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The Young Spinoza  
A METAPHYSICIAN IN THE MAKING  
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## Spinoza's Lost Defense

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I begin with a fact which is not in dispute:<sup>1</sup> that in his *Dictionary* article on Spinoza, Bayle claimed that Spinoza had composed, in Spanish, a defense (*une apologie*) of his departure (*sortie*) from the synagogue, that this work was never printed, but that Spinoza put in it many of the things which subsequently appeared in his “pernicious and detestable” *Theological-Political Treatise* (henceforth, the TTP).<sup>2</sup> Bayle was not the first to make these claims—only the best-known author of his day to give credence to a story which originally appeared in a work by Salomo van Til, his *Voor-hof der Heydenen* (1694).

Van Til's report of the defense is the earliest we have. Though brief, it is also the most informative:

Then this opponent of religion was the first to dare to overthrow the authority of the books of the Old and New Testament, and attempted to show the world how these writings had been repeatedly altered and transformed through human effort (*vlijt*), and how it had been possible to raise them to a reputation of godliness. He had collected detailed objections of this kind in a Spanish treatise against the Old Testament, under the title ‘A Defense of my Departure from Judaism.’ But on the advice of friends he suppressed this writing and undertook to introduce these ideas somewhat more skillfully and briefly (*behendiger en spaarsamer*)

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<sup>1</sup> This is a revised version of a paper presented at the conference on “The Young Spinoza” at Johns Hopkins University, on September 18, 2011. I'm indebted to Steve Nadler for passing on a copy of the article by Van der Tak cited below, and for communicating his thoughts on some of the issues I discuss here, and to the participants in the conference for their questions in the discussion. In citing Spinoza's works I give the volume and page numbers of the Gebhardt edition. For the TTP I also give the chapter and Bruder paragraph number.

<sup>2</sup> See Pierre Bayle, *Historical and Critical Dictionary*, art. “Spinoza,” pp. 292–293.

in another work, which he published under the title *Theological-Political Treatise* in 1670.<sup>3</sup>

The story of a lost defense also appears in other early sources. For example, Colerus tells us that Spinoza wasn't present at the excommunication, and wrote his defense in response to having received a written copy of the ban. He also tells us that he tried to locate a copy of the defense and was unable to.<sup>4</sup> It's unclear what Colerus's source for this information is. In one of the two passages where he talks about the defense, he mentions Bayle. But he can't be depending only on Bayle, since some of what he tells us—that Spinoza was not present at the excommunication, and wrote his defense in response to that event—is not in Bayle.

Apart from Van Til, I think the most interesting early source is Halleman's travel journal, which tells of a visit to Spinoza's publisher, Rieuwerts, who claimed that after Spinoza died, he published everything of Spinoza's he could find

except a large work which Spinoza had written against the Jews, which treated them very harshly. Spinoza already had this finished before the *Theological-Political Treatise*, and he let it lie unpublished, from which they concluded that he did not want it published. He (Rieuwerts) had had the ms., but he let someone else have it.<sup>5</sup>

There's been some skepticism about the existence of this lost defense. Sigmund Seeligman called the stories about it "fables." And W. G. van der Tak, to whom I'm indebted for the information about Seeligman, was also dubious about its existence.<sup>6</sup> So was Steven Nadler in his recent biography.<sup>7</sup>

On this issue, however, I'm a believer. I take Halleman's report to provide strong confirmation of Van Til's claims about a lost defense. He says Rieuwerts told him he had once possessed a manuscript of this work. I assume Halleman is reporting accurately what Rieuwerts said, and that Rieuwerts is a reliable source. Halleman's report also contains information

<sup>3</sup> See Carl Gebhardt and Manfred Walther, *Spinoza—Lebensbeschreibungen und Dokumente*, p. 234, my trans. There's some question about how to translate Van Til's report. Van der Tak (p. 504) suggests that an accurate paraphrase of *behendiger en spaarsamer* in Dutch would be: *gematigder en voorzichtiger* (i.e., as I take it, "more moderately and more carefully (or cautiously).") Though most of the translations I've seen (Revah, Gebhardt, Nadler) have something more like what I give in the text, Van der Tak's suggestion is worth keeping in mind. I don't think it would affect the main points of this chapter if he is right.

<sup>4</sup> *Spinoza—Lebensbeschreibungen und Dokumente*, pp. 84–85 and 93.

<sup>5</sup> *Spinoza—Lebensbeschreibungen und Dokumente*, p. 103. The editors' annotation identifies this "large work" as the "Apology." Revah (p. 35) thinks that it may have been a different work, an augmented version of the "Apology," written in Latin.

<sup>6</sup> "Spinoza's Apologie," *De Nieuwe Gids*, 1933, pp. 499–508.

<sup>7</sup> *Spinoza, A Life*, 132–133. Nadler tells me in personal correspondence that he's now less inclined to be skeptical.

we don't find in any of the earlier reports: that the defense was a large work, and that it treated the Jews very harshly. This last information might explain why the defense was never printed, and perhaps never even given to the leaders of the synagogue who had been responsible for the excommunication.<sup>8</sup> Spinoza may have written it in the heat of the moment, and when his anger cooled, decided not to make it public, postponing any discussion of these topics until another day, when he could treat the matter more dispassionately. Hallemann's report also suggests a reason why Rieuwerts might not have thought it essential to preserve the manuscript: he thought Spinoza hadn't wanted the work published, because the TTP superseded it, and perhaps also because, on calm reflection, he did not want to treat his former co-religionists as harshly as he originally had. Under those circumstances, Rieuwerts might well have felt that there was no reason to preserve the earlier work. If that's true, it's a pity.

I'll proceed in this chapter on the assumption that the early reports are substantially correct: that Spinoza did once write a defense of his departure from the synagogue which was at least roughly like what the early reports would lead us to expect. And I propose to try to reconstruct, as well as our sources permit, what is likely to have been in that lost defense. You might ask, "How can you possibly do that?" The short answer: we are not without resources. Since the work of Revah, we've had some reasonably good information about the grounds for Spinoza's excommunication. The information is good insofar as it's fairly reliable, I think, but not so good insofar as it's rather sketchy and in some respects inconsistent. Nevertheless, taking that information as our starting point, and using Van Til's hint that some of what Spinoza said in his defense later appeared in the TTP, we can try to reconstruct some of the probable contents of the defense. It seems safe to assume that Spinoza's defense would have responded to the main charges against him, and that passages in the TTP relevant to those charges would give us some idea of the sort of thing Spinoza is likely to have said in his defense. I would not claim that the Spinoza of 1656 had worked out his views on these issues as fully and adequately as the Spinoza of 1670 had. Probably there would have been some development in his thinking between these two dates. After all, his thought certainly developed considerably between the *Short Treatise* and the *Ethics*. But I would expect the main lines of the defense of 1656 to be broadly similar to what we find in the TTP regarding these religious issues. If we find that there's material in the TTP which addresses the charges made against Spinoza, that will tend to confirm the

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<sup>8</sup> See Nadler, p. 124. If we adopt Van der Tak's paraphrase of Van Til's report, Hallemann's statement that the lost defense treated the Jews very harshly may explain why Van Til reported that the TTP was "more moderate and cautious" than the lost defense. Some Jews, however, have felt that even in the TTP, Spinoza was quite harsh in treating his former co-religionists. See Leo Strauss, Preface to *Spinoza's Critique of Religion*.

early reports of a lost defense and will give us a reasonable conjecture about what it's likely to have contained.

Revah's sources about the grounds for the excommunication were two Hispanic travelers who visited the Netherlands in the late 1650s and who, after they returned to Spain, gave depositions to the Inquisition about their encounters with Spinoza and other freethinkers during that visit. Because there was a fairly large community of Spanish and Portuguese expatriates in the Dutch Republic, some of whom were apt to travel back to the Iberian peninsula or communicate with people there, the Inquisition had a keen interest in knowing what was going on in the Dutch Republic, which had achieved its independence from Spain only relatively recently. I don't think we have properly appreciated how much contemporary Spinoza studies owe to the Inquisition. We're indebted to it not only for the best evidence we have about the grounds for Spinoza's excommunication, but also for the only manuscript copy we have of Spinoza's *Ethics*.<sup>9</sup> It was probably not the Church's intention to further the study of Spinoza's thought. But that has been, for us, a happy consequence of its curiosity.

According to the first of these informers, Father Tomas Solano, the excommunication involved three charges, made against both Spinoza and a friend of his, Juan de Prado, a Spanish expatriate living in the Netherlands, whom the congregation had excommunicated only the day before they excommunicated Spinoza:

1. That they believed that God only exists philosophically;
2. That they believed that the soul dies with the body; and
3. That they believed that the law of Moses is not true. (Revah, p. 32)

That's what Solano says early in his deposition. A bit later he repeats the first two charges, but gives a different version of the third charge:

- 4) That they believed they did not need faith. (Revah, *ibid.*)

The second informer, one Captain Miguel Perez de Maltranilla, gives a less detailed account. He says only that Spinoza and Prado had been Jews, and had professed the law of the Jews, but that they had separated themselves from it because

5. they believed that the law was not good and was false. (Revah, p. 33)

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<sup>9</sup> See Leen Spruit and Pina Totaro (eds.), *The Vatican Manuscript of Spinoza's Ethica*. It appears that Niels Stensen had acquired this ms. from Tschirnhaus, and that he passed it on to the Congregation of the Holy Office in Rome because he was concerned about the danger that Spinoza presented to Christianity. From there it eventually made its way into the Vatican Apostolic Library, where it was discovered only recently.

Can we trust these sources? After all, they were informers to the Spanish Inquisition, a class of people who do not, as a rule, have a good reputation for telling the truth.<sup>10</sup>

I grant the point. But there are at least a couple of ways in which we might try to satisfy ourselves that they're telling the truth in this case. Revah did it by exploring the Marrano milieu of seventeenth-century Amsterdam and seeing whether the ideas the informers attributed to Spinoza and Prado were characteristic of heterodox thinkers in that world. His results should go some distance toward eliminating any unease we might feel about relying on their reports. I propose to follow a different route: seeing to what extent we can find in the TTP expression of, and justification for, the theses the informers claimed were grounds for Spinoza's excommunication. To the extent that we have independent grounds for thinking that these are the kind of thing Spinoza might well have said—making allowance for some possible distortion of his views in their reports, arising from lack of understanding—then it will be that much more reasonable to give their reports credence.

Let's take first the proposition that God only exists philosophically. What does that mean? I suggest it means that the most accurate conception of God, perhaps the only conception on which we have good grounds for affirming God's existence, is the philosophic conception of God as a supremely perfect and absolutely infinite being. A definition of God along those lines was certainly common among philosophers in the seventeenth century. That's roughly the definition that Descartes favored in the *Meditations*.<sup>11</sup> It's also roughly the definition Leibniz proposed in his *Discourse on Metaphysics* as "the most widely received and the most significant notion we have of God."<sup>12</sup> And it's exactly the

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<sup>10</sup> Trusting their testimony raises other issues besides the simple matter of truth-telling. Any teacher who's had to grade exams in which her students were expected to give an account of what she said in lecture will know that defects in her students' understanding of the material can produce some strange results. So I think there are some aspects of their depositions which deserve our skepticism. For example, Solano's report says that the synagogue expelled them because, though Spinoza and Prado had both professed the law of Moses, they both "ended in atheism" (Revah, p. 32). In the writings we have from him, Spinoza always rejected, hotly, the accusation of atheism—see, for example, Letter 30, G IV/166, or 43, G IV/219b–220b. It seems extremely unlikely that he would have described himself to Solano in this way, but not at all unlikely that Solano would have interpreted a rejection of the biblical God as atheism. Christians are quite prone to think that rejecting the existence of God *as God is conceived in Christianity* amounts to atheism pure and simple.

<sup>11</sup> "Roughly" because the formulas Descartes uses at the most critical points—"a supremely perfect and infinite being" (in the Third Meditation, AT VII, 46) and "a supremely perfect substance" (in the Second Replies, AT VII, 162)—are not exactly the same as Spinoza's formula. But they're clearly very close. Descartes would certainly agree with Spinoza that God is *absolutely* infinite, that is, that he has infinitely many attributes, each of which is infinite in its own kind. That's why he thinks we can't define God by enumerating his attributes. See my "Analysis in the *Meditations*: The Quest for Clear and Distinct Ideas." It's no small advantage of this definition, in Descartes' eyes, that it makes possible the ontological argument.

<sup>12</sup> Leibniz's formula (in his *Discourse on Metaphysics*, §1) is that God is best defined as "an absolutely perfect being."

definition Spinoza himself invokes, in Letter 2 (G IV/8), when he argues that from this definition we can derive a definition closer to the one he would later give in the *Ethics*, that “God is a being consisting of infinite attributes, each of which is infinite, or supremely perfect in its kind” (G IV/7). Although Spinoza may have a preference for this latter formula, which he thinks makes it easy to demonstrate the existence of God, I believe he thought the two formulas were equivalent. (At the very least, he thought that the common philosophical definition entailed his own.)

To hold that the philosophers’ definition—a definition emphasizing God’s supreme perfection—provides the best way of conceiving God is, arguably, to reject the scriptural conception of God. For in spite of the popularity of that definition of God among Christian philosophers, someone who just looked at the Jewish and Christian Scriptures, and tried to form a conception of God solely on the basis of those texts, would not easily arrive at the philosophers’ formula—hence the contrast Pascal drew between the God of the philosophers and the God of Abraham, Isaac, and Jacob.<sup>13</sup> Spinoza draws the same contrast in the TTP, though his allegiance is different. The prophets, he argues, did not conceive of God as a supremely perfect being. One of his central conclusions in that work is that their prophecies

varied according to the opinions the prophets embraced, and that they had various, and indeed, contrary, opinions, as well as various prejudices . . . about purely speculative matters. . . . Prophecy never rendered the Prophets more learned, but left them with their preconceived opinions. So we are not at all bound to believe them concerning purely speculative matters. (G III/35 | ii, 24)

Spinoza promises to argue this “carefully and in great detail,” because he thinks the matter is of great importance. He then proceeds to give numerous examples of passages in which the prophets conceived of God as imperfect in some way: for example, Adam seems not to know that God is omnipresent and omniscient (G III/37 | ii, 32); Abraham seems not to know that God foreknows all things (G III/37–38 | ii, 34); and even Moses, who was supposed to have a clearer knowledge of God than any other prophet (Numbers 12:6–8, Deuteronomy 34:10), did not have an adequate conception of God, believing that he is corporeal and visible, that he is subject to such affects as compassion, kindness, and jealousy, and that he has his dwelling place in the heavens (G III/38–40 | ii, 35–45).

So far this is an old story. Maimonides had begun his *Guide of the Perplexed* with a lengthy discussion of the many passages in the Bible which, on a naive reading, say or imply that God is a being who has human qualities, many of

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<sup>13</sup> See “Le Mémorial,” 43.



which involve his being corporeal, others of which involve his being imperfect in other ways. Maimonides' solution was: *don't read the Bible naively*. "The Torah speaks in the language of the sons of man" (*Guide* I, 29), that is, it adapts what it says about God to the human understanding, describing God in terms which reason tells us are not literally accurate, but which have the advantage that they can be understood by ordinary men, who are not philosophers. Reason demonstrates, for example, that God is incorporeal. So the Bible should not be taken literally when it seems to say or imply that he is corporeal. When it does that, it is accommodating its teaching to the intellectual deficiencies of its audience. Non-philosophers are not capable of grasping the philosophical conception of God, which, as Maimonides presents it, is even more austere and remote than Spinoza's conception.<sup>14</sup> So the prophets speak of God in a language they can understand, but which is not, and is not meant to be, an accurate description.

By the time Spinoza wrote the TTP, he had a well-worked out position on this issue.<sup>15</sup> He denied that Maimonidean rationalism gives us a viable principle for interpreting Scripture. If Maimonides were correct, the common people, who have no knowledge of philosophical demonstrations, and lack the time to study them, would be unable to understand Scripture properly. Lacking philosophical knowledge, they would not know when to take Scripture literally, and when to take it figuratively—not, at least, without relying on the authority of philosophers to make that distinction for them. This is true of the common people of our own time, and even more true of the common people of ancient Israel, who lived at a time when philosophy was not well cultivated. I would guess, but cannot prove, that Spinoza had the key elements of this response worked out in 1656. In any case, the question of Scriptural anthropomorphism, and the proper way to understand it, must have exercised him at an early age. This is the easiest, most obvious objection to the scriptural conception of God, and an objection which must have been discussed when Spinoza was studying the Bible with his teachers.

But I think Spinoza's criticism of Scripture goes deeper than these objections to anthropomorphism. In the TTP he argues that Scripture really has no coherent conception of God. We've seen this claim already in the passage quoted above (G III/35 | ii, 24). The prophets are inconsistent in what they say about God. Among the examples Spinoza uses to support this claim are Ezekiel, who contradicts the Decalogue when he denies that God visits the sins

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<sup>14</sup> Maimonides holds that we must not predicate anything of God which implies any multiplicity. This means that we cannot describe him by means of any affirmations, except those which ascribe actions to him. The best description of God is by means of negations: he is not this, he is not that. Cf. *The Guide of the Perplexed*, I, 50–60.

<sup>15</sup> See his discussion of Maimonides in G III/113–116, vii, 75–87. See also G III/ 100–101 | vii, 18–22.

of the fathers upon their children, and Jeremiah, who contradicts Samuel when he allows that sometimes God repents of his decrees.<sup>16</sup>

Perhaps the most fundamental contradiction Spinoza alleges concerns a proposition often thought to be at the heart of Judaism, its affirmation of monotheism. "Hear, O Israel: The Lord our God, the Lord is one."<sup>17</sup> So begins one of the most familiar passages in the Hebrew Bible, a passage often understood as a clear affirmation of the uniqueness of God. These are supposed to be the words of Moses. And yet, Spinoza argues, Moses was no monotheist. Spinoza does not have the term that critical biblical scholars would now use to characterize Moses's position—*monolatry*—but he recognizes the facts which ground that classification. That is, Moses believed in a plurality of gods, among whom there was only one whom the people of Israel ought to worship. So when Moses asks, in Exodus 15:11, "Who is like you, O Lord, among the gods?" this is an expression of what is ultimately a polytheistic view.<sup>18</sup> God is uniquely powerful, greater than all the other gods. And therefore, he alone is to be worshiped—at least by the people of Israel, whom he led out of bondage in Egypt, and whom he is specially concerned to protect. But he is not the only god. Not on Moses' conception of things. And if there are other passages in Scripture which are unequivocal affirmations of monotheism—as there are, for example, in Isaiah<sup>19</sup>—that merely demonstrates the impropriety of speaking of *the* scriptural conception of God. There is no coherent conception of God in Scripture. It follows that Scripture offers no viable alternative to the God of the philosophers.<sup>20</sup>

<sup>16</sup> See G III/41–42 | ii, 49–50, citing Ezekiel 18:14–20 (which *prima facie* contradicts Exodus 20:5), 1 Samuel 15:29, and Jeremiah 18:8–10.

<sup>17</sup> Deut. 6:4. The passage is variously translated. I have adopted the option which seems most clearly to favor a monotheistic reading.

<sup>18</sup> See G III/38–39 | ii, 36–40, citing also Exod. 18:11, Deut. 10:17, Deut. 32:8–9, and 2 Chron. 32:16–19. At this point in his argument, Spinoza does not question the traditional view that Moses was the author of the Pentateuch. His view of "Mosaic" theology is now standard among critical biblical scholars, who typically hold that true monotheism did not emerge in Israel until the post-exilic period, in Second Isaiah. See, for example, Michael Coogan, *The Old Testament*, 304–305, 412–414, or James Kugel, *How to Read the Bible*, 243–247, 560–561.

<sup>19</sup> See, for example, Isa. 45:5, 43:11, 44:6.

<sup>20</sup> I note that in III/102–103 | vii, 27–28, Spinoza says that *all* the prophets teach that a unique and omnipotent God exists, who alone is to be worshipped, who cares for all, and who loves above all those who worship him and who love their neighbor as themselves. This might well be taken as claiming that all the prophets were monotheists. At a minimum it implies that on certain fundamental points, at least, the prophets shared a consistent conception of God. This passage should be compared with G III/165 | xii, 36.

This may be a case where we should apply Strauss's rule: where we find Spinoza contradicting himself, the statement contradicting the more orthodox view must be regarded as expressing his true view (cf. Leo Strauss, *Persecution and the Art of Writing*, 177). But I'm not sure that vii, 27–28, is strictly incompatible with what Spinoza says about the prophets in III/35–43 | ii, 24–53. If all Spinoza is saying in these passages is that there were some fundamental points on which all the prophets were agreed, then he could consistently add that on some points they did not agree,

That there are these contradictions in the Hebrew Bible—or, to put it a bit more diplomatically, that there are many passages in the Bible which *seem* contradictory to one another—would not have been news to the members of the Talmud Torah congregation, not if they were familiar with one of the best-known works of one of their most distinguished rabbis. In 1632 Manasseh ben Israel had published in Spanish a work he called *The Conciliator*, which claimed to identify all the passages in Scripture which seemed contradictory to one another, and to show that they weren't really contradictory. This work was translated into Latin in the following year, and was highly regarded in its day. In the nineteenth century it was still thought worth the labor of an English translation, and in the twentieth century that English translation was thought worth reprinting.<sup>21</sup>

Having worked closely on the TTP for many years now, I find it inconceivable that Spinoza was not quite familiar with Manasseh's work. He never cites Manasseh. But citing his opponents is not something Spinoza often does in any case. So I don't think that's much of an objection. He does often refer to the opinions of the commentators Manasseh cited (usually without identifying them). And he regularly discusses problems that Manasseh discussed, and regularly rejects the solutions that Manasseh proposed. I think that for the young Spinoza, Manasseh provided an introduction to the rich tradition of Jewish commentary on the Scriptures, which at some point, probably well before his excommunication, Spinoza immersed himself in. I cannot try to prove that here. But I will note that Manasseh discusses *all* the putative contradictions I mentioned earlier.<sup>22</sup>

If the existence of apparent contradictions in Scripture was well known in the synagogue, then in addressing that audience, Spinoza would probably not

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so that we cannot generally treat them as reliable guides to speculative truth. A crucial question, which I will not attempt to decide here, is what's implied by Spinoza's use of the term "unique" (*unicus*) in vii, 27. Does it imply that the God of Israel is the only god? Or does it merely imply that he is set apart from all other gods by his supreme power or some other attribute?

<sup>21</sup> Manasseh ben Israel, *The Conciliator*.

<sup>22</sup> E.g., at Manasseh ben Israel, *Conciliator*, I, 164–167, he discusses the contradiction between Exod. 20:5 and Ezek. 18:20; in Manasseh ben Israel, *Conciliator*, II, 200–201 he discusses a pair of texts dealing with the problem of God's repenting of his decisions (though the conflict he treats is between Jer. 18:7 and Jer. 28:9); at Manasseh ben Israel, *Conciliator*, I, 300 he discusses a pair of texts which raise the issue of polytheism vs. monotheism (though the texts are not the ones I mentioned, but Deut. 32:39 and Ps. 95:3). For the general proposition that as he was growing up, Spinoza immersed himself in traditional Jewish biblical commentary, see, in addition to the passage cited above from TTP ix, 31, the preface that Spinoza's close friend, Jarig Jelles, wrote for the edition of his posthumous works: "from his childhood on the author was trained in letters, and in his youth for many years he was occupied principally with theology; but when he reached the age at which the intellect is mature and capable of investigating the nature of things, he gave himself up entirely to philosophy. He was driven by a burning desire for knowledge; but because he did not get full satisfaction either from his teachers or from those writing about these sciences, he decided to see what he himself could do in these areas. For that purpose he found the writings of the famous

have thought it enough merely to call attention to them. He would probably have felt the need to say something about the received way of dealing with them. He might, for example, have pointed out that, in spite of Manasseh's claim to explain away all the prima facie contradictions in Scripture, he does not in fact discuss *all* of them. If we may judge by the attention he gives it in the TTP, one stretch of text Spinoza might well have cited is the story of Jacob and Joseph. In Chapter IX he comments that this whole story "is so full of inconsistencies that it must have been culled from different historians and copied out" without regard to consistency. (G III/130–131 | ix, 12)

Here are some of the problems: in Genesis 35:10, Jacob is told that he will no longer be called Jacob, but henceforth, Israel. But after this he continues to be called Jacob—not consistently, but quite frequently.<sup>23</sup> Again, when the brothers deliberate about what to do with Joseph, one of the brothers persuades the others not to kill him. But which brother is it, Reuben (37:21–22) or Judah (37:26–27)? Who is it who sells Joseph to the Egyptians, the Ishmaelites (37:28) or the Midianites (37:36)? Who is it, later in the story, who provides surety for Benjamin's safe return to his father, Reuben (42:37) or Judah (43:8–9)?

These are questions which might very naturally occur to a bright young reader of Genesis, even if he has not yet achieved philosophical sophistication.<sup>24</sup> Manasseh discussed the first of these problems, but not the last three. And his solution to the problem he does discuss is not very satisfying. When he takes up the problem of Jacob's name, his solution, essentially, is that the text doesn't mean what it says:

When the angel<sup>25</sup> said, "Thy name shall not be called any more Jacob," it is not to be understood that he entirely took away that name from him, but that the name of Israel should be the principal and superior, and that of Jacob inferior and accessory.<sup>26</sup>

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René Descartes, which he came upon at that time, very useful." See the critical edition of this text in Akkerman, *Studies in the Posthumous Works of Spinoza*, 216–217.

<sup>23</sup> So, for example, he is Jacob in Gen. 35:20, Israel in 35:21–22a, Jacob in 35:22b, Jacob in 37:1–2, Israel in 37:3, and so on.

<sup>24</sup> Later in Chapter IX, after a lengthy discussion of chronological problems in Scripture, Spinoza will write: "If anyone thinks that I'm speaking too generally here, and without adequate foundation, I ask him to show us some definite order in these accounts, which historians could imitate without fault in their chronologies. And while he's interpreting them and trying to reconcile them, let him strictly respect ordinary idioms and ways of speaking, and ordinary ways of organizing and connecting statements, and let him explain them in such a way, that we too could imitate them in our writing, according to his explanation. . . . I confess that although I've long sought such an explanation, I've never been able to find anything like it. *I add that I write nothing here which I haven't thought about long and hard. Although from childhood I was instructed in the common opinions concerning Scripture, nevertheless, in the end I couldn't but help but admit these things.*" (G III/135 | ix, 31, my emphasis) This statement is of the first importance for the study of Spinoza's development.

<sup>25</sup> The reference to an angel is puzzling, since Gen. 35:10 attributes these words to God. Perhaps Manasseh is thinking of the earlier version of the story in Gen. 32:22–32, where the identity of the speaker is unclear. It may be a man, or God, or an angel.

<sup>26</sup> Manasseh ben Israel, *The Conciliator*, I, 83.

He gives no textual reason for thinking that the angel made this distinction and makes no attempt to show that it explains the pattern of name use.

By the time Spinoza wrote the TTP, I think he would have said that Manasseh is hampered in his treatment of these problems by a false, but fundamental, assumption. He assumes that because the Bible is “in the highest degree true, it cannot contain any text really contradictory of another.”<sup>27</sup> So wherever there is something that looks like a contradiction between two or more texts, this must be a false appearance, and the reader’s (or interpreter’s) job is just to determine how to reconcile the texts.

At the beginning of the TTP, Spinoza announces that he will not make this assumption. The ministers of religion, he complains, merely give lip service to Scripture.

This is evident from the fact that most of them suppose, as a foundation for understanding Scripture and unearthing its true meaning, that it is everywhere true and divine. So what we ought to establish by understanding Scripture, and subjecting it to a strict examination, and what we would be far better taught by Scripture itself, which needs no human inventions, they maintain at the outset as a rule for the interpretation of Scripture.  
(G III/9 | Preface, §19)

In the context he’s speaking explicitly of Christian ministers, but his criticism also applied to Manasseh. Had Spinoza arrived at this reversal of traditional procedure by the time he wrote the lost defense? Since this assumption is so fundamental to the TTP, I would conjecture that he had. So long as we lack a copy of the lost defense, or a more detailed account of its contents than we possess, this can only be a hypothesis, to be judged by its role in constructing a coherent and plausible theory of the evidence we have. I’m content to let it be judged by those criteria.

However that may be, this discussion of the contrast between the God of the philosophers and the God of Abraham, Isaac, and Jacob may give us some understanding of the negative implications of the statement that God only exists philosophically. The God who actually exists, and whose existence we can demonstrate, is not at all like the God of Scripture. We can also find in the TTP something more positive about what God is like. It’s an implication of God’s perfection that he’s immutable. And the TTP explains, in its third chapter, how it is that the world of finite, constantly changing things can nevertheless be the result of the actions of an immutable being. For there Spinoza gives an account of God’s activity in the world which does not require change on his part:

By *God’s guidance* I understand the fixed and immutable order of nature, or the connection of natural things. For we’ve said above, and have already

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<sup>27</sup> Manasseh ben Israel, *The Conciliator*, “To the Reader,” p. ix.

shown elsewhere, that the universal laws of nature, according to which all things happen and are determined, are nothing but the eternal decrees of God, which always involve eternal truth and necessity. Therefore, whether we say that all things happen according to the laws of nature, or that they're ordered according to the decree and guidance of God, we say the same thing. (G III/45–46 | iii, 7–8)

I take this to mean that God's action in the world must be understood as the operation of impersonal natural laws, which admit no exception. This is why there can be no miracles. Whatever happens which seems to be a violation of natural law must be capable, in principle, of being understood through natural laws—though we may not have the resources to understand them that way. We may not, for example, know enough about the laws of nature, or about the circumstances in the particular case, to see how it could have happened naturally.<sup>28</sup>

So much for the first point, that Spinoza believed that God only exists philosophically. The second topic—the mortality of the soul—is not as prominent in the TTP as the first is. But it's not entirely absent either. To see the relevance of what we do find, it will help to recall a passage in Lucas's biography of Spinoza. In explaining the excommunication, Lucas reports that what precipitated the proceedings was a visit that two professed friends of Spinoza paid him, to try to find out what his real views were.<sup>29</sup> As Lucas tells the story, before that visit the leaders of the synagogue had held Spinoza in high esteem. Rabbi Saul Morteira had admired Spinoza's penetration and regarded him as his disciple. But evidently some people suspected that Spinoza was not being entirely candid about what he thought. The visit confirmed their suspicions.

Spinoza's visitors raised a number of issues about Scripture, which they asked him to address: Are there, according to the Bible, any immaterial beings? Is the God of the Bible really incorporeal? Does the Bible conceive of angels as real substances? And does the Bible teach that the soul is immortal? According to Lucas, Spinoza expressed a general skepticism about there being any

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<sup>28</sup> For Spinoza's account of the nature of scientific laws, see G III/57–58 | iv, 1–5. I do not attribute to Spinoza an understanding of scientific laws which would not have been perfectly familiar to anyone who had a good understanding of Cartesian philosophy of science. I've discussed this in my article on laws of nature in Larry Nolan's forthcoming *The Cambridge Descartes Lexicon*. Spinoza does distinguish clearly between these two forms of ignorance. So at the battle of Jericho, Joshua and his soldiers did not understand the laws which create the appearance of the sun's motion through the heavens, nor did they understand the laws of refraction, which (in conjunction with the presence of ice crystals in the air) were responsible for the lengthening of the day. So they reported that the sun had stood still (G III/36 | ii, 27). But in other cases, such as the crossing of the Red Sea, the appearance of a miracle results from the fact that the texts give an incomplete description of the circumstances which (in conjunction with familiar laws) would explain the phenomenon (G III/90 | vi, 48).

<sup>29</sup> See Wolf, *The Oldest Biography of Spinoza*, 44ff.

conception of immaterial beings in the Bible and about the reality of angels. About immortality he is supposed to have said:

With regard to the soul, wherever Scripture speaks of it, the word "Soul" is used simply to express life, or anything that is living. It would be useless to search for any passage in support of its immortality. As for the contrary view, it may be seen in a hundred places, and nothing is so easy as to prove it. (p. 46)

Now some people regard Lucas as an unreliable source of information about Spinoza. Though he wrote the earliest biography of Spinoza, and had the advantage of having known Spinoza personally, his writing does not inspire confidence.<sup>30</sup> Still, if the TTP should confirm the picture he gives us of Spinoza's views on this topic, that would bolster his credibility. If we allow for some possible garbling in Lucas's transmission of Spinoza's words and some possible simplification on Spinoza's part in telling Lucas what he thought, I think it does that.

Consider the question of the meaning of the word that Scripture uses for "soul." What word(s) might Spinoza have had in mind? There seem to be two candidates, *ruagh* and *nefesh*. Spinoza discusses the first of these terms in some detail in the first chapter of the TTP (G III/21–23 | i, 26–28), where he argues that *ruagh* is highly ambiguous, meaning, among other things, wind (which he says is the proper sense of the term), the various regions of the world from which the wind blows, breath, courage and strength, power and ability, intention, and the mind itself or soul.<sup>31</sup> He doesn't mention life as a possible meaning of *ruagh*, and he certainly doesn't say that life is the only meaning of *ruagh*. But the association of *ruagh* with breath, the most obvious sign of life, suggests that this passage might give us a more accurate version of what he said to Lucas—or perhaps a version which expressed his considered view on the subject more accurately than what he in fact said to Lucas. (Someone writing for publication might well say something more complicated than anything he would say in conversation—particularly if he judged his conversational partner to be not up to too much complexity.)

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<sup>30</sup> So Wolf calls him "an ardent disciple [of Spinoza], if not a particularly wise one" (p. 20), "a man of strong likes and violent dislikes," from whom "it would be too much to expect discriminating judgment" (p. 26). He thinks Lucas was also the probable author of "a very superficial, tactless, free-thinking treatise," titled *The Spirit of Spinoza*, which "certainly does not show the spirit of Spinoza" (p. 27). Still, Wolf thought it worth the trouble to give us a careful edition and translation of Lucas's work. Nadler generally treats Lucas as a reliable source on the points which concern him, in *Spinoza, a Life*. Richard Popkin's "Spinoza's Excommunication" is extremely skeptical of Lucas's account, but this seems to be part of an effort by Popkin to defend the honor of the synagogue by minimizing the importance of the excommunication and casting doubt on most of what our early sources tell us about it, particularly when they reflect discredit on the synagogue's leaders.

<sup>31</sup> *Nefesh* is similarly ambiguous, having many meanings, one of which is breath, understood as "what makes man and animals living beings." See Holladay, *Concise Lexikon*, 1988.

Among the passages Spinoza chooses to illustrate the use of *ruagh* to mean mind or soul (*mentem sive animam*) are two from Ecclesiastes, which have an interesting history:

3:19—*Spiritus (sive anima) eadem est omnibus* [The spirit (*or* soul) is the same in all].

And

12:7—*Spiritus ad Deum revertitur* [The spirit returns to God].

What I've given here is first Spinoza's Latin translation of the Hebrew, followed by my translation of his Latin.<sup>32</sup> Spinoza does not comment on these passages, nor does he quote enough of them to explain why he has selected them to illustrate this usage. It will help us to understand what's at issue in them if I quote their larger context, in a recent English translation:

3:19—For the fate of humans and the fate of animals is the same; as one dies, so dies the other. They all have the same breath [*ruagh*], and humans have no advantage over the animals; for all is vanity. 20 All go to one place; all are from the dust, and all turn to dust again. 21 Who knows whether the human spirit [*ruagh*] goes upward and the spirit [*ruagh*] of animals goes downward to the earth?<sup>33</sup>

This ends on a note of skepticism, but otherwise looks like a rather blunt denial that humans are immortal. The second passage is less straightforward:

12:1—Remember your creator in the days of your youth, before the days of trouble come, and the years draw near when you will say, "I have no pleasure in them"; 2 before the sun and the light and the moon and the stars are darkened, and the clouds return with the rain . . . 5 when one is afraid of heights, and terrors are in the road; the almond tree blossoms, the grasshopper drags itself along, and desire fails; because all must go to their eternal home, and the mourners will go about the streets; 6 before the silver cord is snapped, and the golden bowl is broken . . . 7 and the dust returns to the earth as it was, and the breath [*ruagh*] returns to God who gave it. 8 Vanity of vanities, says the Teacher; all is vanity.<sup>34</sup>

The annotation in *The Harper Collins Study Bible* cautions us not to read a doctrine of immortality into 12:7. "The thought of this verse seems to contradict 3:21," the editors note, but "*breath* does not refer to an 'immortal soul,'

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<sup>32</sup> Spinoza's preferred Latin term for *ruagh* is *spiritus*, which has a similarly wide range of meanings in Latin. In my translation, I've chosen simply to anglicize *spiritus*.

<sup>33</sup> The translation is from the New Revised Standard Version.

<sup>34</sup> Again, the New Revised Standard Version.



a notion foreign to *Qoheleth*.”<sup>35</sup> I think this reading represents a consensus of modern scholarship. So the author of the article on “Resurrection in the Old Testament” in the *Anchor Bible Dictionary* makes the following comments about Old Testament views of immortality in general:

When one reads the OT, one fact is striking: that Israel is attached to life—to this life—and in no way dreams of a marvelous life hereafter . . . the human person of the OT thought about death . . . with a balanced realism: it was self-evident that a creature died, for it was of the ‘flesh,’ that is, it was fragile, mortal; the creature possessed within itself no spark of anything divine and destined for immortality.<sup>36</sup>

The author of this article goes on to cite Ecclesiastes 12:7 in support of this view, paraphrasing it thus: “at death the divine breath returned to God, who had loaned it.”

I believe such views are representative of modern critical scholars. Spinoza’s teachers had a different approach to these texts. Manasseh juxtaposes these same two passages in his *Conciliator* (II, 312–315), but concludes that the second passage “clearly proves the infallible truth” of the immortality of the soul. He then takes it as his task to explain away the passage from Ecclesiastes 3, which, on his reading of Ecclesiastes 12, contradicts the clear teaching of Chapter XII.<sup>37</sup> I shall not attempt to analyze that discussion. Spinoza says nothing about it in the TTP. Possibly he said something about it in his *Defense*. But he does address the interpretation of Ecclesiastes indirectly, in several things he says later.

For example, in Chapter X, Spinoza refers to Ecclesiastes twice in discussing the problem of canon formation. Early in that chapter he writes:

I cannot pass over in silence the boldness [*audaciam*] of the Rabbis, who wanted [Proverbs], along with Ecclesiastes, excluded from the canon of Sacred books, and wanted to keep it under guard, along with other books we are now lacking. They would just have done this, if they hadn’t found certain passages which commended the law of Moses. It’s surely a cause of grief that sacred and noble matters depended on the choice of these men. All the same, I thank them for having been willing to share even these books with us—though I can’t help wondering whether they handed them down in good faith. But I don’t want to subject this to a strict examination here. (G III/142 | x, 5)

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<sup>35</sup> “Qoheleth” is the Preacher or Teacher supposed to be the author of Ecclesiastes. Tradition ascribed this book to Solomon, but it is now thought to have been written between the fifth and third centuries BCE.

<sup>36</sup> Robert Martin-Achard, *The Anchor Bible Dictionary*, V, 680.

<sup>37</sup> He has to deal in a similar fashion with another mortalist passage in Ecclesiastes, 9:10, which he takes to contradict, *prima facie*, Eccl. 3:17.

This is passionate, but not very informative about the grounds for trying to exclude these books, and rather tantalizing in the question it naturally raises about what Spinoza would say if he were to subject the question to a strict examination.<sup>38</sup>

When Spinoza returns to the subject at the end of the chapter, he gives us a better idea of what he thinks was at stake. There he argues that the canon must have been fixed by a council made up only of Pharisees, because it includes texts favorable to the Pharisees' belief in resurrection<sup>39</sup> and apparently accepts only grudgingly texts which would support the Sadducees' denial of resurrection. "The Pharisees themselves," he writes, "indicate this clearly in the Talmud." Then he quotes the Hebrew text of *The Treatise on the Sabbath*, 30b, which I omit, and translates it into Latin, which I render as follows:

Rab Judah said in Rab's name that the wise men tried to hide the book of Ecclesiastes because its words were contrary to the words of the law [NB: to the book of the law of Moses]. But why did they not hide it? because it began according to the law and ended according to the law.<sup>40</sup>

The passage Spinoza quotes goes on to explain that the words of the law which saved Ecclesiastes from being excluded from the canon were verse 1:3 ("What do people gain from all the toil at which they toil under the sun?") and verse 12:13 ("Fear God and keep his commandments; for that is the whole duty of everyone.") Modern scholarship suspects that this latter verse may be an interpolation by a later writer.<sup>41</sup> From the remark Spinoza makes in x, 5—"I can't help wondering whether they've handed them down in good faith"—it seems possible that he shared that suspicion.

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<sup>38</sup> Why, in particular, would they have wanted to exclude Proverbs, which seems innocuous enough? Shabbath 30b suggests that the reason was that "its statements are self-contradictory." Cf. Sid Z. Leiman, *The Canonization of Hebrew Scripture*, p. 73. Manasseh indeed discusses several putative contradictions in Proverbs (II, 282–287), but none of them seem to involve fundamental points of doctrine.

<sup>39</sup> He mentions Daniel 12:2, generally regarded as the best support for a doctrine of the after-life in the Hebrew Bible. Spinoza's statement that *only* the Pharisees determined which books would make up the Hebrew Bible seems to go too far, if it means that the members of the Great Synagogue, the council that is supposed to have selected the canon, were *all* Pharisees. In an Annotation attached to this passage (ADN. XXV, III/261–262), Spinoza remarks that the wise know what causes councils and synods, implying, I think, that religious institutions hold councils because there's disagreement among their members, which needs to be resolved by a collective discussion and decision. What Spinoza should have said (and may have meant) is that the Pharisees were the majority party at the Great Synagogue, and that their majority status enabled them to favor the inclusion of those books which supported their interpretation of the tradition.

<sup>40</sup> G III/150| x, 45. The bracketed gloss is Spinoza's.

<sup>41</sup> See the *Harper Collins Study Bible*, annotation at 12:9–14, or C. L. Seow (ed. & tr.), *Ecclesiastes*.

Spinoza's account of what the Talmud says in this passage is arguably misleading. As Gebhardt noted,<sup>42</sup> what the text actually says is this:

Rab Judah . . . said in Rab's name: The Sages wished to hide the Book of Ecclesiastes, because its words are self-contradictory; yet why did they not hide it? Because its beginning is religious teaching and its end is religious teaching.<sup>43</sup>

So Spinoza has turned what was a complaint about self-contradiction within the Book of Ecclesiastes into a complaint about a contradiction between that book and the Pentateuch. But though he may have misrepresented that passage, he doesn't seem to have seriously misrepresented rabbinic thought. Elsewhere in the rabbinic literature it's said that the grounds for withdrawing Ecclesiastes were that the sages found in it "matters which smacked of heresy."<sup>44</sup> There may be other things in Ecclesiastes which might be thought to smack of heresy. But it's clear from the context (i.e., from x, 45, taken as a whole) that Spinoza thought its endorsement of mortalism was one important reason why the Pharisees thought Ecclesiastes heretical.

There's a problem here, though. Spinoza makes the putative heresy of Ecclesiastes its inconsistency with "the book of the law of Moses." I take that to be a claim that Ecclesiastes is inconsistent with the Pentateuch. This would require there to be a doctrine of personal immortality in the Pentateuch. But the consensus of modern scholarship is that there is no clear textual evidence for any such doctrine in the Pentateuch. As I noted above, the best textual evidence for a biblical doctrine of personal immortality—arguably *the only clear textual evidence* for such a doctrine in the whole Hebrew Bible—occurs in Daniel 12, generally thought to be one of the latest texts in the Hebrew Bible.<sup>45</sup> There's nothing like it in the Pentateuch. And Spinoza seems to be well aware of this. In Chapter III he makes the point that the only rewards offered to the people of Israel for obedience to the law were the temporal prosperity of the state and other temporal rewards.<sup>46</sup>

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<sup>42</sup> See Gebhardt, *Spinoza Opera*, V, pp. 73–74. Gebhardt thinks Spinoza has confused the Talmud's comment on Ezekiel (*Treatise on the Sabbath* I, 13b, which Spinoza quotes at G III/150 | x, 47), which does claim that that work contradicts the law, with its comment on Ecclesiastes, which alleges only an internal contradiction.

<sup>43</sup> See *The Soncino Babylonian Talmud*, ed. Rabbi Dr. I. Epstein.

<sup>44</sup> I owe this reference to Leiman (p. 175, n. 322), who cites Vayyikra Rabbah 28:1. See also Nadler, *Spinoza's Heresy*, p. 193 n.

<sup>45</sup> Though some portions of Daniel may be pre-Maccabean, the general view seems to be that the conclusion dates from the second century BCE. See John Collins on Daniel, *The Anchor Bible Dictionary* II, 29–37. Collins observes that Daniel contains "the only clear reference to reward and punishment after death in the Hebrew Bible." For a detailed treatment of the gradual emergence of a doctrine of immortality in post-biblical Judaism, see Simcha Paul Raphael. This doctrine also figures prominently in Nadler, *Spinoza's Heresy*.

<sup>46</sup> G III/48 | iii, 19. The other temporal rewards Spinoza speaks of would presumably include such things as the long life and many descendants promised to Abraham in Gen. 12:1–3, 15:1–15.

In a way this is good, insofar as it helps us to understand what Lucas reported Spinoza as saying to the two young men who came to ask him about his views. Lucas says Spinoza told them:

It would be useless to search for any passage in support of its immortality. As for the contrary view, it may be seen in a hundred places, and nothing is so easy as to prove it.

In the light of Daniel 12:2 we have to regard the first sentence here as something of an exaggeration.<sup>47</sup> But what's more interesting is the second sentence, with its claim that there are a hundred passages denying immortality. If we count only passages *explicitly* denying immortality, that's no small exaggeration; it's a very large one. There aren't many passages in the Hebrew Bible which explicitly address the possibility of immortality, either affirmatively or negatively.<sup>48</sup> But there are a great many passages in which the Bible promises this-worldly rewards for obedience and threatens this-worldly punishments for disobedience, and is silent about the possibility of any other-worldly rewards and punishments. If you count all those passages as evidence that the Hebrew Bible does not teach that there is an afterlife, then you can understand why Spinoza might have told Lucas that there were "a hundred places" in the Bible which supported a denial of an afterlife.<sup>49</sup>

These, I think, are all the passages in the TTP which bear on the issue of immortality. None of them clearly denies immortality. None of them even claims that the Hebrew Bible denies immortality, or that the passages denying immortality far outnumber those affirming it. The most negative passages we have simply suggest that the decision about what books belong in the canon, and what books don't, was influenced, but not ultimately determined, by whether those books supported the Pharisaic position, affirming immortality, or the Sadducean position, denying it. So the question about the second

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<sup>47</sup> It seems unlikely that the Spinoza of 1656 was unaware of Daniel 12:2. Perhaps he neglected to make the necessary qualification, in order to keep things simple for Lucas. Or perhaps he made the qualification, and Lucas forgot his mentioning it.

<sup>48</sup> Cf. Martin-Achard: "the problem of the Israelite's survival beyond his or her earthly existence was scarcely asked about in Israel over the centuries" (*Anchor Bible Dictionary* V, 683). Among the few passages which do explicitly discuss immortality are two in the book of Job, both of which deny immortality: 7:1–10, and 14:1–17. I've discussed this in "Maimonides, Spinoza and the Book of Job," noting Manasseh's attempt to resolve the contradiction in II, 40–41. Manasseh treats 1 Sam. 2:6 as a passage supporting immortality.

<sup>49</sup> Spinoza returns to this topic in Chapter V, where he contrasts Christ, who "promises a spiritual reward," with Moses, who promised only a corporeal reward (G III/70 | v, 8). Although I presume that Jesus would have understood the notion of a spiritual reward in terms of an afterlife, Spinoza's interpretation is different. So in Chapter IV he writes that "the highest reward for observing the divine law is the law itself, viz., to know God and to love him from true freedom, and with a whole and constant heart" (G III/62 | iv, 21). I take it that this was a reward which Spinoza thought we could achieve in this life.

charge against Spinoza is: Why does he avoid making a clear statement regarding this issue?

My conjecture—I don't claim that it is more than that—is that he avoided the issue in the TTP because he was very conflicted about it. His view about the relation between mind and body, from the *Short Treatise* to the *Ethics*, would seem naturally to lead him to deny the possibility of immortality.<sup>50</sup> But he seems to have had, from the *Short Treatise* to the *Ethics*, a desire to show that death does not necessarily bring the absolute end of our existence.<sup>51</sup> My guess is that he did not take a clear stand on this issue in the TTP because it was very hard for him to work out exactly what he thought about it.

This brings me to the third ground for the excommunication, which our sources seem not to formulate very consistently. Consider the first formulation from Solano:

3a. That Spinoza believed the law of Moses is not true.

This is a puzzling thing to say. Truth and falsity are generally not thought to be appropriate terms to use in evaluating laws. A law characteristically takes the form of a command. Certainly that's the form the laws of the Decalogue take: don't commit murder; honor your father and mother; don't commit adultery; keep the Sabbath day holy, and so on. But a command is not the kind of thing which can be either true or false. It may be wise or unwise, burdensome or not, fair or not, within the commander's authority or not, but not true or false.

Nevertheless, there's a way of understanding this proposition which need not offend these logical sensibilities. When Spinoza discussed the grounds for his excommunication with Solano, they would have been speaking in Spanish, and Spinoza presumably said something like: "One reason for my excommunication was that I denied that the law of the Jews (*la ley de los Judios*) was true (*verdadero*)" (Cf. Revah, p. 64). The Spanish *ley* (our "law") would be one possible translation of the Hebrew *Torah*, but that term is ambiguous. It can refer either to the first five books of the Bible (also known as the Pentateuch) or to the law contained in those books.<sup>52</sup> Spinoza's denial that the law of the Jews was true was in all probability a denial of the truth of the narrative contained in the first five books, or more fundamentally, a denial of the claim those books made to be of divine origin.

We find confirmation of this hypothesis in a work written three years after Spinoza's excommunication by one of the rabbis in the synagogue, Saul Morteira. In his *Tratado da Verdade da Lei de Moisés* (*Treatise on the Truth of the Law of Moses*),<sup>53</sup> accepting the truth of the law of Moses meant accepting

<sup>50</sup> Cf., for example, KV II, xx, fn. c (G I/96/29–97/39), with E2p21s.

<sup>51</sup> Cf. KV II, xxiii, with E5p23.

<sup>52</sup> On the ambiguity of the Hebrew term *torah*, see the article "Torah" in the *Encyclopedia Judaica*.

<sup>53</sup> See Saul Morteira, *Tratado da Verdade da Lei de Moisés* (Coimbra: Por Ordem da Universidade, 1988), a transcription of the original Portuguese manuscript by H. P. Salomon.

the divine origin of the Torah—that is, the first five books of the Hebrew Bible, and not merely the prescriptions embodied therein—viewing that work as being not merely a human creation (as Morteira thought the New Testament was), but as stemming from God.<sup>54</sup>

It's most unlikely that Spinoza would have known Morteira's treatise, which was written only after Spinoza had been excommunicated, and not published until quite recently. But it's very likely that he was familiar with its key ideas. Apparently the topic was a recurrent one in Morteira's sermons.<sup>55</sup> So he probably heard Morteira preaching on this theme in the synagogue. And if he was, as is generally assumed, Morteira's student,<sup>56</sup> he probably heard him discuss the topic in class. I'll assume here that to question the "truth" of the law of Moses is to question this story of its divine origin.

That's certainly something Spinoza does in the TTP. In Chapter IV he argues that God cannot properly be conceived as a lawgiver, not if we understand by "law" a command which prescribes a certain kind of action, given to someone who has the power to obey or disobey, as his calculation of his probable gains and losses may dictate.<sup>57</sup> A command is an expression of the will of the person who issues it. If an omnipotent being wills something, what he wills must occur. That's what omnipotence means. So if an omnipotent being were to command something, it would not be possible to disobey him. Paradoxically, God, in virtue of his very omnipotence, *cannot* be a lawgiver, not in the sense of the term "law" relevant here. This is another example of the incoherence of the biblical conception of God: to conceive of God as both omnipotent and as a lawgiver is to conceive something that cannot possibly exist.

Clarity about the nature of God, then, must lead us to reject, as involving an inadequate understanding of God's nature, the biblical narratives which portray him as the source of the laws set out in the Torah. Stripped of the authority which its supposed divine origin gave it, the law of Moses (in the narrow, prescriptive sense of "law") must be thought of as just that, the law of Moses, that is, principles of living which Moses prescribed for his people as a means to some end (G III/59 | iv, 9). Different principles might have different ends.

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Salomon has also published a Dutch edition, which gives the Portuguese manuscript, but has editorial materials in Dutch (*Traktaat betreffende de Waarheid van de Wet van Moses*, Braga: Barbosa & Xavier, 1988), including an extended summary of the contents of the book on pp. lxxxvi–xcii. Since my Dutch is considerably better than my Portuguese, I rely on the latter.

<sup>54</sup> Even this may be too narrow a way of thinking of "the Law." Salomon observes that Jewish tradition regards the rest of the Hebrew Bible as merely an appendix to the first five books, p. lxxxvi. On that view, a denial of the truth of the Torah would be a denial of the truth of the texts which are most central to the Hebrew Bible.

<sup>55</sup> See Nadler, *Spinoza's Heresy*, 39.

<sup>56</sup> See Saperstein, *Exile in Amsterdam*, 8–16. In view of the doubts Popkin raised, it's worth pointing out that Saperstein, who probably knows Morteira's work as well as anyone now living, accepts at least the broad outlines of Lucas's account of his relation with Spinoza.

<sup>57</sup> Here I summarize what I take to be the argument of TTP iv, 23–30.

Some might aim to protect the life of the people and the existence of their state. Others might aim at the supreme good, the knowledge and love of God.

Recognizing that the law is a human creation, not a divine dictate, frees us to evaluate its effectiveness in attaining the ends we seek in creating it, and to judge laws to be good or bad as we find them to be more or less effective. What are the ends we seek? In Chapter III of the TTP, Spinoza identifies three things we can honorably desire:

- [i] to understand things through their first causes;
- [ii] to gain control over the passions, *or* to acquire the habit of virtue; and finally,
- [iii] to live securely and healthily. (G III/46 | iii, 12)

Reason and experience both teach us that there's no better way of attaining these ends than the creation of a social order, with definite laws, which can coordinate the powers of each individual member of that order, so that all work effectively for the common good (III/47 | iii, 14). Well-designed laws enable us to protect ourselves from injuries from other men, from other animals, and from the forces of nature. They moderate and restrain our immoderate desires and impulses (G III/74 | v, 22), helping us increase our control over our passions. And most important of all, they structure a division of labor which not only makes our economic activity more productive, satisfying our material needs, but also generates the leisure necessary to allow some to pursue the arts and sciences, satisfying our spiritual needs (G III/73 | v, 18–20). The pursuit of the arts and sciences leads us to knowledge of nature, which for Spinoza is the knowledge of God. And the knowledge of God leads to the love of God.

Judged by these criteria, how does the law of Moses fare? Some of its provisions are obviously salutary. It's salutary to be commanded to "Love the Lord your God with all your heart and with all your soul and with all your might" (Deut. 6:5), particularly when this injunction is accompanied with instructions designed to make it a constant presence in our consciousness (Deut. 6: 6–9). It's salutary to be commanded to love your neighbor as yourself (Lev. 19:18), particularly when that bare command is accompanied by instructions about what this requires in particular circumstances (Lev. 19:17). It's salutary to be taught to deal justly with your neighbor, particularly when that general command is accompanied by instructions about what justice requires in particular cases (Lev. 19:13–16). Most, if not all, of the Ten Commandments are salutary. It is certainly conducive to the creation of a harmonious, cooperative social order if people are taught to honor their parents, not to kill one another, not to commit adultery, not to steal, not to bear false witness, and not to covet their neighbor's possessions. All of this is good, and probably is good in any society.

But some of the provisions of the law of Moses are not obviously salutary. It's not obviously salutary to refrain from eating animals which chew the cud, but do not divide the hoof, or divide the hoof but do not chew the

cud (Deut. 14: 7–8). It's not obviously salutary to circumcise every male when he is eight days old (Gen. 17:11–12). It's not obviously salutary to sacrifice a ram to the Lord as a guilt offering when you have sinned unintentionally (Lev. 5:14–15). Spinoza recognizes this. But he thinks that in the early days of the Jewish state, these provisions did have a point, and that it was an act of wisdom on Moses's part to institute them. When the Hebrew people first left Egypt, their long period in bondage had left them quite incapable of governing themselves wisely (G III/74–75 | v, 26–27) They were a stiff-necked people who needed a strong ruler. And Moses, being a wise ruler, saw that he could not govern his people by force alone. So he instituted the ceremonial provisions of the law to give his people a schooling in obedience, and to encourage them to

do their duty not so much from fear as from devotion. He placed them under obligation with benefits, and in the name of God promised them many things in the future . . . in order that the people, who were not capable of being their own masters, should hang on the words of its ruler; he did not permit these men, accustomed as they were to bondage, to act just as they pleased. The people could do nothing without being bound at the same time to remember the law, and to carry out commands which depended only on the will of the ruler. For it was not at their own pleasure, but according to a certain and determinate command of the law, that they were permitted to plow, to sow, to reap. Likewise, they were not permitted to eat anything, to dress, to shave their head or beard, to rejoice, or to do absolutely anything, except according to the orders and commandments prescribed in the laws. (G III/75 | v, 29–30)

In so ruling, Moses acted wisely. But laws which were well designed in those circumstances, given the cognitive and affective limitations of the Hebrew people, might not be suitable in other times and places. In fact, Spinoza thinks, many of the provisions of the law of Moses “could be useful only so long as their state lasted” (G III/69 | v, 2), but were not binding on ancient Jews after their state was destroyed, and are not binding on modern Jews, who live in many different states, and many different kinds of state. He cites Isaiah and the Psalmist in support of this view. What is important and of continuing value in the law of Moses is the kind of recommendation we find in the later prophets:

What to me is the multitude of your sacrifices? says the Lord;  
I have had enough of burnt offerings of rams  
And the fat of fed beasts . . .  
Cease to do evil, learn to do good,  
Seek justice, rescue the oppressed,  
Defend the orphan, plead for the widow. (Isaiah 1:11–17)

Probably this was a theme in Spinoza's thinking even at the time of the excommunication; probably he would have made a similar appeal to the prophets in



his defense to the synagogue. This would explain why we find in Maltranilla's report that Spinoza (and Prado) believed, not just that the law was not "true" (not of divine origin), but also that it was not good. I do not imagine that Spinoza would have claimed this about *all* the provisions of the law, since there are many which he still thought useful in 1670. But I suppose he thought it was true of many others. This would also explain why the sentence of excommunication speaks not only of Spinoza's evil opinions, but also of his evil deeds.<sup>58</sup> If Spinoza thought the ceremonial prescriptions of the Torah had long ago outlived their usefulness, he probably was not a very observant Jew.

There's one final issue raised by our informers' reports. In his deposition Solano says that one of the charges against Prado and Spinoza was that they believed they did not need faith. This is rather puzzling, since Judaism is not a religion which typically puts much emphasis on faith. So far as I know, there's no text in the Hebrew Bible which proclaims faith to be necessary for salvation, in the way various texts in the New Testament do.<sup>59</sup> Creeds like Maimonides' Thirteen Principles are a late development in Judaism, and it's a serious question for modern Jews as to whether they are required to believe anything.<sup>60</sup>

This is one more issue where we can use the TTP to shed light on Spinoza's probable position in his defense to the synagogue. In Chapter V, Spinoza asks, for whom is faith in the historical narratives contained in Scriptures necessary? and why? (G III/76 | v, 34). This is immediately helpful insofar as it clarifies the kind of faith which is at issue: faith in historical narratives, not faith in theological propositions. The way the questions are framed is also helpful. Spinoza assumes that there will be some people for whom faith in historical narratives is necessary. Later in the argument he will identify these people as the common people, who are not capable of following abstract philosophical demonstrations, but can be persuaded by the stories Scripture tells to believe in a God who "sustains and directs all things" and "takes care of men." Through its narratives, Scripture can "teach and enlighten men enough to imprint obedience and devotion on their hearts" (III/77–78, v, 39). Belief in these narratives is not necessary for everyone. The philosopher who accepts Spinoza's argument that God is not a lawgiver will not believe that God literally decreed the law to Moses at Mount Sinai. But he will not need to believe that story, with all its promises of reward and threats of punishment, in order to see the utility of the law—or at least, the utility of those portions of the law which are genuinely useful. For him, belief in the historical narrative will not be necessary.

To sum up: the TTP contains materials addressing each of the charges which we have reason to believe were made against Spinoza on the occasion of his

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<sup>58</sup> Cf. Nadler, *Spinoza, A Life*, 120.

<sup>59</sup> Most prominently, John 3:16–18, though there are many other texts in a similar vein, mostly in the gospel of John and the letters of Paul.

<sup>60</sup> See, for example, Kellner's *Must a Jew Believe Anything?*

excommunication. It helps us to understand the nature of the beliefs which brought Spinoza into conflict with his community, and gives us some idea of the reasons he might have offered for those beliefs. In so doing, it also provides a general confirmation of the earlier records of the excommunication: Solano's and Maltranilla's depositions to the Inquisition, Van Til's and Hallemann's reports of a lost defense, and Lucas's account of the circumstances of the excommunication. This is not to say that it proves that these earlier accounts were correct in every respect. But it does give us reason to believe that they were not far from the truth.