27). Children are, of course, not born responsible. Interestingly, according to the traditional understanding of moral responsibility, they would not deserve praise or blame. However, Spinoza would argue they are being held responsible by a community, i.e. their family, in order to make them responsible and this is necessary in order for them to function in society. Of course, praising and blaming as a means of inculcating morals in an individual is not only effective for children, but is effective for almost all individuals according to Spinoza. This is because, he argues, "self-esteem is really the highest thing we can hope for. For no one strives to preserve his being for the sake of any end. And because this self-esteem is more and more

encouraged and strengthened by praise, and on the other hand, more and more upset by blame, we are guided most by love of esteem and can hardly bear a life in disgrace" (*E*4p51s).

Now, the suggestion here is that moral responsibility and practices of praising and blaming can be, according to Spinoza, completely divorced from questions of free will of some libertarian, or compatibilist, account. But most of the literature on free will and determinism is littered with examples, sometimes absurd examples, in which it is obviously the case that a human being should not be held responsible for some action, that is, praising or blaming of their action is not justified. These examples all involve some unfortunate fellow, maybe Smith, who performs some act under circumstances in which his action cannot be ascribed to his will, usually because he is being controlled somehow by a more fortunate, but perverse fellow, Jones, who is part of what Daniel Dennett calls the *bogeymen* of the free will debate – the Nefarious Neurosurgeon, the Hideous Hypnotist, or the Peremptory Puppeteer.[142] These kinds of examples often serve to illustrate common intuitions about how determinism destroys moral responsibility according to the incompatibilists, or how exactly free will must be conceived in order to make it compatible with determinism according to the compatibilists.

Do these types of examples create a problem for how Spinoza approaches moral responsibility? The answer is, of course, no. First, because, again, praise and blame for Spinoza are affective responses of an individual or community to the action of another individual. We might, and often do, respond to inanimate objects initially in this same

[142] See Daniel Dennett, *Elbow Room: The Varieties of Free Will worth Wanting* (Cambridge: The MIT Press, 1984), 7-10.

way; for instance, when we stub our toe and unleash our wrath on the innocent bedpost. Of course, this does not make any sense. In fact, it is irrational because the bedpost is not responsive to our blame. Blame it all we want, it will never change its ways. But this example nicely demonstrates that the source of responsibility lies in the capacity to be responsive, which we do not really hold the bedpost to be. Nor do we consider children to be fully responsive and even less so severely mentally ill humans. And this is exactly Spinoza's second and more important insight: praise and blame only make sense in the context in which an individual is *responsive* to them. For Spinoza, we do not praise or blame the individual who is being neurally manipulated, or more realistically, suffers from a mental illness. This is so, not because they lack free will which, for Spinoza, all humans lack, but because they cannot be responsive to praise or blame. It makes as much sense to blame these individuals as it does to blame the bedpost. On the other hand, we often praise or blame, in the right context, individuals that are not normally taken to have free will or to be morally responsible, such as children, as mentioned above, or pets that have trouble being housed trained. Praising and blaming these individuals, though, makes sense precisely because they are responsive to it, or can become so.

The above mentioned kind of examples offered by contemporary philosophers might be useful for discerning when practices of praise and blame make sense, but only with respect to an individual's level of responsiveness to these practices, not with respect to free will. But I want to be clear that I am not sneaking in a condition of praising and blaming that might seem like free will by another name. As I noted, it makes sense to praise and blame small children and, say, pet dogs because they are responsive, though rarely considered to have free will. In fact, when individuals are effectively responsive to

praise and blame, they are actually determined by these practices. Again, this is why according to Spinoza, determinism and the denial of free will do not destroy ethics, because individuals are still determined to follow ethical norms by the hope for some good or the fear of some evil, that is, by a system of reward or punishment and practices of praising and blaming. Of course, there are some individuals, those who break social norms or *mores*, who, for whatever reason, are not so determined by praise and blame, or social reward and punishment. But this is why Spinoza does not think of moral responsibility as something metaphysical, but rather only in a social context. Of course, societies in different time periods and places have different *mores* and norms that change over times, depending on the culture and demands of the society, and Spinoza's understanding of moral responsibility accounts for these changes. Practices of praising and blaming are ultimately justified, according to Spinoza, because they allow for the functioning and preservation of social life that is necessary for human beings, even if some individuals are so determined to act against the community. Perhaps these individuals deserve pity, but the consequences they suffer for their actions are still justified socially.

For the sake of illustration, look at part of the double plot of Lev Tolstoy's masterful meditation on the passion of love and the institution of marriage, *Anna Karenina*. The eponymous Anna Karenina, despite the fact that she is married to Alexis Karenin with whom she has a son, falls hopelessly in love with Count Alexis Vronsky, who very much reciprocates, if not entirely instigates, Anna's passion. Eventually, Anna and Vronsky consummate their passion and knowledge of the affair reaches both Karenin and the circles of society of all involved. Leaving her husband and child while waiting for a divorce, Anna continues her life with Vronsky, but consequently becomes

socially displaced. In a moment of acute anxiety about the gravity of her situation and insecurity concerning Vronsky's devotion to her, Anna ultimately commits suicide.

This example captures perfectly the problem Spinoza finds in passions when trying to live a free life. As soon as Anna falls in love with Vronsky she is in bondage to her affects, vacillating between hope and despair, joy and sadness, and feels above all anxiety concerning her fate. Anna is incapable of pursuing her real advantage because she is blinded by her passions and never fully grasps the gravity of her situation as an aristocratic woman who has severed a sacred and legal bond with her husband, incapable by the contemporary law of remarrying Vronsky, and thus a "fallen women" in the eyes of the society of which she needs to be a part. She has acted against the norms of her society by failing to fulfill her responsibilities as wife and mother as well as failing to satisfy the decorum required of a woman of her class and the moral obligations of her religion. She becomes a social outcast and is so overwhelmed by her situation that she takes her own life.

According to Spinoza, is Anna worthy of blame for her adulterous affair? Is she morally responsible? The answer is, socially, in her given society, yes, but metaphysically, no, because she had no free will that could make her responsible in such a way. Any reader of the novel can conclude that Anna seems very much a victim of circumstances and passions that for the most part do not seem to be in her control. Tolstoy, despite writing a cautionary tale about adultery, makes Anna very sympathetic. There is a sense that Anna is only really alive once she is in love with Vronsky, who loves her dearly in contradistinction to Karenin whose affection towards Anna strikes the reader as slightly ironic and almost mechanical. The pursuit of love and a satisfying life in the face of obstacles resonates with contemporary readers. Achieving love and

happiness are, after all, goals most humans have. A contemporary reader might find herself identifying with Anna's desire to lead a more satisfying life outside of the rigid social structures that confine her, hoping that, in the end, all works out.

On the other hand, Anna, having married Karenin and bearing a child with him took on the responsibilities of a wife and mother. Her failure to fulfill those responsibilities does make her responsible in her social context. The blame is justified insofar as it aims to make Anna a responsible wife and mother. For instance, even before Anna commits any act of adultery, her husband speaks to her concerning what has obviously become an improper relation to Vronsky. Before the conversation, Karenin considers the matter. "'Well then,' he thought, 'the question of her feelings and so on are questions for her conscience, which cannot concern me. My duty is clearly defined. As head of the family I am the person whose duty is to guide her, and who is therefore partly responsible; I must show her the danger which I see, warn her, and even use my authority. I must speak plainly to her."[143] Despite the fact that Karenin is a somewhat unsympathetic character, the blame that he directs towards Anna is less about punishing her as it is meant to lead her to take up her responsibilities as a wife and mother.

And when Anna refuses to take up these responsibilities she is more severely blamed by the high society in which she can no longer take part. In a scene, that takes place after Vronsky and Anna return into St. Petersburg society and Anna is insulted by the wife of an aristocrat with whom she is conversing at the opera, Vronsky says, "'But I asked, I entreated you not to go! – I knew it would be unpleasant for you!' 'Unpleasant!'

[143] Lev Tolstoy, *Anna Karenina*, trans. Louise Maude and Aylmer Maude (New York: Random House, 1992), 175.

she cried. 'It was awful! However long I may live I shall never forget it! She said it was a disgrace to sit near me.'"[144] Anna, only too late, realizes the social consequences of her actions. The only person who now accepts her is Vronsky, whom she becomes anxiously concerned will also abandon her. Anna "can hardly bear a life in disgrace" and thus takes her own life. Certainly Anna is sympathetic, but Spinoza would argue that the blame that society places on her is justified. This might initially seem unfair and harsh, but it is justified insofar as it is meant to ultimately preserve the institution of marriage, which, in the setting of the novel at least, is a pivotal foundation of social life in pre-revolutionary Russia.

In summation, in a social context Spinoza recognizes the necessity of the practice of praising and blaming, even if he denies free will and the kind of moral responsibility that requires free will. This is, in part, because he takes praise and blame to be affects that an individual or community experience when considering the action of an agent. However, Spinoza also recognizes the necessity of practices of praising and blaming because they serve a social utility of creating responsible individuals and regulating human behavior insofar as agents are determined in their actions by the hope for some good and the fear of some evil. Ultimately, these practices are justified because they create responsible individuals essential for the maintenance of social life

4.5 The Formation of the Political State

Just as Spinoza argues that determinism and the denial of free will do not destroy ethics, likewise he does not think they destroy law or legal responsibility and for the same reason, that is, human beings are led by the hope for some good and the fear of

[144] Ibid., 649.

some evil, reward and punishment. For this reason, legal responsibility has its foundation in the political state as moral responsibility has its foundation in society, and does not concern free will. Spinoza's approach to political theory, like his approach to ethics, conceives of human individuals as natural beings subject to the laws of (their) nature, just as everything within nature is subject to laws. Following in the footsteps of Hobbes, who was the first political theorist to attempt to approach politics as a science, Spinoza attempts to deduce the foundation of civil society from the laws of human nature. He writes, "therefore in turning my attention to political theory it was not my purpose to suggest anything that is novel or unheard of, but only to demonstrate by sure and conclusive reasoning such things as are in closest agreement with practice deducing from human nature as it really is" (*TP* 1, 681). For this reason, he does not propose any sort of ideal foundation of a political state, but rather, one born of the necessity of human nature, which for the most part is driven by passions. Spinoza writes, "since all men everywhere, whether barbarian or civilised, enter into relationships with one another and set up some kind of civil order, one should not look for the causes and natural foundations of the state in the teachings of reason, but deduce them from the nature and condition of men in general" (*TP*, 682).[145]

As was mentioned above, the natural right of a human individual in a state of nature is coextensive with her power. This is to say that an individual has the right to anything she can in order to persevere in her being. But her right and power is infinitely surpassed by the right and power of all individuals in nature. In order to strengthen

[145] For some fuller elucidating accounts of Spinoza's political philosophy, see Robert J. McShea, *The Political Philosophy of Spinoza* (New York: Columbia University Press, 1968); Douglas Den Uyl, *Power, State, and Freedom: An Interpretation of Spinoza's Political Philosophy* (Assen: Van Gorcum, 1983); and Hasana Sharp, *Spinoza and the Politics of Renaturalization* (Chicago: The University of Chicago Press, 2011).

their power and their right, it is necessary for individuals to come together and form a political state for "the natural right specific to human beings can scarcely be conceived except where men have their right in common and can together successfully defend the territories which they can inhabit and cultivate, protect themselves, repel all force, and live in accordance with the judgment of the entire community" (*TP* 2, 687). It is simply not enough that individuals come together to form society, because, as was mentioned human beings "are mainly guided by appetite and devoid of reason" (*TP* 2, 688) and are subject to passions that bring individuals into conflict. They must live in accordance with "the judgment of the entire community" and for this reason, there must be a power greater than any individual that can enforce the judgment of the entire community. Because, for instance, "if a man has given his pledge to someone, promising only verbally to this or that which it was within his right to do or not to do, the pledge remains valid for as long as he who made it has not changed his mind. For he who has the power to break faith has in reality not given up his right; he has given no more than words" (*TP* 2, 686).

For this reason, individuals need to transfer their right to the state so that "each of them has that much less right the more he is exceeded in power by the others collectively. That is to say, he has in reality no right over Nature except that which is granted him by the communal right. For the rest he is bound to carry out any command laid on him by communal consensus" (*TP* 2, 687). By individuals transferring their power to the community, the community therefore has so much greater power compared to any given individual such that it can enforce law. This right of the community Spinoza defines by the power of the multitude [*potentia multitudinis*], that is, the collective power of each individual of the community, and entitles this power

'sovereignty'. Furthermore, sovereignty is "possessed absolutely by whoever has charge of affairs of state, namely, he who makes, interprets, and repeals laws, fortifies cities, makes decisions regarding peace and war, and so forth" (*TP* 2, 687). Thus, sovereign power is held by the entire community, creating a democracy, or by a few strong individuals, producing an aristocracy, or by a single individual, constituting a monarchy. In any case, it is the sovereign power that provides the force behind the system of punishment and reward that follows from law.

4.6 Determinism and Law

In the state of nature, as we have seen, human individuals have the right to do anything within their power, that is, an individual can do anything for the sake of her preservation, living according to how she pleases. However, by being part of a political state an individual has transferred her natural right and power to the right and power of the sovereign "which is nothing more than the right of Nature itself and is determined by the power not of each individual but of a people which is guided as if by one mind. That is to say, just as each individual in the natural state has as much right as the power he possesses, the same is true of the body and mind of the entire state" (*TP* 3, 690). In the political state, therefore, individuals have only as much right as is defended "by common decree of the commonwealth" (*TP* 3, 690). For this reason, an individual in a political state can no longer live just as she pleases, but is subject to the common law of the state which defines what is good and bad for the state and is backed by the sovereign power. Spinoza writes, "sin cannot be conceived except in a state, that is, where what is good and bad is decided by the common law of the entire state and where no one has the right to do anything other than what is in conformity with the common decree and

consent. For sin is that which cannot lawfully be done, i.e. is prohibited by law, while obedience is the constant will to do what by law is good and what the common decree requires to be done" (*TP* 2, 688). Therefore, in a political state an individual submits to what is good or bad as defined by the law of the state, which again, is enforced by the sovereign power as defined by the power of the people.

Though, *prima facie*, this transfer of right may seem irrational, we have already seen how the power of an isolated individual is, in fact, no power at all in comparison to the combined power of other individual natural things, including other humans, animals, forces of nature, etc. The advantages of living in a political state for an individual, therefore, far outweigh the disadvantages of giving up her natural right, which in actual practice is not effective. Only the state can ultimately provide the conditions that are conducive to a human individual's striving for self-preservation. Spinoza argues, "a civil order is established in a natural way in order to remove general fear and alleviate general distress, and therefore its chief aim is identical with that pursued by everyone in the natural state who is guided by reason, but pursues in vain" (*TP* 3, 691). The purpose of the state, therefore, is identical for the most part with the purpose of the individual and, for this reason it is to the advantage of the individual to follow the laws of the state. However, it is also advantageous for the individual to follow the laws of the state because transgressing those laws results in punishment.

For Spinoza it is both the hope for the rewards of living in the security of a political state, and the fear of punishment by the power of the state that regulates human behavior in civil society. Furthermore, it is mostly this hope and this fear which align the actions of individuals in accordance with the right of the state. Spinoza argues, "subjects are not in control of their own right and are subject to the commonwealth's

right only to the extent that they fear its power or its threats, or to the extent that they are firmly attached to the civil order" (*TP* 3, 692). It is the advantages of following the law of the state, being rewarded, and the disadvantage of transgressing that law, being punished, that motivate human beings to live according to common law "for he who has resolved to obey all the commands of the commonwealth, whether through fear of its power or love of tranquility, is surely providing for his own security and his own advantage in his own way" (*TP* 3, 690-691).

For this reason, determinism and law work in a similar fashion to determinism and ethics. Even though human beings are determined in their action and do not have free will, the hope for some good and the fear of some evil can and will determine them to regulate their action to conform with law, and this good and this evil is defined by the system of reward and punishment that is concomitant with law. Because human beings, according to Spinoza, always pursue the greater of two goods and the lesser of two evils, the system of reward and punishment devised by human law is an effective means of regulating human behavior. Spinoza argues, "despite the fact that a fool or a madman cannot be induced by a reward or threats to carry out orders [...], yet the laws of the commonwealth are not rendered void, since most of the citizens are restrained by them" (*TP* 3, 692-693). Indeed, for Spinoza, it is only "those who fear nothing and hope for nothing" whose actions cannot conform to the law of the state and "they are therefore enemies of the state" (*TP* 3, 693) and have to be treated as such by the sovereign power.[146] It is these individuals that cannot respond to society.

[146] See Michael Della Rocca, "Getting his hands dirty: Spinoza's criticism of the rebel," in *Spinoza's Theological-Political Treatise*, 168-191.

4.7 Justification for Criminal Punishment

According to Spinoza, individuals in a state of nature are not culpable for their actions (for what could they be culpable if there is nothing defining good and bad), but always act in accordance with their own right respective to their power. However, within civil society, human beings are always subject to the laws of the state and must be held responsible for their actions. This is because "the purpose of civil order" for which individuals have transferred their natural right to a sovereign power "is nothing other than peace and security of life" (*TP* 5, 699). These are the goods by which individuals are rewarded in following the law. The state maintains these goods which are threatened by those who transgress the law through punishment and the fear of punishment. Furthermore, the state is justified to punish those who transgress the law by its sovereign right, which is defined by the power and right of the multitude.

What this ultimately means is that individuals are legally responsible because they hold themselves mutually to be legally responsible, individually and collectively. It is the collective power of the people in a state that gives the sovereign power the right to punish individuals, and an individual's power is part of that collective. In other words, an individual holds herself legally responsible for her actions for her own benefit, being rewarded by the peace and security of the state which is a necessary condition of pursuing freedom, virtue, and happiness. In addition, the greater power an individual has to pursue freedom, virtue, and happiness and to achieve these, the greater will be her resolve in maintaining the laws of the state. As Spinoza writes, "the teaching of reason is wholly directed to seeking peace, but peace cannot be achieved unless the common laws of the commonwealth are kept inviolate. So the more a man is guided by reason – that is, the more he is free – the more steadfast he will be in preserving the

laws of the state and in carrying out the commands of the sovereign whose subject he is"(*TP* 3, 691).

However, individuals are free only in limited and varying degrees and it is not the case that all human beings pursue freedom, virtue and happiness. Some individuals are misled either by their mistaken judgment about their own power in comparison with that of others or that of the state, or by their passions in comparison with their knowledge of what is in fact advantageous for them. These individuals are more passive than active and free. And, though they are doubtlessly determined to act as they do, they are still subject to the rewards and punishments by the state for their actions because it is the sovereign power that enforces that law according to the will of the community that seeks protection.

As should be clear, the fact that individuals are determined to act as they do, does not make them exculpable. Spinoza explicitly denies that by his deterministic view all individuals would be justified in their evil doing and crimes and states, "I deny on that account all men ought to be blessed; for men may be excusable, but nevertheless be without blessedness and afflicted in many ways. A horse is excusable for being a horse, and not a man; nevertheless, he needs must be a horse, and not a man. He who goes mad from the bite of a dog is indeed to be excused; still, it is right that he should die of suffocation. Finally, he who cannot control his desire and keep them in check through fear of the law, although he also is to be excused for his weakness, nevertheless cannot enjoy tranquility of mind and the knowledge and love of God, but of necessity is lost" (*Ep*. 78, 952-953). Spinoza's point is that the community and thus the sovereign power are perfectly justified in punishing individuals in order to protect society and the state. In fact, the sovereign power is determined to do so, just as an individual is determined

in her own actions striving to persevere in her being. Spinoza argues this point writing, "if a commonwealth grants to anyone the right, and consequently the power to live just as he pleases, thereby the commonwealth surrenders its own right and transfers it to him to whom it gives such power. If it gives this power to two or more men, allowing each of them to live just as he pleases, thereby it has divided the sovereignty; and if, finally, it gives the power to every one of its citizens, it has thereby destroyed itself, ceasing to be a commonwealth, and everything reverts to the natural state" (*TP* 3, 690).

It is important to note that just as in the case of moral responsibility, legal responsibility, for Spinoza, is a social construct. This point is more explicit in the case of legal responsibility because it only exists in a more formally constituted social group. But for this very reason, not only does the individual have a responsibility to the community, but also the community has a responsibility to the individual as well. As Spinoza argues, individuals can be determined in the action to follow the law, moral or state law, because they are led by the hope for some good or the fear of some evil. He writes, "men are not born to be citizens, but are made so" (*TP* 5, 699). The state, therefore, has a responsibility to its citizens to create, maintain, and enforce laws that are conducive to the conditions that allow individuals to pursue freedom, virtue, and happiness and be good citizens. Spinoza argues, "men's natural passions are everywhere the same; so if wickedness is more prevalent and wrongdoing more frequent in one commonwealth than in another, one can be sure that this is because the former has not done enough to promote harmony and has not framed its laws with sufficient forethought, and thus it has not attained the full right of a commonwealth. For a civil order that has not removed the causes of rebellion and where the threat of war is never

absent and the laws are frequently broken is little different from a state of Nature, where every man lives as he pleases with his life at risk" (*TP* 5, 699).

The sovereign power, therefore, has a responsibility to protect its citizens by enforcing the law and creating laws that are good for the community, but the state and the community also has a responsibility of forming good citizens who have the power to follow the law.[147] According to Spinoza, no one is capable of acting outside of their power and for this reason the state has the responsibility to empower its citizens in order to make it possible for them to be law abiding. This, of course, requires the basic conditions for survival, but also education. It is the system of reward and punishment that is concomitant with the law which educates citizens to be *good* citizens and for this reason Spinoza would argue that punishment should be oriented towards rehabilitating criminals, rather than extracting retribution.[148] The purpose of criminal punishment is to protect the interests of the state and its citizens, not to extract vengeance. The denial of free will does not destroy legal responsibility for Spinoza, but it does imply that a theory of punishment should be founded on consequentialism and not on retributive justice.[149]

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[147] Moira Gatens makes this point writing, "one must also accept the notion that a rational civil body should take some responsibility for the acts committed by its citizens. Criminal acts are wrong or unjust, according to Spinoza, because they break the laws instituted to ensure civil peace. The breaking of laws also breaks up the coherence, or the integrity, of the civil body." Moira Gatens, "Spinoza, Law and Responsibility," in *Spinoza: Critical Assessments of Leading Philosophers* Vol. 3, ed. Genevieve Llyod (London: Routledge, 2001), 235-236.

[148] For an overview of different theories of punishment, see Ted Honderich, *Punishment: The Supposed Justifications* (New York: Harcourt, Brace, & World, 1969).

[149] Edwin Curley, for instance, writes, "at this point I think Spinoza's reply would be that we need to keep the question of whether people are to be blamed for what they do quite separate from the related question of whether they may be exhorted to act in a certain way and punished for not so acting. Blame is essentially retrospective, and the consideration, with respect to a past action, that under the circumstances the action could not have been otherwise, is sufficient to tender the blame irrational. Exhortation and punishment, insofar as they are rational, are prospective. They seek to provide circumstances for future action such that it will be as we would wish it to be." Edwin Curley, "Spinoza's Moral Philosophy," in *Spinoza: A Collection of Critical Essays*, 372-373.

As we have seen, determinism, for Spinoza, does not obviate the law; rather Spinoza argues that there is no conflict between determinism and law because the law, with its concomitant system of reward and punishment, provides motivations for individuals to be determined by the law. This is to say, human individuals act according to the law because their actions can be determined by the hope for some good or reward and the fear of some evil or punishment. Furthermore, Spinoza's political theory provides a justification for punishing individuals who transgress the law that is not founded upon a libertarian notion of legal responsibility or a retributive theory of justice but asks for a system of education and rehabilitation for those who violate the law instead.

Conclusion

Having given an account of Spinoza's views on free will, freedom, and responsibility, I want to return to the compatibility problem in the contemporary debate about free will addressed in the Chapter 1 and the resulting issues concerning responsibility. The compatibility problem, once again, concerns the question of whether free will is compatible with determinism. While incompatibilists answer that free will (conceived as a free power of choice) is not compatible with determinism, compatibilists claim such compatibility is possible, albeit by 'free will' they usually mean a condition of free, non-coerced action. Furthermore, though incompatibilists and compatibilists mean something different by 'free will', they tend to mean the same by 'moral responsibility'. For both, an agent is morally responsible for an action if that action can be ascribed to an agent's will. As I argued in the first chapter, this contemporary debate concerning free will, moral responsibility, and determinism only ends in a stalemate.

Spinoza's philosophy, as we have seen, answers this problem in a unique way, which has long been ignored by philosophers, despite the fact that Spinoza (and not Hume or Kant) was the first philosopher to address the problem of free will and systematically work out a concept of freedom that is not related to free will. Moreover, Spinoza also provides a new approach for understanding responsibility in light of the development of modern science. Spinoza is, paradoxically, both an incompatibilist and a compatibilist. One the one hand, he is an incompatibilist insofar as he does not think free will is compatible with determinism. As we saw in the Chapter 2, Spinoza argues that nature is thoroughly determined, and, therefore, human beings do not have free will as a capacity or power of choice. For this reason, Spinoza would agree with incompatibilists that determinism destroys both alternate possibilities and an agent's

being the *ultimate* source of her actions. Furthermore, with the denial of free will, Spinoza also denies that agents are morally responsible in the sense required by incompatibilist free will.

On the other hand, Spinoza is also a compatibilist insofar as he argues that *freedom* is compatible with determinism. As we saw in Chapter 3, human agents are free, according to Spinoza, to the extent that they act rather than are acted upon. An agent acts when she is the adequate cause of a given effect which means the agent can fully understand herself as the cause of an action. Furthermore, an agent can fully understand herself as the cause of an action insofar as she has adequate, or rational, knowledge of herself and her environment. This theory of freedom that Spinoza offers has affinities with what compatibilists such as Hume, Frankfurt, and Dennett among others call alternately liberty, free will, freedom of the will, and so on and so forth.

But unlike most compatibilists, Spinoza does not think that his theory of freedom is sufficient to ascribe to agents moral responsibility as it is commonly understood. Distinct from both incompatibilists and compatibilists, Spinoza holds that moral responsibility has nothing to do with free will. Rather, his social and political philosophy gives a radically different foundation for understanding what moral and legal responsibility is. For Spinoza, as we have seen in Chapter 4, responsibility is not an attribute of individuals, but rather something that can only be understood and justified socially. Because individuals necessarily live in society and political organizations, they, by necessity, are made responsible, thus *responding* to praise and blame, reward and punishment.

Ultimately, Spinoza's unique and clarifying distinction between free will and freedom and his radically different conception of moral responsibility can be helpful in

solving the longstanding compatibility problem of free will and determinism, or at least clarify what is really at stake. Spinoza's answer to the compatibility problem is thus: *free will* as *liberum arbitrium*, or free choice of the will is not compatible with determinism, and is, in fact, an illusion, but *freedom*, as having and acting from adequate ideas is, and that can make all of the difference.

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