

# SPINOZA AND THE REMAKING OF AMERICAN CIVIL RELIGION

## Insights from the Jewish Political Thought and the New Brain Sciences

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It was Spinoza's deep and prescient understanding of the role of the affects in public and political life – insights now borne out by affective neuroscience – that makes a neo-Spinozist contribution to rethinking and reinvigorating American Civil Religion in order to foster broader civic education and engagement so vital and promising. My current project, *Spinoza and the Remaking of American Civil Religion: Insights from the Jewish Philosophical Tradition and the New Brain Sciences*, draws upon my specialization as a scholar of the philosophy of Spinoza and of the Maimonidean philosophical tradition, while also integrating it with my work as a neurophilosopher, in order to contribute to solving a pressing contemporary problem in public life, namely, the urgent need to transmit more effectively – and affectively – to the public at large American founding constitutional ideals, institutional arrangements, and vision of justice. One of the virtues of Spinoza's model is its pluralist vision of the modern democratic polity and its reliance upon a naturalistic account of human nature. While passionately embracing freedom of conscience and democratic pluralism as at the core of the modern liberal polity, Spinoza, nevertheless, argued for the institution of a national civil religion whose principles would encompass and bring together into community the diverse faith communities composing modern societies. Spinoza's aim was to appeal to the heart as well as to the head of the public at large by creating an emotional and symbolic attachment to a polity based on principles of freedom, democracy, and pluralism. While religious particularisms would be privatized, common quasi-religious ceremonies, symbols, discourses, and credos would be developed for dissemination and enactment in the public arena to articulate the liberal principles upon which the modern polity was founded and to offset the illiberal and even at times fanatic tendencies of traditional faith communities. This paper sets forth my project to apply Spinoza's insights to reinvigorating and transforming civil religion in the United States.

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The revolutionary part of [Jefferson's and his fellow founders'] Revolution was at bottom a project of reformation and containment of popular religion. The religion that they had hoped to bring to America – which they slyly construed as all religion – was that which measures piety in terms of doing good rather than believing rightly; ... and that which builds the bonds of community even while robbing the priesthood of its corrupting political influence. In short, they wanted to bestow upon America the blessings of ... that variety of religion that translates into lively metaphors and memorized rituals the radical and essentially atheistic [and Spinozist] philosophy on which the modern liberal state rests.<sup>1</sup>

It was Spinoza ... who first made clear the distinction between the public and private aspects of religion and made the latter the object of a religious right. The public aspect of religion, as he saw it, consists in public ceremonies and the rites that serve to recognize certain socially important transactions, such as births and marriages; the hierarchies tasked with organizing those functions; and in general all the actions or behaviors of the individual insofar as they serve to express piety [and morals] in a public way and relate to objects of the public good. The private aspect of religion consists in the purely inward belief of individuals together with whatever private expressions they undertake in order to advance their personal piety. ...[W]hile the state assumes a monopoly over public religion, it guarantees a complete freedom to individuals with respect to private religion.<sup>2</sup>

In the *Tractatus Theologicus-Politicus*, Spinoza aimed to reinterpret the Bible in such a way that it could be used as the basis for a civil religion that provided a moral foundation for a modern liberal polity inclusive of the full range of communities of Protestants, Catholics, and Jews. Spinoza argued that the Bible could effectively be used as the founding constitution of such a modern multi-religious democratic liberal society insofar as its basic message could be pared down to a simple set of broad, perhaps even universal, moral principles, along with the narrative and symbolic and ceremonial means of their transmission. Moreover, since the Bible was the common and central authoritative foundation for each and every European community and society, its secular recruitment to be reinterpreted as a broad-based civil religion promoting a basic

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<sup>1</sup> Matthew STEWART, *Nature's God: The Heretical Origins of the American Republic*, WW Norton, New York and London 2014, p. 420.

<sup>2</sup> *Ivi*, p. 415.

morality, on the one hand, and the political values of a modern liberal system of justice, on the other, could be sure to evoke for the modern liberal state the loyalty, obedience, and devotion associated with its historic, albeit partisan and denominational, sacred uses. What was needed to recruit the Biblical texts as the basis for promoting modern political values and a vision of justice and its institutionalization in the liberal state, in contrast with its use as legitimating various theocratic, illiberal, and premodern ones, was, first, to focus on its overall moral message of Loving the Neighbor, and thereby avoid partisan and particularist denominational appropriations that underlay various clerical power structures. Second, it was to reinterpret the Bible's account of the Ancient Mosaic Hebrew Commonwealth as a blueprint for a modern secular system of justice, with individual rights and responsibilities, a democratic system of the broadest distribution of power with authority and legitimacy always lodged ultimately in the people as a whole; with checks and balances between various branches of government; mechanisms of the prevention of extreme disparities in wealth; and a citizen army. Spinoza also saw in the Bible not only its broad, and potentially unifying, moral message and its model system of government, but also its power to move the masses. Hence it could be recruited, appropriately reinterpreted – or rather when truly understood – as a founding political document that could serve to pave the way from authoritarian and theocratic forms of polity to modern liberal ones that championed freedom of thought and pluralist and democratic institutions while privatizing traditional religious institutions, hierarchies, and their particularist values. Such modern societies could take a page from the Ancient Hebrew Commonwealth, Spinoza proposed, in using quasi-sacred ceremony, story and history, creed, symbol, and song to evoke allegiance to a new common public moral order and set of political rights and values. And this approach, he insisted and argued at length, would be to follow authentically the Ancient Hebrew model rather than to break with it and betray it, as he held the various denominational communities had done in their quest for power over their believers, on the one hand, and competitive triumph over rivals, on the other.

Matthew Stewart rightly argues that:

The separation of church and state that emerges from the early modern revolutions in philosophy and politics does not in fact imply that the modern secular state is or ought to be neutral with respect to religion in every sense of that term. Rather, this separation at least implicitly involves the creation of a certain kind of public religion. This new public religion is indeed tolerant of every religious belief –but only insofar as that belief is understood to be intrinsically private. It does not and ought not tolerate any form of

religion that attempts to hold the power of the sovereign answerable to its private religious belief. ... Spinoza was one of the first theorists to make explicit claims about the nature of the public religion that a modern sovereign state may reasonably promote.<sup>3</sup>

Stewart is also correct in claiming that Spinoza envisioned the modern polity as one in which «obedience to the divine law ... converges with obedience to the civil law» and «the practice of true worship – the exercise of justice and charity – is nothing other than the practice of virtuous citizenship»<sup>4</sup> – a position Stewart goes on to claim was adopted and adapted by the radical American Revolutionaries and Founders. Nevertheless, the hope that instituting and ensuring an enlightened education for its citizens could and would accomplish a broad public transformation toward an Empire of Reason in most of the hearts and minds of the citizens of the modern polity, in this case, of the nascent American Republic, may have been the radical hope of its founders but not one that Spinoza had much confidence in, *pace* Stewart. For Spinoza took to heart the wisdom of Maimonides and the classical Greek and Arabic Jewish philosophical tradition, of which he was the final heir, interpreter, and modernizer, concerning the stubborn irrationality of human beings, and not just of the common people but of the elite and the powerful as well as of the poor and vulnerable. For he was ever inclined to comment that “people, like nature itself, are everywhere the same.” Hence while it may indeed have been true of the American Radical Founders, as Stewart maintains, that their public Deist religious language and doctrines were a nod to more popular religious sensibilities and could and ought to be interpreted as «translations of the core [radical and essentially atheist elite] philosophy into the limited language»<sup>5</sup> of the non-elite, and hence they envisioned for the new American polity «a kind of religious sensibility that, if not the highest expression of reason, is compatible with it»,<sup>6</sup> this does not precisely express or capture Spinoza’s position but is what we might regard as a rather too optimistic reading of it. For Spinoza was rather pessimistic about the fragility of human reason to govern the social and political context, and while he hoped to induce moral action in the public that was *aligned* with what reason would independently recommend, he was more than a bit wary and chary of the possibility of large scale motivation for reason’s sake, even when dressed up in pious words and

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<sup>3</sup> *Ivi*, p. 417.

<sup>4</sup> *Ivi*, p. 418.

<sup>5</sup> *Ivi*, p. 400.

<sup>6</sup> *Ivi*, p. 401.

symbols. His strategy instead was to motivate by appeal to both biblical authority and traditional religious rewards and warnings actions that were indistinguishable from those that the most rational philosopher would undertake for entirely different reasons and from radically different motivations. Hence his public civil religion could not be unpacked as pious ways of appealing to reason but instead as veiled appeals to standard divine power and authority, and hence to the primitive emotions and motivations so engaged, namely, Fear and Hope. Spinoza's modern democratic liberal polity was to rely upon inducing obedience by divine carrot and stick rather than an appeal to any rational and natural understanding however gussied up.

Nevertheless, what Spinoza meant by 'obedience' is not exactly what we mean, since it included and relied upon love as the essential motivation, and not principally fear, as we would expect. He discusses at some length in the *Tractatus Theologicus-Politicus* what he means by 'obedience', offering there a carefully worked out phenomenological account and theory. What obedience amounts to Spinoza conveys to us in a two-word summary in Chapter 17: «loyalty and virtue».<sup>7</sup> The burden, Spinoza tells us, is «to frame such a constitution that every man, whatever his character will set public right above private advantage». «This is the task, this is the toil», Spinoza further remarks.<sup>8</sup> All the emotions that can be evoked to elicit such a response are contributory to what Spinoza calls "obedience".

He writes:

It is not the motive for obedience, but the fact of obedience, that constitutes a subject. Whatever be the motives that prompt a man to obey the commands of a sovereign power, whether it be fear of punishment, hope of reward, love of country, or any other emotion, while it is he who makes the decision, he is nevertheless acting under the control of the sovereign power. ... For whether a man is urged by love or driven by fear ... his action always proceeds from his own intention and decision, [yet] either there can be no such thing as sovereignty and right over subjects or else it must include all the means that contribute to men's willingness to obey.<sup>9</sup>

Hence obedience is not confined to actions undertaken *out of obedience*, that is, *for obedience sake*, but instead includes all actions freely given to the polity out of loyalty

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<sup>7</sup> Baruch SPINOZA, *Tractatus Theologicus-Politicus*, Gebhardt edition 1925, tr. Samuel Shirley, E.J. Brill, Leiden, New York, Kobenhavn, Koln 1989, p. 252. All quotations from the TTP are taken from this translation and edition.

<sup>8</sup> *Ivi*, pp. 252-253.

<sup>9</sup> *Ivi*, p. 261.

and love principally, it turns out and not just as well. Spinoza concludes that to «frame a constitution» that would «exercise control over men’s passions ... [in order] to restrain both rulers and ruled that neither would the latter rebel nor the former become tyrants»<sup>10</sup> it is important to develop a civil religion to contribute to that aim. He takes as his paradigm the biblical Mosaic constitution and polity, reinterpreting it as a model of what amounts to a modern liberal pluralist social democracy. The obedience to be inspired is one that leaves conscience free, promotes free speech, and punishes only actions and never beliefs – all features of the biblical polity as he outlines it. The most successful example of a patriotic love inspired by a civil religion celebrating a polity that honored all the features of a modern liberal society, Spinoza says, was the Ancient Israelite Commonwealth – a claim that he goes on to argue in extraordinary detail in the remainder of chapter 17. In this, Spinoza is making good on his claim earlier in the Treatise, at the end of chapter 3, that the Hebrew state was the greatest example in history of a successful and prosperous polity due to its liberal constitution and the Israelites’ intense loyalty to it and reverence for it. So while «there can never be any government so mighty that those in command would have unlimited power to do anything they wish, ... a state can [nevertheless] be formed so as to achieve constant stability». It does so by ensuring that there are «concessions that sovereign powers should make to their subjects to ensure the greater security and prosperity of the state».<sup>11</sup> Hence, we become aware of the limited nature of the obedience that Spinoza has in mind and his preference for love over fear, patriotism over tyranny. Such grand patriotism was possible because the ancient Hebrew Commonwealth was a democracy in which “all surrender their right on equal terms,” on the one hand, and also, one in which “state civil law and religion ... were one and the same thing,” on the other.<sup>12</sup>

Spinoza describes «the democratic state» as «the most natural form of state, approaching most closely to that freedom which nature grants to every man» so that «nobody transfers his natural right to another so completely that thereafter he is not to be consulted». Instead «he transfers it to the majority of the entire community of which he is a part». With the result that «all men remain equal, as they were before in a state of nature».<sup>13</sup> While it might seem at first blush that the original Ancient Hebrew

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<sup>10</sup> *Ibidem*.

<sup>11</sup> *Ivi*, p. 252.

<sup>12</sup> *Ivi*, p. 255.

<sup>13</sup> *Ivi*, p. 243.

Commonwealth was not democratic in that the Israelite Covenant mandated the transfer of natural rights to God, that is not Spinoza's reading of it. Nor is his reading of its religious character theocratic in the standard sense of governance by religious authority, institutions, and their clerical hierarchy. In both cases, it is quite the opposite, for Spinoza pulls the rug out from under the reader in his use here of a rhetorical and linguistic strategy (which is pervasive in the TTP, a salient example being Spinoza's identification of the power of God with Nature in chapter i) in which a more conservative position is implied by the language but then undermined in the extended discussion that follows. One can observe Spinoza's sleight of hand in the following passage from TTP xvii, which I will quote at some length:

[A]fter their departure from Egypt, the Hebrews were no longer bound by the laws of any other nation, but were free to establish new laws as they pleased, and to occupy whatever lands they wished. For after their liberation from the intolerable oppression of the Egyptians, being bound by no covenant to any mortal man, they regained their natural right over everything that lay within their power ... Finding themselves thus placed in this state of nature, they harkened to Moses ... and resolved to transfer their right not to any mortal man, but to God alone. ... [T]hey all promised, equally and with one voice, to obey God absolutely. ...

It was God alone, then, who held sovereignty over the Hebrews, and so this state alone, by virtue of the covenant, was rightly called the Kingdom of God. ...

However, all this was a matter of theory rather than fact, for in *reality the Hebrews retained their sovereign right completely*, as will become clear when I describe the manner and method of the governance of this state...

*Since the Hebrews did not transfer their right to any other man, but, as in a democracy they all surrendered their right on equal terms, crying with one voice, "Whatever God shall speak, we shall do," (no one being named as mediator), it follows that this covenant left them all completely equal, and they all had an equal right to consult God, to receive and interpret his laws; in short they all shared equally in the government of the state.*<sup>14</sup>

It was only later, after the incident of the Golden Calf and as punishment, that Moses became interpreter of the divine laws and sole sovereign, Spinoza goes on to argue.<sup>15</sup> Hence, the original design of the Hebrew Commonwealth was to be a democracy in which «all shared equally in the government of the state», Spinoza contends.<sup>16</sup> As Susan

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<sup>14</sup> *Ivi*, pp. 254-256. Emphasis mine.

<sup>15</sup> *Ivi*, p. 256.

<sup>16</sup> *Ibidem*.

James puts it: «As long as God continued to be the sole legislator, sovereignty continued to reside with the people».<sup>17</sup>

Moreover, in calling this Ancient Hebrew democratic state a «theocracy»<sup>18</sup> it turns out that Spinoza is actually describing the exact opposite: a state not run by the religious authorities, the clerics, (as we would expect and which is implied by the term) but refers instead to democratically established political leaders who claim and interpret religious language, authority, and scripture to back up the articulated and institutionalized norms, values, and rights of a system of justice of an ancient democracy. In other words, the religion of the Ancient Israelite state was a Civil Religion whose features were the institutions, values, and laws of a democracy that protected and represented all the people, both the powerful and the weak, and limited the acquisition of wealth, among other aspects and rights. It was only after the rebellion of the Golden Calf that both tyranny and clericalism entered the picture with the rise of Moses as in effect a king,<sup>19</sup> on the one hand, and the establishment of the hereditary priestly hierarchy of the Levites, on the other. But the Mosaic rupture and its authoritarian aftermath were not in the original plan of government, Spinoza argues, nor the one moderns should look to for inspiration. For after the death of Moses, religious and political authority split apart in an elaborate system of division of powers and checks and balances, with protection of the property and personal rights of all, rich and poor, with power and authority vested in the people.<sup>20</sup> Moreover, this was a welfare state in which «charity and love towards one's fellow citizen was regarded as a supreme religious duty». «[S]uch an ardent patriotism was kindled in the hearts of the citizens [by this system of democratic governance] that it would never enter into anyone's mind to betray or desert his country; on the contrary, they must all have been of such a mind as to suffer death rather than a foreign yoke».<sup>21</sup> In summation, the Ancient Hebrew Commonwealth inspired a «patriotism [in] the Hebrews [that] was not simply patriotism but piety».<sup>22</sup> Hence, rather than the rule of Church over State, what Spinoza portrays in his detailed description of the Ancient Hebrew Commonwealth instead amounts to

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<sup>17</sup> Susan JAMES, *Spinoza on Philosophy, Religion, and Politics: The Theologicus-Politicus Treatise*, Oxford University Press, Oxford and New York 2012, p. 270.

<sup>18</sup> SPINOZA, *Tractatus Theologicus-Politicus*, p. 255.

<sup>19</sup> *Ivi*, p. 256.

<sup>20</sup> *Ivi*, pp. 257-261.

<sup>21</sup> *Ivi*, p. 264.

<sup>22</sup> *Ibidem*.



a model of a modern liberal polity whose major democratic institutions and other liberal processes and arrangements, values, rights and protections were *sanctified*. Nevertheless, it was not the Ancient Israelite state as a whole, lock, stock and barrel, Spinoza says, that ought to be emulated in modernity but perhaps significant features of it.<sup>23</sup> He makes clear, however, that the liberal democratic state itself, and as such, could, like the biblical polity, be an object of reverence, and worship of God could be equivalent to loyalty and commitment to its institutions and foundational values. Spinoza has in the course of his argument reinterpreted the word “theocracy” to mean a vision and system of political justice and democracy, namely, the one embodied in the Ancient Hebrew Commonwealth as he lays it out. This system of justice and the values it enshrines are what he means by Israelite “religion”! Spinoza puts it succinctly and lays it on the line when he concludes (and I repeat the claim here): «The patriotism of the Hebrews was not simply patriotism but piety».<sup>24</sup> Hence Israelite religion was in essence a *civil* religion of a model polity, one that Spinoza goes on to recommend be emulated but also critically evaluated and modified in and for the modern state. For he advises and warns the reader of the treatise:

As to whether the first state, regarding only its lasting qualities, is a model to be imitated, or whether it is a pious duty to imitate it as far as possible, this will be made clear in the following chapters.<sup>25</sup>

The Israelite “theocracy”, this model of a civil religion, in order to be beneficial and not fanatic, had, however, to limit the type of appeal it elicited and not trade upon extremes of pomp that invited abject submission to tyranny (which Spinoza in the Preface faults the Turks with instituting). As Leo Strauss comments concerning Spinoza’s critique of the Turkish (Ottoman) empire:

A case in point is the Turkish empire. No other empire endured as long or as securely. ... The Turkish empire however is founded on superstition, hence on unreason. ... Once the eyes of the people are opened, it will no longer allow itself to be cheated by illusory good and evil ... then and only then will it throw off theocracy.<sup>26</sup>

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<sup>23</sup> *Ivi*, p. 271.

<sup>24</sup> *Ivi*, p. 264.

<sup>25</sup> *Ivi*, p. 271.

<sup>26</sup> Leo STRAUSS, *Spinoza’s Critique of Religion*, Schocken Press, New York 1982, p. 241.

As Susan James reminds us: «The first thing to remember is that the *Treatise* is only talking about democratically governed republics, and is not trying to justify obedience to any other type of sovereign». <sup>27</sup> Hence Spinoza's description of the Ancient Hebrew Commonwealth is useful only in so far as a civil (political use of) religion, can ground and engage a *moderate* and *rational* patriotic and religious love toward the central features of a modern liberal pluralist social democracy. The use of religion in what Spinoza terms theocracy and we now know to be what in contemporary lingo is called Civil Religion, is necessary in the service of reason in the polity. Strauss puts it well when he writes, «reason [for Spinoza] exercises only little influence on the majority of men. Not reason, but *religion*, teaches the multitude to love one's neighbor». <sup>28</sup> This educative function of religion in and for the state is grasped and articulated succinctly by Étienne Balibar when he writes, «each of the two terms – the State and the individual – “interiorizes” the utility of the other». <sup>29</sup>

In developing his own version of a civil religion that slyly seduced the public at large toward more rational ethical behavior, Spinoza turned to and built upon a Maimonidean strategy, which he modernized. The Few, that is, the small cadre of persons of reason, the philosophers, in a Spinozist liberal modern society, were to feel supported and unfettered since while their actions would conform to its mandates their minds would be free. Nevertheless, they would realize that its foundational myths and stories were a nod to religious myth and that its democratic, yet necessarily coercive, regime appealed to sacred authority and even to miraculous intervention, pro and con. This disparity between the sunnier American Revolutionaries' confidence in the socio-political rewards of instituting broadly a modern rational scientific education versus the Maimonidean-Spinozist more pessimistic assessment of the realistic possibility of instituting society-wide rational, naturalistic (albeit somewhat veiled) enlightenment, presents us with an opportunity for rethinking civil religion in the modern liberal society, contrasting the Jeffersonian hope with the Spinozist caution. Where we come out will depend on our assessment of human nature –and the brain sciences, especially affective neuroscience, are now increasingly weighing in.

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<sup>27</sup> JAMES, *Spinoza on Philosophy, Religion, and Politics*, p. 252.

<sup>28</sup> STRAUSS, *Spinoza's Critique of Religion*, p. 245.

<sup>29</sup> Étienne BALIBAR, *Spinoza and Politics*, Verso Press, London and New York 2008, p. 31.

## 1. Spinoza's Civil Religion for the Modern Democratic Pluralist Society

We can discern what Spinoza is up to by looking at the Seven Universal Principles of Faith for a modern liberal democratic pluralist society that he sets out in Chapter 14 of the *Tractatus Theologicus-Politicus*.<sup>30</sup> Spinoza identifies these as «dogmas of the universal faith», which are «basic teachings which Scripture as a whole intends to convey». They are all directed to one end, he continues, namely, «that there is a Supreme Being who loves justice and charity, whom all must obey to be saved, and must worship by practicing justice and charity to their neighbor». Hence, the Bible itself, and precisely this understanding of the Bible, can and ought to form a public mythic basis for the state, what we today call a Civil Religion. Spinoza further specifies that it is to be a «catholic faith [that] should contain only those dogmas which obedience to God absolutely demands and without which such obedience is impossible». Any further religious beliefs, denominational ones or personal ones, he goes on, are optional and permissible as long as they are privatized and don't interfere with or contravene the public and official Seven. His proposed Universal Tenets of Faith are the following:

1. God, that is, a Supreme Being, exists, supremely just and merciful, the exemplar of the true life. ...
2. God is one alone. No one can doubt that this belief is essential for complete devotion, reverence and love towards God; for devotion, reverence and love spring only from the pre-eminence of one above all the others.
3. God is omnipresent, and all things are open [known] to him. If it were believed that things can be concealed from God ... one might doubt ... the uniformity of the justice whereby he directs everything.
4. God has supreme right and dominion over all things. ... All are required to obey him absolutely, while he obeys none.
5. Worship of God and obedience to him consist solely in justice and charity, or love towards one's neighbor.
6. All who obey God by following this way of life, and only those are saved; others ... are lost. If men did not firmly believe this, there is no reason why they should obey God rather than their desires.
7. God forgives repentant sinners. There is no one who does not sin, so that without this belief all would despair of salvation, and there would be no reason to believe that God is merciful.<sup>31</sup>

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<sup>30</sup> SPINOZA, *Tractatus Theologicus-Politicus*, p. 222.

<sup>31</sup> *Ivi*, pp. 224-225.

That Spinoza intends this summary of biblical principles not only as his reinvention of biblical hermeneutics but as his answer to the role of religion in liberal politics we discover repeatedly in this chapter and elsewhere in the TTP. Spinoza almost rhapsodizes about his proposed model when he remarks toward the end of the chapter: «How salutary this doctrine is, and how necessary in the state if men are to live in peace and harmony, and how many important causes of disturbance and crime are there aborted at source, I leave everyone to judge for himself».<sup>32</sup> Even more telling is his comment that «no one can fail to realize that all these beliefs are essential if *all men, without exception*, are to be capable of obeying God ... for if any one of these beliefs is nullified, obedience is also nullified».<sup>33</sup> And with this comment Spinoza, so to speak, gives away the store, for in it he subtly indicates that, first of all, he is talking about what beliefs are needed to undergird any society so that *all its citizens without exception* will be induced to practice justice and morals, and not just the enlightened rational few. Elsewhere he makes the point explicit that «all men are capable of obedience, while there are only a few – in proportion to the whole of humanity – who acquire a virtuous disposition under the guidance of reason alone».<sup>34</sup> Moreover, all societies must necessarily rely on *obedience* to govern effectively rather on rational understanding, which only a small minority could ever reliably embrace. Hence, obedience depends upon the dissemination of public myths of supernatural authority and divine justice, myths that inspire fear and hope and thus constrain behavior through the socio-political management of emotion and motivation as well as through the direct coercion of law. Political societies, even the most modern, democratic, and pluralist ones that limit organized particular religious communities and privatize clerical authority and denominational beliefs, nevertheless can never depend upon, although they surely must encourage and try to promote, public large-scale scientific education and enlightenment, freedom of thought and independence of mind. For Spinoza insists that «faith demands piety rather than truth, faith is pious and saving only by reason of obedience».<sup>35</sup>

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<sup>32</sup> *Ivi*, p. 226.

<sup>33</sup> *Ivi*, p. 225.

<sup>34</sup> *Ivi*, p. 236.

<sup>35</sup> *Ivi*, p. 225.

Spinoza then elaborates further on this point, which he calls, «the most important part of the subject of this treatise».<sup>36</sup> It is that «between faith and theology on the one side and philosophy on the other there is no relation and no affinity». For «the aim of philosophy is simply truth while the aim of faith, as we have abundantly shown, is nothing other than obedience and piety. Again, philosophy rests on the basis of universally valid axioms, and must be constructed by studying Nature alone, whereas faith is based on history and language and must be derived only from Scripture».<sup>37</sup> Moreover, Spinoza insists that obedience demands the recruitment and carefully limited engagement of fear – as both fear of punishment and awe of authority – to manage the political community. Yet in a modern liberal society that awe and fear must be extremely controlled and highly limited or it will devolve into tyranny on the one side and abject debasement and subjugation on the other. He castigates the Ottoman Turks for just such a use and abuse of civil religion so that its overblown pomp and ceremony contributed to their tyrannical control over the populace.

Nevertheless, despite clear limitations on the civil religion that he envisioned for the modern democratic pluralist society, Spinoza's vision is not Matthew Stewart's Jeffersonian Empire of Reason but, instead, a revival and revision of the Maimonidean call for a politics of divine obedience, one that masks, yet at the same time hints at, what only the philosophical few can rationally discern and embrace, namely, the true intellectual love binding all to all and all to the natural universe. For philosophers could act out of the broad vision of the universe that inspired their intellectual love what a nation at large would do out of more mixed and primitive emotions and motivations. Hence a society at large had to be induced to live justly by obedience elicited by careful and limited doses of Fear and Hope, while philosophers and the enlightened were more capable of living that life insofar as they were freely inspired by their Love of the universe which they gained through true rational and naturalistic understanding. Yet the actions of philosophers, on the one hand, and the general public, on the other, would converge and be indistinguishable, whether performed out of obedience or freely out of love. «[A]ll [the prophets'] moral teaching is in full agreement with reason», Spinoza points out, «for it is no accident that the Word of God proclaimed by the prophets agrees in all respects with the Word of God that speaks in our hearts», which

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<sup>36</sup> *Ivi*, p. 226.

<sup>37</sup> *Ibidem*.

is to say, reason. Only their motives differ, Fear versus Love; Faith and Obedience versus True Understanding. Nevertheless, such a civil religion would leave the mind free for the public and philosophers alike, for it is only actions that are to be judged, as they alone are the proof of obedience, Spinoza insists. Hence, «faith allows to *every man* the utmost freedom to philosophize», Spinoza concludes.<sup>38</sup> Clearly, the more reason, and the less religion, the better. Yet the sad truth of human nature is the fragility and paucity of reason, and the need to appeal in a carefully delimited way to stronger sources of political stability and justice.

To discover how emotion and myth, symbol and ceremony, ritual and creed, that is, the essential constituents of religion, could be brought into the public service of the vision of justice and the moral life that reason and philosophy would independently recommend, Spinoza turned to his great mentor, the twelfth century Judaeo-Arabic philosopher, Moses Maimonides.

## **2. Spinoza's Maimonidean Vision of the Role of Religion in Politics**

Maimonides follows the 10<sup>th</sup> century Muslim Aristotelian philosopher, Alfarabi, in holding that religion, or 'prophecy' as they term it, is a product of the human imagination. It is a natural human mental capacity that involves three kinds of functions: 1. sensory memory; 2. combining and recombining the data of memory; 3. and "imitation", i.e., a "mimetic" and symbolic function. The mimetic symbolic function drives a number of characteristic features of religion: its literary genre as parable and story, its conveying of meaning symbolically and figuratively rather than literally, its occurrence within non-rational states of consciousness in which symbol and image convey meaning, and finally, the wide accessibility made possible and the suasive power unleashed by such figurative language. Maimonides is clear that religion as such is simply a product of the imagination –as are many other human institutions and activities –like art or music or fiction, we would say today and not something *sui generis* or a natural category– when he is writing for his elite philosophical readership in the *Guide of the Perplexed*:

[T]he greater part of the prophecies of the prophets proceed by means of parables; for this is the action of the [prophetic] instrument for this, I mean the imagination. Something

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<sup>38</sup> *Ibidem*.

should likewise be known about figurative uses and hyperboles, for they sometimes occur in the text of the prophetic books.<sup>39</sup>

The Alfarabian tradition of philosophy and political theory did not consider Religion/Prophecy as a natural kind, so to speak, that is, a feature of nature, nor did it explain it in supernatural terms. Instead religion/prophecy was deemed to be a product of the human sensory and perceptive apparatus, and of a rather primitive one, at that. For Maimonides the Imagination was extended to encompass all affective and perceptual operations that were non-rational and hence lowly in the Aristotelian taxonomy invoked. The Imagination's operations of memory and recall set convention, created language, and instituted practical applications of rational principles. And Spinoza added to the Maimonidean model a further feature when he attributed to the imagination the associative character of memory, a kind of memory that creates a shared social and historical world. So there was nothing special for Alfarabi, Maimonides, or Spinoza about the ways the Imagination functioned in Religion in contrast with its operations in other contexts other than the aim to which it was recruited. The claim of recent critical literature that the very category of Religion is of Christian origin and narrowly Christian applicability is bolstered by this entirely different assessment and theory of the nature of religion and its proper public role, an assessment and role that detach the category of religion from any clerical and particularist institutions, their normative claims, and their appeals to supernatural authority, but still leave intact its suasive character and uses. Hence Maimonides' claim that the perfect arena and use for the religious imagination was in politics, first, to sway the masses toward rational ethical behavior, and, second, to convey to the public in simplified form some basic naturalistic scientific concepts and insights, suggests an entirely different assessment of the political uses of religion than any establishment or disestablishment in the modern or any Christian context would suggest. And it was this Maimonidean model that Spinoza adopted almost in toto and even developed further in the same vein.

For Maimonides followed Alfarabi in maintaining that the recruitment of the imagination in the service of reason and justice was crucial to effective leadership, and such leadership was exemplified in the prophets who were as such philosopher-kings,

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<sup>39</sup> Moses MAIMONIDES, *Guide of the Perplexed*, tr. Shlomo Pines, University of Chicago Press, Chicago and London 1963, II: 47, p. 407.

as distinguished from the Ivory Tower philosopher-scientists, like Socrates and Thales. Moreover, for Maimonides, the use of the imagination in governance had to be carefully modulated and monitored so that its use would promote more rational public responses and understandings than its methods might suggest. Hence, he insisted on promoting and promulgating to the Jewish community at large the revision of the divine image toward one that undergirded a more naturalistic causal account of the universe, one that, in turn, would dampen excessive fear and the consequent abject submission induced by the image of an anthropomorphic divine tyrant. And he broadly promoted the public promulgation of rational ethical interpretations of religious rule and rite to curb current and future appeals to supernatural mystery and their all too easy exploitation.

While surely not an advocate of modern liberal democracy or even of freedom of thought, Maimonides nevertheless envisioned the ideal use of the imagination in the polity as curbing the unfettered imagination's very excesses – the fanaticisms, the irrational hysterias, the easy exploitation of the public, as well as its recruitment to mob violence and partisan hatreds. He identified his model polity with its careful engagement of public – what we would call civil – religion for the public good, as the Virtuous City, claiming that Judaism conformed to just such an ideal Farabian model. As the great scholar of Arabic and Judaeo-Arabic philosophy, Shlomo Pines, put it:

[T]here seems to be an indubitable, though a limited, connection between al-Farabi's admittedly very general views on the ideal virtuous city and Maimonides' notion of the Jewish community created by Moses and based on the Torah, which is assimilated to the ideal philosophic city. ...

Maimonides' task is incomparably more difficult [than al-Farabi's whose task it was merely to envision a "non-existent ideal city, which may be brought into being by revolutionary action"]. [Maimonides] has to give a philosophically valid proof that the commandments of Mosaic Law and the beliefs that, according to him, must be professed by every member of the Jewish community (or at least every member who is not a philosopher) qualify this community to be regarded as the ideal philosophic city.<sup>40</sup>

In his Treatise on Logic, Maimonides invented a cognitive category in the service of his rational and political vision: it was that of Necessary Beliefs. In (Guide III, 28) he distinguishes between two categories of belief that Jewish Law calls upon its adherents

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<sup>40</sup> Shlomo PINES, Translator's Introduction, in MAIMONIDES, *Guide of the Perplexed*, pp. xci-xcii.



to accept, namely, rationally true dogmas about God and the universe, on the one hand, and beliefs of great political utility but not literally true, politically necessary beliefs that induce proper action, on the other. These are respectively, rational and imaginative categories of obligatory belief. Into the category of rationally true dogmas about God and the universe, fall the «correct opinions through which the ultimate perfection may be obtained».<sup>41</sup> In other words, only the engagement in the rigorous and rational practice of philosophy and science can approach a more adequate understanding of nature, thereby bringing one as close as humanly possible to the naturalistic understanding of the universe that constitutes the perfection of the human spirit. But that is the province of only those trained in philosophic and scientific methods of inquiry and proof. For everyone else, Necessary Beliefs will more or less have to suffice. Maimonides proposes that «the [Jewish] Law also makes a call to adopt certain beliefs, belief in which is necessary for the sake of political welfare». These are, thus, (politically) “necessary beliefs”.<sup>42</sup>

As I have written elsewhere<sup>43</sup>:

As an example of a necessary belief Maimonides cites that God “has a violent anger against those who do injustice,” a belief that Maimonides says is “necessary for the abolition of reciprocal wrongdoing or for the acquisition of a noble moral quality.” Such an imaginative belief, though literally false, induces obedience to morality and ensures public justice and peace. It is true in some respects but not in others and it contains much truth but not literal truth. When readers of the *Guide*, unlike readers of the *Mishneh Torah* or of the *Commentary on the Mishnah*, come to know Maimonides’ theoretical distinction between the ‘ultimate ends’ and ‘necessary beliefs,’ they revise their understanding of prophecy and prophetic literature. They now realize that not only are the words of the prophets in many cases intended to be taken figuratively rather than literally, but that they are also intended for mass consumption as both popularized truth and also, in the words of Miriam Galston (226), as “politically salutary beliefs [whose aim] is the elimination of injustice in men’s relations with each other and the acquisition of noble moral habits.” In this way, the “imagination appears as the political faculty par excellence,” as Shlomo Pines puts it. The prophetic imagination thus points obliquely to core philosophic truths, which it either represents imaginatively and allegorizes or, instead, states dogmatically, in either case gaining people’s adherence to them by non-rational means. And it also envisions and institutes political harmony by engendering the

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<sup>41</sup> MAIMONIDES, *Guide of the Perplexed*, iii 27, p. 511.

<sup>42</sup> MAIMONIDES, *Guide of the Perplexed*, iii 27, p. 512.

<sup>43</sup> Heidi M. RAVVEN, *Some Thoughts on What Spinoza Learned from Maimonides about the Prophetic Imagination*, in “The Journal of the History of Philosophy”, n. 3 & 4, v. xxix, year 2001, pp. 193-214 and 385-406.

adoption of necessary beliefs that are not true but merely have social utility – they induce the right attitudes (reverence, for example) and actions. There is a sense, however, in which both are categories of the imagination. For *all* mandatory religious beliefs are imaginative in one of these two ways: Either they are figurative and of only practical and moral utility, or else, although they are true, they are nevertheless accepted by the believer only by virtue of being embedded within the imaginative narrative of the biblical text whose appeal is to the imagination and not to rational argument and demonstration. ...

Since Maimonides is principally concerned with defending the truth of the biblical text and of the way of life the Law prescribes, the prophets are argued to be philosophers who have a universally valid basis for their beliefs. He is at pains to show the rationality of the prophets and of the universal wisdom they preach and these depend on the reliability of the prophetic way of knowing. Spinoza's concern, on the other hand, is to reinterpret the biblical text as the basis for a civil religion that promotes a state that cuts across Protestant, Catholic, and Jewish differences. Spinoza aims to show that the Bible ought to be used as the founding constitution of a modern multi-religious society and thus for him it is a work whose import is in its devotion to general ethical suasion and not to either special pleading or scientific and philosophic truths. He is not concerned with validating prophecy but instead with its power to move the masses and thus serve, appropriately reinterpreted, as a founding political document.

We can now determine the status of Spinoza's Seven Universal Principles of Faith: they are what Maimonides identified as Necessary Beliefs for they are not in fact true but are beliefs necessary to induce in some, and in the public at large, right action. Moreover, such use of public religion was deemed by Maimonides – and Spinoza inspired by him developed it even further – as an appropriate and necessary means to produce a *liberalization* towards the creation of a more informed and enlightened and less benighted public and away from the mystifying tactics that undergirded tyranny and the abject submission that supported it. Spinoza, of course, took it further, radicalizing the Maimonidean Judaeo-Arabic medieval model so that it could serve as the basis for a polity that enshrined the democratic distribution of power, religious pluralism, and protected individual freedoms and rights.

So I raise the question here, were both right when it came to the careful political use of public or civil religion – of symbol, story, ritual, myth, ceremony – to convey broadly and appeal to the sacred status of the liberalizing features of the polity itself? I am not, of course, advocating the use of the Bible or any particular tradition's religious texts or ceremonies in a public civic context. The issue I am raising is that of whether Maimonides and Spinoza were right in seeking to engage emotions and social processes via imaginative strategies in the interest of creating and maintaining systems and

practices of justice in the polity. For to leave the imaginative religious public arena to the fanatics, even to the honestly religious, seemed unwise to both Maimonides and Spinoza. (Maimonides even went so far as to call the rabbinic scholars who lacked a philosophic-scientific education and hence retained a supernatural worldview, the Ignoramuses of the Law, and he visited upon them the worst of his vituperations!) I would argue that we are confronted now with all too much evidence that the Empire of Reason needs a more robust Empire of the Imagination in the Service of Reason than the American Revolutionary Founders had hoped would be necessary. And, in fact, in their philosophies both Maimonides and Spinoza never eschewed emotion and affect but set out to train affect, even for philosophers and not just for the general public, in the service of reason. For Maimonides, it was the deeply passionate love of the philosophic and scientific investigation of nature, a passionate, or more precisely, an *affective* feature of Reason itself that he termed the intellectual love of God, which alone was capable of transforming the human heart toward spontaneous moral motivation. Spinoza, in adopting precisely Maimonides' phrase and concept, nevertheless, took it further, arguing that the bodily basis of cognition could never be overcome, and hence imaginative embodiment and its affective expression were always and necessarily features of all thinking, yet in need of disciplined engagement in the service of true discovery and logical proof. That rational disciplining and focusing of the imagination would render it both realistic and universal in perspective and concern (love), yet no less affectively motivating. For Spinoza, in contrast with Maimonides, mind and body are one thing described in two ways, a theory which has been dubbed Dual Aspect Monism, and hence the bodily (including the Imagination) can never be overcome.

A perusal of current discoveries in the new brain sciences, particularly some in Affective Neuroscience, the neurobiology of the emotions, would seem to bear out such a claim, for reason is too fragile a foundation upon which to rest moral and political decision-making and choices. It may be necessary to deliberately and pointedly set up ways and means to engage the emotions, passionate motivation, not just cool reason, in the service of rational justice. Antonio Damasio's investigations of people who suffered neurological injuries to their emotional capacities while retaining their cognitive capacities intact, bear this out, for example, insofar as those without normal affect, counter to expectations, could not engage in moral decision-making –or

in any effective decision-making.<sup>44</sup> Moreover, other discoveries in neuroscience reveal that the emotions amount to action-priming systems which means that they are vital components of behavior induction and hence ought to be carefully paid attention to and managed. Discoveries about the extraordinary and unanticipated power of situations, of contexts, and of groups to shape individual decisions, choices, and actions<sup>45</sup> suggest that it is not just the thinking and motivations of individuals, albeit in aggregate, that need to be addressed but *group* motivations and affects – as Spinoza anticipated in his discussion of the vital importance of addressing and influencing what he called the Group Mind in his *Political Treatise*.<sup>46</sup> All these recent discoveries lend support to the view that we who are concerned about the state and fate of liberal societies would be well-advised to rethink how what Maimonides and Spinoza called the “imagination” – which is to say, affective processes, symbolic practices and discourses, and group dynamics – can be systematically recruited and engaged (rather than ignored and belittled) in civil religion, and perhaps in other ways, in the service of bolstering democratic, pluralist, and free societies and institutions. I am not, of course, recommending either Spinoza’s or Maimonides’ renditions of Tenets of Faith for America. What I have in mind, instead, are ceremonies and rituals that inform our lives with the founding documents of America –the Declaration of Independence, the Constitution, and especially the Bill of Rights. Perhaps we need something like a weekly service in which, rather than reading the Bible, we read core American and Enlightenment texts –What about Jefferson’s Bible, for example, from which all supernaturalism had been expunged? Speeches of the Founders, of the Abolitionists, of the Suffragists, of Lincoln and FDR, of Martin Luther King, and others? What about more formalized pilgrimages to sites of national importance? How can we ceremonially and ritually include these and others such sources and rituals in our collective life as a nation? I think of how the Torah is read in the synagogue each week or how Muslims go to the mosque to pray five times a day. In addition, how can we update our sources and symbolic practices to include voices and culturally resonant rites of all the

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<sup>44</sup> Antonio DAMASIO, *Descartes’ Error: Emotion, Reason, and the Human Brain*, Penguin Books, New York 2005.

<sup>45</sup> Heidi M. RAVVEN, *The Self Beyond Itself: An Alternative History of Ethics, the New Brains Sciences, and the Myth of Free Will*, The New Press, New York 2013.

<sup>46</sup> Baruch SPINOZA, *Political Treatise*, in Michael L. MORGAN (ed.), *Spinoza: Complete Works*, tr. Samuel Shirley, Hackett Publishing Company, Indianapolis and Cambridge 2002, chapter ii, 16 and 21 pp. 687 and 688.

immigrant communities and cultures that our nation encompasses? I want to begin with creating new rituals, readings, songs perhaps, symbolic actions, a liturgy of sorts, for the 4<sup>th</sup> of July. Then test drive it, pilot it, in several diverse communities and then revise it together with advice from those communities. Let's try it out and see what happens.

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