

To Live the Piety of Reason: Spinoza's "Authentic" Choice

By Norman K. Swazo

ABSTRACT: Whether rabbinic authorities should remove the excommunication (*cherem*) of philosopher Benedict de Spinoza has been a matter of debate in recent years. Spinoza's philosophical thought, however, demonstrates that this debate would not matter to him. His pantheism, developed in the *Theological-Philosophical Treatise* and the *Ethics*, will ever be a radical contestation of monotheism. Juxtaposing his philosophical views to the fictional narrative that existential psychologist Irvin D. Yalom offers, in his novel *The Spinoza Problem*, provides plausible psychological insight into Spinoza's post-*cherem* identity in pursuit of authentic selfhood ('authentic' in Heidegger's sense of 'authenticity,' *Eigentlichkeit*). Thereby, we can appreciate the enduring import of Spinoza's radical enlightenment, the authentic choice of the identity he adopted, and his indefatigable commitment to the piety of reason, i.e., intellectual love of God (*amor Dei intellectus*).
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A philosopher is supposed to know what is the difference between fiction and a clear and distinct conception, and also to know the truth of this axiom, to wit, that every definition, or clear and distinct idea, is true.

--Spinoza, "Letter 4" (~October 1661)

Nobody is bound by natural right to live as another pleases, each man being the guardian of his own freedom.

...in a free commonwealth every man may think as he pleases, and say what he thinks.

--Spinoza, *Theological-Political Treatise* (1670)

1. *Argument Overview*

There has been recent debate among Spinoza scholars and rabbinic authorities whether the centuries-old *cherem* (excommunication) on Baruch Spinoza should be terminated officially and, thereby, Spinoza rehabilitated as a Jew.

Spinoza's post-*cherem* mature writings such as his *Theological-Philosophical Treatise* and *Ethics*, however, provide a philosophical frame of thinking that pits Spinoza's pantheism against the rabbinic monotheism of his day. Insistent on the principle that in a free commonwealth every person may think as s/he pleases and say what s/he thinks, Spinoza could not be expected to renounce his philosophical convictions in deference to rabbinic authority. As such, any plausible interpretation of Spinoza's thinking suggests that the lack of terminus to the *cherem* would not matter to Spinoza, since, consistent with his philosophy, this was a matter of predestination and, on that view, neither good nor evil. Even Spinoza's change of name from "Baruch" to "Benedictus" indicates an appropriated self-identity separated from his former involvement with the Jewish community of Amsterdam. Indeed, an "existential psychological" account such as posited by psychologist Irvin D. Yalom adds positively (even if fictionalized *qua* "historical fiction") to an appreciation of Spinoza's personal psychology, identity, and sense of "authentic selfhood" under the situation of *cherem*, allowing us to have a sense of the essential connection between Spinoza's biography and philosophy. Hence, that the *cherem* remains in place today according to decisions taken by rabbinic authorities in Amsterdam should not be of concern to those aware of Spinoza's perennial reputation as a philosopher. And, there is no need either to continue the debate or to seek an official removal of the *cherem* against Spinoza.

Nonetheless, the fact is that Spinoza's thought remains all the more pertinent today for those seeking to assure freedom of speech and freedom to philosophize against both superstition and ungrounded dogma, especially when, in nominally secular republics, religious authorities insist on their dogmatic superintendence of confessants to a particular faith as well as those who choose to remain outside the domain of the faithful. This is all the more of concern in settings where religious authorities insist on "orthodoxy" of belief and practice against free expressions of "reasonable doubt," "heterodoxy," "heresy," or "blasphemy," and when religious leaders otherwise seek legislation that criminalizes "the violation of religious sensitivities" in the context of secular protection of the fundamental freedom of expression.

Spinoza's enduring philosophical legacy in his championship of freedom of speech is thus by no means diminished today, despite the issue of Spinoza's "irreversible" *cherem*.

2. *The Congregation Torah Talmud's "Irreversible" Cherem*

Are we not, as the philosopher Benedictus de Spinoza declared, to know the difference between *truth* and *fiction* and live our lives guided by the former rather than by the latter? The distinction is important *philosophically* when it comes to the assessment of the veracity of religious texts such as the Torah. Spinoza obviously considered the text of the Torah to be fiction rather than "historical" or "revealed" truth. There is some value to fiction, of course, even in context of Spinoza's own views of the role of imagination in relation to beliefs, as Susan James (2020) argues.¹ For example, James cites Spinoza's *Ethics* on the point that: "the mind does not err from the fact that it imagines, but only insofar as it is considered to lack an idea that excludes the existence of those things that it imagines to be present to it." The error in religious belief would be assessed accordingly in Spinoza's decidedly rationalist commitment to philosophical truth over religiously originating fiction. Thus, James comments: "Some religious people, he [Spinoza] argues, resemble the child who straightforwardly affirms the existence of a winged horse. Since none of their ideas exclude[s] the existence of an anthropomorphic God, they affirm the existence of such a deity on the basis of the narratives contained in the Bible, and make him an object of their affects, without realizing that no such God exists (TTP II.52)."

For Spinoza, there is the further question about the relation of expressed speech to thought, so long as one is capable of making the distinction between truth and fiction: Ought a person not only *think* as s/he pleases but, more importantly, *say* what s/he thinks? Living in a free commonwealth (or, today, a "free republic") that recognizes and tolerates freedom of speech, one might readily affirm so. In a community guided by sustained and unchallenged appeal to the authority of religious tradition, adherence to

¹ My thanks to an anonymous reader for referring me to James' writing on Spinoza and fiction.

“truth” rather than to fiction is easier said than done—‘truth’ understood here philosophically. Spinoza wrote his *Theological-Political Treatise* (*Tractatus Theologico-Politicus*) remarking that, “all men are by nature liable to superstition,” in the words of Curtius—“the multitude has no ruler more potent than superstition” (Spinoza 2002).

All too often appeals to the authority of religious tradition manifest as moments of invincible ignorance, subscription to superstitious beliefs manifestly fallacious. As Spinoza learned, those who defend the tenets of religiously grounded faith prove a formidable barrier to the free exercise of speech in quest of truth, a barrier often disturbingly insuperable. Spinoza came to know this as he himself exercised his freedom *to think* and *to say* what he thought. We, too, in our own day in the 21st century, come to know this when individuals manifest a stubborn deference to the assumed authority of religious tradition, unyielding even in the face of rightfully lodged disputations of reason. This is all the more so evident when, as Spinoza observed, religious authorities “hold even discussion of religion to be sinful, and with their mass of dogma they gain such a thorough hold on the individual’s judgment that they leave no room in the mind for the exercise of reason, or even the capacity to doubt” (Spinoza 2002). Faced with fears innumerable, whether real or imagined, far too many of the multitude will, as Spinoza commented, adhere to “the relics of man’s ancient bondage,” thus to “fight for their servitude as if for salvation, and count it no shame,” rather than to claim their freedom from prejudice and coercion of their own most proper judgment.

To speak thus is to privilege a concept of personal identity, specifically the idea of *authentic selfhood* (*eigentlich Selbst*). For the interpretive comportment advanced here, one may appropriate the concept such as the twentieth-century philosopher Martin Heidegger advanced in his *Being and Time*. This work has what is perhaps the most incisive phenomenological exposition of the concept applicable to Spinoza’s own intellectual temperament, evident in his published work and from what Spinoza scholars elucidate about his relation to the Jewish community of his day in Amsterdam.² Why so?

² For some discussion on Heidegger and Spinoza, see Jean-Luc Nancy (2003) and Kasper Lysemose (2020).

Heidegger used the term “*eigentlich Selbst*,” contrasting this to the concept of “*das Man-Selbst*,” the “they-self” of communal belief and conduct into which a person is thrown and which contributes to an “inauthentic” (*uneigentlich*) sense of who one is and in contradistinction to one’s own most proper possibilities of being (Heidegger 1996). Adherence to religious tradition in particular all too often manifests an individual’s intellectual bondage in precisely this way of yielding to a seemingly anonymous authority that is no real authority, from which it is not easy to free oneself in one’s words, thoughts, and deeds, hence the issue of freedom of expression. Spinoza, however, published his disputations of reason against the Jewish religion of his day as an act of “radical enlightenment,” with a resolute commitment to his own freedom of thought and the life of the mind.³ In the communal setting of the time in which he lived, of course, the young Spinoza could not but find himself accordingly severely opposed by rabbinical authority in particular, given its dogmatic appeal to the supposedly inviolate word of both Torah and Talmud and its insistence on adherence to communal norms of piety ever to be privileged over expressions of individual doubt.⁴

On 27 July 1656 (the 6th of Av 5416, according to the Hebrew calendar), as authorized by the *parnasim* of Congregation Talmud Torah (“the secular officials” of the Sephardic Portuguese-Jewish community) in Amsterdam and with the consent of the congregation’s rabbis, Chief Rabbi Saul Levi Morteira pronounced a *cherem* against twenty-three year old Spinoza.⁵ The *cherem* was pronounced for what were deemed “abominable heresies and monstrous deeds,” ostensibly contrary to the teaching of the divinely revealed Torah and

³ See Israel (2001). For a critical perspective, see Garber (2008).

⁴ See Turkel (1993); Saperstein (2009), to be read in relation to Saperstein (2005); and Fisher (2020).

⁵ ‘*Cherem*’ is the Hebrew word for a decision of denunciation and excommunication. An individual is normally exiled temporarily from a Jewish community, a personal reformation of beliefs and conduct leading to the individual’s humbled return to the communal norms of piety.

Solomon Schechter and Julius H. Greenstone, in their entry on “Excommunication,” *Jewish Encyclopedia* comment: “Although developed from the Biblical ban, excommunication, as employed by the Rabbis during Talmudic times and during the Middle Ages, is really a rabbinic institution, its object being to preserve the solidarity of the nation and strengthen the authority of the Synagogue by enforcing obedience to its mandates.” Among the “offenses” subject to *cherem* are “dealing lightly with any of the rabbinic or Mosaic precepts” and “putting a stumbling-block in the way of the blind, that is to say, tempting one to sin.”

the official doctrines of the Talmud.⁶ Efforts to remove the ban on Spinoza are numerous. As David Novak (no date) writes, “In 1954, on the occasion of the 300th anniversary of the excommunication of Baruch Spinoza, David Ben-Gurion, the first prime minister of the state of Israel, wrote a letter to [Solomon] Rodrigues Pereira, the *hakham* (chief rabbi) of the Portuguese-Israelite community in Amsterdam—the same community from which Spinoza was excommunicated—indicating the time had come to lift the *herem*, the ban of excommunication.” In the year 1957, Rabbi Rodrigues Pereira, as Chief Rabbi of the Dutch Sephardi Congregation, “reaffirmed” Spinoza’s *cherem* (Nadler 2014).⁷ In his opinion, as chief rabbi he had *necessarily* to accept the rulings of his predecessors: “No rabbinate [*Beth Din*] has the right to review a decision of previous rabbinate unless it is greater in number and wiser. I don’t consider myself wiser than those who came before me” (Shenker 1978). Indeed, Rodrigues Pereira asserted: “As long as I am rabbi of the said *Kehila Kadosha*, the *herem* will not be revoked” (Yovel 1978).

Having received an appeal in September 2012 from “the executive of the Portugees-Israëlietische Gemeente te Amsterdam...to reconsider the *cherem* after consulting a number of international Spinoza scholars,” the rabbinical head Dr. Pinchas Toledano issued his judgment in July 2013 (Rocker 2014). Rabbi Toledano stated his reasoning against removing the *cherem* thus: “Spinoza should have come before the Beth Din and asked for forgiveness—and then (and only then) the *cherem* would have been annulled. [...] [He] never asked for forgiveness or did teshuvah [repentance] by retracting publicly what he had said about God and his contempt for Chazal [the sages]” (Rocker 2014). Toledano would not decide otherwise, given Spinoza’s “preposterous ideas, where he was tearing apart the very fundamentals of our religion.”

⁶ According to Steven Nadler (2001), the text of the *cherem* speaks of “evil opinions and acts,” abominable heresies which he practiced and taught, about his “monstrous deeds,” and that the elders had “endeavored by various means and promises, to turn him from his evil ways.”

⁷ Nadler adds, “after much deliberation, I concluded that there were no good historical or legal reasons for lifting the ban, and rather good reasons against lifting it”—even though, he stated further, “the Amsterdam Jewish community in reversing course could put itself on the right side of history.” He concluded, “Thus we on the advisory committee reached a consensus, which we relayed to the rabbi and leaders of the congregation, that the ban on Spinoza should not be lifted.”

Spinoza scholar Steven Nadler was one of several scholars consulted on the matter of the *cherem* at the time Rabbi Toledano was to evaluate the petition. Writing in December 2015, Nadler wrote an informative news commentary on a symposium held in Amsterdam to discuss “the merits—for and against—lifting the *cherem* on Baruch Spinoza.”⁸ Nadler (2015) clarified what was at issue in the *cherem*: “The reasons behind Spinoza’s *herem* [*cherem*] remain a mystery; the extant document does not explicitly state what his offenses were. And yet, for anyone who has read Spinoza’s mature treatises—which he began just a few years after the excommunication—there is no real mystery. Spinoza’s denial of a providential God, of the divine origin of Torah, of the validity of the Torah’s *mitzvot*, and of the immortality of the soul, must certainly have disturbed the Amsterdam Portuguese community’s leaders.” The principal philosophical works of concern, to the extent they represent Spinoza’s mature elucidation of opinions he very probably uttered to members of the Sephardic community in Amsterdam, are his *Theological-Political Treatise* and the *Ethics* (Spinoza 2002).

In view of the public importance of the matter, on 06 December 2015, the Crescas Jewish Educational Center and the University of Amsterdam held a symposium to discuss the matter in public hearing, various speakers including Rabbi Toledano (speaking on “The Cherem in Halacha”), Nadler (“The Reason for the Cherem and the Experience of the Cherem”), Professor Yosef Kaplan of Israel (“The Social Function of the Cherem”), Professor Jonathan Israel of England (“Spinoza’s Rebellion against Religious Authority”), and Rabbi Dr. Nathan Lopes Cardozo of Israel (“For God’s Sake: Remove the Ban on Spinoza”). For Nadler (2014), whatever the actual formal basis of the official *cherem*, there is a philosophical question that is more essential to the debate: “The real question of the day, though, was whether there is room in an orthodox Jewish community for freedom of ideas and expression.” Rabbi Toledano had made it clear in his decision that he dissented from any argument appealing to an absolute human right to freedom of speech: “If by freedom of speech you mean to study the views of Spinoza...anyone can do so, as his books are freely available. May I also add

⁸ See also Nadler (2001a) and Nadler (2001b).

that Judaism does not share this concept of freedom of speech. Does freedom of speech mean that we in our congregation should spread the denial of God's existence to the extent that it destroys our heritage and the pillars on which Judaism rests?" Clearly, he rejected such a notion.

Rabbi Cardozo favored lifting the *cherem*, with appeal to such freedom and his characterization of Spinoza as a "secular *tzaddik*" (i.e., a "righteous" person, notwithstanding what he viewed as Spinoza's "intellectual arrogance") and even "a great *mussar* personality."⁹ In contrast, Rabbi Toledano allowed for only a relative freedom, i.e., "the foundations of Judaism" are ever to be privileged against any free exercise of speech that threatens to destroy those foundations of belief as well as the unity and solidarity of the particular religious community (Nadler 2015).¹⁰ Accounting for various "facts"¹¹—Spinoza's burial in a non-Jewish cemetery; Spinoza's apparent "indifference" to the *cherem*; Spinoza's apparent refusal ever to request forgiveness and perform "*teshuvah*" (repentance and return to orthodox piety); the "preposterous" character of Spinoza's ideas when contrasted to the teaching of the great rabbis of Torah-observant Judaism; the implication that any lifting of the *cherem* would imply the religious community's acceptance of "heretical"¹² propositions—hence, "Toledano concluded that the leaders of the community in the 17th century knew exactly what they were doing, and therefore he had no right to rescind their ruling" (Nadler 2015).

There was a political dimension to the *cherem*, of course, as Nadler informs us, represented by the explicitly understood or tacitly presupposed "relationship between Amsterdam's Jews and Dutch society,"¹³ the Jews being legal "residents" but not fully "burghers,"¹⁴ hence Chief Rabbi Saul Levi Morteira aware of the precarious position of the Jewish community despite

⁹ For a discussion of 'mussar' see here, "Issues in Jewish Ethics: The Mussar Movement"

¹⁰ See also Cardozo (2015).

¹¹ See also Frederick Pollock (2005), who claims there were several stages to the eventual pronouncement of the *cherem*.

¹² Some scholars characterize Spinoza's views as "heretical," others as "blasphemous," the technical distinction often not clarified. See Tolan (2016).

¹³ See Schmidt-Leukel (2000), at p. 184.

¹⁴ See Saperstein (1999-2000). At p. 331, Saperstein notes: "The Jewish community was not in a position where it was free to express in public statements blatantly offensive to Christian sensibilities."

Dutch tolerance, including the religious authority that issued from the (Calvinist) Reformed Church in a setting of insecure federal-municipal political governance of the Dutch provinces.¹⁵ Nadler (2001), writes: “I believe that to understand the harshness of Spinoza’s excommunication, we must look not just at the nature of the ban as a disciplinary tool employed by the lay leaders of the Portuguese Jews for dealing with matters of orthodoxy within the community (as several scholars have done), but also at the ban as a kind of diplomatic tool for dealing with the larger Dutch society within which the former *conversos* found refuge from the Inquisition.” Orthodox Jews living in Amsterdam would have been especially sensitive to the political demands of living peaceably in a multicultural society, without visibly distractive doctrinal disputation that would undermine the religious autonomy and social cohesion of the Jewish community.

There was the further issue internal to the Sephardic community of rabbinic “theological” disagreement on the question whether heretics as well as “New Christian” Jews (*conversos*, *marranos*) shared in eternal salvation in virtue of *being Jews* notwithstanding their conversion, forced or free—a disputation that presupposed the immortality of the soul (a belief Spinoza rejected). This *halachic* controversy threatened a potential schism of the leading rabbis, i.e., between Rabbi Isaac Aboab de Fonseca and Chief Rabbi Saul Levi Morteira (Altmann 1972).¹⁶ Since the Amsterdam congregation was comprised largely of Jews who were formerly *conversos*, there was the added

¹⁵ Morteira probably anticipated that any formal airing of Spinoza’s heretical views would be ill-received by the Reformed Church in a context of ongoing political assortment among Orangists, States Party, and Calvinist Voetians. See Alexis-Baker (2012).

¹⁶ See Altmann (1972). Altmann writes (p. 2), “the conflict [dated to 1635] embraced two distinct, though closely related, levels, one theological and the other pragmatic, and the arguments advanced on the pragmatic level were clearly inspired by Marrano sentiment. The position taken by Aboab and the faction led by him reflected a basic concern to assert the inalienable Jewishness of all Marranos [Aboab himself a Marrano]. [...] Morteira, on the other hand, was of Ashkenazi descent.” Any opinion contrary to the traditional doctrine of eternal punishment was considered “heresy” (*kefirā*). Altmann reports (p. 8) that Aboab “left Holland for Brazil in 1642 and did not return until 1654,” which is two years prior to the pronouncement of the *cherem* against Spinoza. “Aboab was reinstated as Haham [Torah scholar and elder], a capacity in which he served until his death at the age of eighty-nine in 1693.” Rabbi Morteira’s position in the debate appealed to the authority of the *Mishna* and other “classical rabbinic sources.” The “thesis” being debated was (p. 11): “Whosoever is called by the name Israelite will not suffer eternal punishment, even though he may have committed the gravest possible sins,” a thesis Morteira rejected as a “false doctrine of salvation for all Jews.”

issue of whether it should accept re-integration into the Jewish community. That is, as Alexander Altmann (1972) suggests, those of Marrano descent held that “belief in the eternality of punishment reeked of Christian dogma,” and for them the question was: “Is it worthwhile for a Marrano to shed Christian beliefs if on arrival in Judaism he meets again the doctrine of eternal damnation?” This disputation was settled in favor of Morteira’s position, grounded in Torah and Talmud.

The debate about Spinoza’s *cherem* remains significant, not only for the decision taken, but for the enduring legacy of the philosophy that Spinoza set forth and that speaks to both historical and contemporary questions of freedom of speech that are essential to the freedom to philosophize. As Dmitris Vardoulakis (2020) reminds, “The first part of the subtitle of the *Theological Political Treatise* may have been easily acceptable to Spinoza’s contemporaries: the book shows that, ‘Freedom of Philosophizing can be allowed in Preserving Piety and the Peace of the Republic.’” Vardoulakis (2020) clarifies the import of the distinction that Spinoza makes: “The secular ideal of the separation of Ecclesiastical from temporal authority requires that there is a division between the inner self that is subject to faith and receives the message of Scripture, and the external self, who is subject to the authority of the sovereign and to the laws of the state.” Notably, Spinoza relates the freedom to philosophize—which he appropriated as his own most proper freedom, clearly to the dismay of the Jewish community of which he was initially part—to (a) the preservation of piety and (b) the peace of a Republic.

Spinoza was adept in his appeal to the authority of logic, especially in view of the precision exhibited in the “geometric” conceptual framework of his rationalism. Following the Cartesian commitment to certitude, in the clarity and distinctness of ideas such as a philosopher may know, Spinoza separated these from fiction. Whatever the asserted basis of transmitted rabbinic authority such as is represented in Talmudic studies (*halacha*), Spinoza opined that, “the authority of the prophets does not permit of argumentation [*prophetae auctoritas ratiocinari non patitur*]” (Vardoulakis, 2020). This “*auctoritas*” he distinguished from an individual’s capacity of “utility”—“The calculation of utility refers to the human propensity to make practical judgments in the

course of acting. On the one hand, there is a conflict between authority that calls for obedience, and the calculation of utility that one fulfils by judging for oneself. To do what you are told and to calculate what is the most advantageous action are two contradictory ways of acting.” Spinoza himself lived this conflict and privileged his own utility by appeal to the authority of reason as the compendium of true ideas. “...[It] is clear,” he asserted in his *Treatise on the Emendation of the Intellect*, “that, for the certainty of the truth, no other sign is needed than having a true idea [*idea vera*]” (Spinoza 2002).

A true idea, furthermore, is logically related to a true definition; for, Spinoza (2002) clarifies: “There is the definition that serves to explicate a thing whose essence alone is in question and the subject of doubt, and there is the definition which is put forward simply for examination. The former, since it has a determinate object, must be a true definition, while this need not be so in the latter case.” Spinoza seeks to be clear that a definition is not subject to “proof”—it is a matter only of conception:

Therefore a definition either explicates a thing as it exists outside the intellect—and then it should be a true definition, differing from a proposition or axiom only in that the former is concerned only with the essences of things or the essences of the affections of things, whereas the latter has a wider scope, extending also to eternal truths—or it explicates a thing as it is conceived by us, or can be conceived. And in that case it also differs from an axiom and proposition in requiring merely that it be conceived, not conceived as true, as in the case of an axiom. So then a bad definition is one which is not conceived.

Obviously, consistent with his geometric method, what Spinoza provides as a matter of definition is distinct from what is understood as a matter of axiom, both of which are true in their own way.

Spinoza’s conceptual framework is one of *pantheism* rather than *monotheism*, the latter understood in the sense applicable to the rabbinic *halachic* conception of the divine being. Thus, Spinoza (2002) clarifies further that, if one is to appeal to the authority or validity of experience, e.g., historical experience or the experience presupposed by the transmitted scriptures that make up the scriptures (*Tanakh*), then “we need experience only in the case of those things that cannot be deduced from the definition of a thing [...]. We do not need experience in the case of those things whose existence is not

distinguished from their essence and is therefore deduced from their definition. Indeed, no experience will ever be able to tell us this, for experience does not teach us the essences of things. The most it can do is to determine our minds to think only about the certain essences of things.”

Spinoza is a man of reason, not one of faith, hence his rationalist method with its attention to definitions, to axioms, etc., in quest of a systematic certitude. His pantheism distinguishes itself from monotheism in rejecting the Cartesian certitude of existence of a transcendent God, hence rejecting any concept of divine providence with its correlative belief in divine reward and punishment, all of which renders rabbinic authority and Torah-observant rituals associated with Orthodox piety entirely meaningless. Perhaps Rabbi Cardozo is correct that, “Faith is a moment when all definitions come to an end.” Yet, that statement presupposes the validity of definition, perhaps as ground upon which faith may begin. Spinoza, however, rejected dogma if such is the basis of faith, and thereby he could not possibly accept what was dogmatic in the rabbinic orthodoxy of the Amsterdam Jewish community, especially if (as seems to be the case) its Chief Rabbi Morteira adhered strictly to the “Thirteen Principles of Faith” (*shloshah asar ikkarim*) of Maimonides.¹⁷ Having been in his youth considered a promising student for Rabbi Morteira’s instruction in Talmud,¹⁸ Spinoza was perhaps, as Rabbi Cardozo surmises, “trapped” by these principles, Morteira’s insistent adherence to this dogma, in and of itself, contrary to the very spirit of the

¹⁷ The principles were given in Maimonides’ *Commentary on the Mishnah*, “Tractate Sanhedrin 10:1.” Berman (2019) comments (p. 164), for Maimonides “the principles were the boundary markers of Jewish identity. One who affirmed all thirteen principles could be deemed *yisrael*—a member of the Jewish people. Whoever denied even one of these principles was denied the status of *yisrael*...” Even so, (p. 167), “But in the more than seven centuries since then his dictate had never been adopted or enforced, either in halakhic literature or even in homiletic sermonizing. No authority had ever invoked the thirteen principles in order to distinguish between ‘good’ Jews who maintained fidelity to the principles, and others who did not.” See *Jewish Virtual Library*, “Articles of Faith.” Orthodox Jews normally recite these principles with an introductory phrase that commits the individual to a firm assertion of belief, thus “*Ani ma’amin b’emuna shelema*” (“I believe with complete faith...”). See further, Koros (2017) and Shapiro (2004).

¹⁸ Nadler (1999), pp. 64 & 90, opines that Spinoza completed levels one through four (age 14), possibly five (age 17), in the Torah Talmud school, Morteira teaching level six *medrassim* (preparation for rabbinic training), and likely continued his studies in “one of the community’s yeshivot,” perhaps (as suggested by historian of Dutch Jewry, A.M. Vaz Dias) Morteira’s “Keter Torah.”

halacha, open as it is to ongoing disputation and even to indeterminate and unsettled inquiry. But, of course, Spinoza thought and wrote as he did based on his own experience and his autodidactic philosophical comportment, complex as it was, his own thinking immersed in rationalist philosophy even as he was (through that comportment) critical of the Orthodox exegetical methods in their reading and exposition of the Torah (even if Spinoza had little formal training or in-depth study of the Talmud, thus unable to appreciate fully the methods of *halacha* and the exegeses transmitted in both the Palestinian and Babylonian Talmuds). Whatever his limited exposure to Talmudic scholars, Spinoza was aware of the teaching of Maimonides, with which he had his own interpretive debates, thus most likely to the consternation of Rabbi Morteira.

Despite Spinoza's lack of a comprehensive understanding of the Talmud, Cardozo (2015) opines, what matters in any assessment of Spinoza's *cherem* is that, "If anything is true, it is that Judaism is a tradition of rebellion...The purpose of Judaism is to disturb and to challenge the established order when it would otherwise lead to mediocrity." Spinoza, no doubt, had his intellectual (perhaps even psychological) deficiencies from his lived experience even as he had his misrepresentations of Judaism as dogmatic, as Cardozo opines. Yet, the fact is that there is a diversity of belief and practice in Judaism, including to this day disagreement about which communities are "true" representatives of Judaism (Ultra-Orthodox/Haredim/Hasidim, Orthodox, Conservative, Reconstructionist, Reformed, Secular). Hence, it is unsurprising that Rabbi Toledano's decision not to lift the *cherem* on Spinoza itself adheres to a conception of "heresy" (*kefirā*) or "blasphemy" (*ne'atsa*), even uttering what is admittedly a matter of current political convenience for the Jewish community in Amsterdam.

Cardozo is correct to point out that *cherems* were used "as a way to protect the Jewish community against Jews who exposed it to physical danger in a world that was still far from willing to unconditionally accept Jews and Judaism in its midst." One assumes Rabbi Morteira understood this and, therefore, conflated his religious and political reasons to justify the *cherem*; for, as Cardozo reminds: "It has been made abundantly clear that no member of

the Jewish community would be permitted to openly attack religion, the conventional understanding of God, or the authority of the Bible. There were explicit warnings that one could run the risk of being expelled—even from Amsterdam, the most liberal city in all of Europe.” Yet, most important in judging the justice of the *cherem*, the fact is that if it was likely based only on views Spinoza must have held and spoken¹⁹ (since he had not yet written and published the philosophical corpus we have come to know), then the *cherem* was first and foremost an action taken in defense of the community so as to assure its *political* place. That is, Rabbi Morteira and the elders of Congregation Torah Talmud desired to avoid the instability that would come from the sovereign government of Amsterdam taking political action against the Jewish community, even that of exile from Amsterdam, exile such as the Sephardic Jews had already faced in the Inquisition and expulsions from Christian Spain and Portugal.

It is, therefore, not surprising that Spinoza should first publish his *Theological-Political Treatise*, even if anonymously, since therein are to be found the multifold questions that troubled him in his interrogation of both Christian and Jewish belief. Indeed, he could not but write as he did, believing as he did, that “nobody is bound by natural right to live as another pleases,” that each “must necessarily retain absolute control over this natural right” (Spinoza 2002), even if others are inclined to appeal to the authority of tradition and defer to the assumed eminence of personages (religious clerics, rabbis, royals, aristocrats). Yet, even as he insisted that the individual must have “the right to have his own opinions and to say what he thinks,” Spinoza (2002) granted to the sovereign of the commonwealth (governments being “the guardians and interpreters of religious law as well as civil law”) “the right to decide what is just and unjust, what is pious and impious.” The latter clause of this proposition is, of course, unproblematic for the political and religious authorities of his day. That one has a *right* to his own opinions and *to say what*

¹⁹ Piet Steenbakkers suggests the *cherem* may have had more to do with Spinoza violating community norms of settling legal matters with rabbinical authority. After his father died, Spinoza “went to the Amsterdam municipal court to have himself declared an orphan—to get protection from his father’s creditors. Using a Dutch court rather than the Beth Din violated community norms.” See Goldfarb (2016).

he thinks, thus to exercise freedom of speech—this assertion all too many rejected in view of the tradition of deference to ecclesiastical and rabbinical authority.

Spinoza was not naïve about either the positive or critical reception of his work. As he remarked “I know how deeply rooted in the mind are the prejudices embraced under the guise of piety. I know, too, that the masses can no more be freed from their superstition than from their fears. Finally, I know that they are unchanging in their obstinacy, that they are not guided by reason, and their praise and blame is at the mercy of impulse” (Spinoza 2002). Yet, Spinoza also stated his belief that he had “written nothing” that he would not “willingly submit to the scrutiny and judgment” of his country’s government, thus to assure that his philosophical discourse did not “contravene the laws” of the country or would otherwise be found “injurious to the common good.” He also had the humility to admit that he “may have erred,” even though he had “taken great pains to avoid error,” his opinions “in complete agreement” with his country’s “laws, with piety, and with morality” (Spinoza 2002).

In this sense, then, Spinoza’s own words speak against those such as Rabbi Cardozo who find him “arrogant” in his published beliefs. At issue philosophically, of course, is the question: *Which* laws, *whose* piety, and *whose* morality provides the measure against which Spinoza is expected to test himself? The religious tolerance of Amsterdam was the setting for Spinoza’s understanding of civil law and political order. The piety and morality Spinoza accepted, however, were not those of the Orthodox Judaism of his day, so long as the interpretation of the Torah was contrary to the judgment of reason to which Spinoza subjected it.

3. Spinoza’s Disposition

Clearly, to read Spinoza’s philosophy is to find oneself challenged, perhaps even unsettled, intellectually. Spinoza’s attention to the logic of interpretation was central to his method of inquiry and thus to the conclusions he shared in the various works that caused continued consternation and added weight to the rationale and purported justification of his *cherem*. Jonathan Israel rightly

situates Spinoza at the forefront of the “radical Enlightenment” (Israel 2001), a time during which “Spinozism” was becoming “the backbone of the radical challenge in the sphere of faith and Church authority.” And, even today, we find ourselves faced with conflicting interpretations of Spinoza’s work, which is, of course, consistent with the philosophical hermeneutics of understanding (Norris 2011). Unless one’s prejudices in understanding are merely reactionary so as to dismiss Spinoza entirely, without a genuine confrontation of his philosophical method and conclusions, one may find his work “enlightening” over and against prejudices that are merely emotive and negative. After all, consistent with biblical criticism as we know it since the nineteenth century, Spinoza was correct to anticipate and emphasize the importance of “the complex background of historical and cultural conditions that alone provide an adequate contextual basis for reading the scriptures in a critically informed and nondogmatic way.”²⁰

Spinoza was insistent on his rejection of both superstition and ungrounded dogma. As noted earlier, even the reputed rabbinic master Maimonides, nigh sacred to Rabbi Morteira in his devotion to the “Thirteen Principles”²¹ and foundational to assessment of what counts as heresy, was subject to Spinoza’s incisive critique.²² Consider the question of salvation, as noted earlier an issue of debate in 1635/1636 between Rabbi Aboab and Rabbi Morteira, the latter prevailing in his interpretation by appeal to classical

²⁰ Norris (2011), p. 9. For a contemporary discussion of text criticism, see Tov (2011).

²¹ See Shapiro (1993). Shapiro notes (p. 187): “After all, who better than Maimonides would be qualified to set forth the dogmas of Judaism? The immediate reaction of many Orthodox Jews would probably be the same as R. Parnes’ in identifying heresy with anything that opposed any of the well known Maimonidean principles.” But, Shapiro (p. 188) clarifies, “even a cursory examination of Jewish literature shows that Maimonides’ principles were never regarded as the last word in Jewish theology. This despite the fact that Maimonides contended that anyone who had a doubt about one [of] his principles was a heretic worthy of death!”

²² E.g., see Spinoza’s *Theological-Political Treatise* (Spinoza 2002, p. 397), concerning interpretation of passages in scripture that speak of apparitions of angels. Also, later in the treatise (pp. 467-469), Spinoza commented that prophets preached “not only to the faithful, but especially to unbelievers and the impious.” Spinoza infers, “So their audiences must have been capable of understanding the meaning of the prophets and the apostles; otherwise these latter would have appeared to be preaching to children and babies, not to men endowed with reason. Moses, too, would have ordained his laws in vain if they could have been understood only by the faithful, who stand in no need of law.” Given this conclusion, Spinoza asserts: “Therefore those who look to a supernatural light to understand the meaning of the prophets and the apostles are sadly in need of the natural light; and so I can hardly think that such men possess a divine supernatural gift.”

Talmudic sources, Morteira reportedly adept at combining polemic with homiletics (Saperstein 1999-2000). Presumably, one who reads the Hebrew scriptures with understanding, i.e., as transmitted and interpreted by rabbinic tradition, comes away inspired to have “salutary beliefs.” Concerning the views taken by “the Jews,” however, Spinoza comments:

They maintain that true beliefs and a true way of life contribute nothing to blessedness as long as men embrace them only from the natural light of reason, and not as teachings revealed to Moses by prophetic inspiration. This is what Maimonides ventures openly to affirm in [*Mishneh Torah*,] chapter 8 of Kings, Law 11, “Every man who takes to heart the seven commandments and diligently follows them belongs to the pious of the nations and is heir to the world to come; that is to say, if he takes them to heart and follows them because God has ordained them in his Law, and has revealed to us through Moses that they were formerly ordained for the sons of Noah. But if he follows them through the guidance of reason, he is not a dweller among the pious nor among the wise of nations [alternative rendering: “but only of the wise of nations].” Such are the words of Maimonides, to which Rabbi Joseph, son of Shem Tob, in his book called *Kebed Elohim*, or *Glory of God*, adds this, that although Aristotle (whom he considers to have written the finest work on Ethics, esteeming him above all others) may have neglected none of the precepts of true morality—which he also advocated in his own Ethics—and may have diligently followed all these teachings, this would not have furthered his own salvation, because he embraced these doctrines not as divine teachings prophetically revealed, but solely through the dictates of reason.

However, I think that any attentive reader will be convinced that these are mere figments of imagination, unsupported by rational argument or Scriptural authority.²³

One such as Rabbi Morteira would take such remarks as arrogant and unacceptable in view of pastoral goals to have the former *conversos* of his congregation fully appropriate their Jewish identity, the received *halachic* creed, and the practices that provided evidence of their observance of the commandments of the Torah. Morteira’s sermons were “uncompromising” in his “message of divine retribution against the New Christians who remained in the ‘lands of idolatry’” (Saperstein 1999-2000).

²³ *Spinoza* (2002), p. 443. The translator comments: “...according to Maimonides, the non-Jew must accept the moral law as revealed by God in order to merit entry into the World-to-Come, or in Spinoza’s language, to be blessed. If not, the non-Jew who observes the commandments from rational argument and considerations is just wise, not pious or blessed. Jews did not universally accept Maimonides’ position. Spinoza, however, uses it as a weapon against Judaism and also by implication any religion that makes dogmatic belief and ritual observances necessary conditions for blessedness.”

In particular, given Spinoza's age at the time of his *cherem*, Morteira likely considered him and anyone subscribing to such "heretical" thoughts—such as those in 1635/1636 who championed the "heretical" doctrine of salvation—to be "immature disciples" (*talmidim she-lo' shimeshu kol zorekam*) (Altmann 1972). Although, there was likely more to Spinoza's obdurate disposition that Morteira found appalling, viz., that Spinoza was at once both "irresponsible" (not considering the damage his views would do to the Amsterdam Jewish community vis-à-vis the Dutch authorities) and "self-willed" rather than sincerely deferential to rabbinic authority, e.g., *Proverbs 12:15* teaching that, 'He that is wise hearkeneth unto counsel.' 'Counsel' here entailed fulfilling "the *misvot* [commandments] according to Halaka in all their minutiae" (Altmann 1972).

4. Spinoza's "Authentic" Choice

Obviously, Spinoza's principal works permit us to evaluate his methods, his opinions, and his conclusions concerning the major questions that engaged him *qua* philosopher. But, there is also something to be gained by reading historical fiction, i.e., imaginative representations of what may have transpired at the time Spinoza lived in Amsterdam and how the significant event of *cherem* may have manifest itself as a matter of concern for him and those who knew him. Existential psychotherapist Irvin D. Yalom has provided precisely this kind of narrative in his insightful novel, *The Spinoza Problem* (2012). While some may automatically reject attaching significance to works of fiction other than those of literary form, the fact is that there is good reason to engage such work for the *moral edification* that issues therefrom (despite debates about aesthetic and moral criticism in the philosophy of literature).²⁴ And, in Yalom's case, the interpretive insights he suggests based on his professional practice of existential psychology are pertinent to the philosophical concept of personal identity applicable to Spinoza and his resolute choice of authentic selfhood against any uncritical deference to rabbinic authority.

Examining the narrative of Spinoza's life as Yalom (2012) represents it, but understood in the context of Spinoza's post-*cherem* writings, we are able to

²⁴ See, e.g., the exchange between Martha Nussbaum (1998) and Richard Posner (1997, 1998).

discern something of Spinoza's probable character, i.e., his deep sense of a *liberated and authentic self*,²⁵ as it contrasted to the "everyday" comportments of more or less automatic deference to the rabbinical authority most Jews of Congregation Torah Talmud practiced at the time. Yalom perhaps best portrays this contrast in the dialogue Spinoza has with his older sister Rebekah on the eve of the *cherem*. In the scene of interlocution Yalom narrates, "Bento," his brother Gabriel, and Rebekah are gathered one last time together as a Jewish family, to hear what Bento has to say about their imminent future.

Aware of their disappointment, fear, and anger at his failure to live up to their deceased father's expectation that he would become a great Torah scholar, even that he would write "the great seventeenth century Torah commentary" after the manner of the great rabbis like Rashi and Maimonides, Bento clarified for them that the *cherem* meant "absolute exile," separating them from all communication with him forever. Predicting the language of the *cherem*, Bento says: "I know about cherems, and if they do it properly, *this cherem will have no end*. It will be for a lifetime, and *it will be irreversible*" (Yalom 2012, emphasis added). And, so it has been up through today, Yalom anticipating here the actual historical situation in which Amsterdam's Chief Rabbi Toledano would inevitably defer to the authority of his predecessor Rabbi Morteira, keeping to the irreversibility of that communal judgment, lest he also be accused of what must always be kept at bay, i.e., "heresy" (*kefirā*).

Yalom (2012) represents Bento's sister Rebekah counseling him to make *teshuvah*, i.e., to repent and return fully committed to their ancient faith:

"Go back to the rabbi," said Rebekah. Take his offer, Bento, please. We all make mistakes when we are young. Rejoin us. Honor God. Be the Jew you are. Be your father's son. Rabbi Mortera will pay you for life. You can read, study, do anything

²⁵ As noted at the outset, I intend here by "authentic self" the concept of *eigentlich Selbst* that Heidegger describes in his *Being and Time (Sein und Zeit)*, which is consistent with concepts of personal identity engaged by existential psychologists such as Yalom. See here furthermore, Mansbach (1991, 71-72, 75). Mansbach clarifies: "Dasein's practical attitude, its on-going doings and shaping of the world, and its projection onto future situations, originates in this understanding of the world. It thus finds itself reflected by a world that has a meaning given by Others. As a result, its self-understanding is not an understanding of its individuality. The future situations which can be foreseen as its possibilities are not determined by Dasein itself, but by the public realm, by the Others. The world shaped is not Dasein's own and the Self which is configured through existence is inauthentic: it is the 'they' (*das Man*)."

you want, think anything you want. Just keep it to yourself. Take his offer, Bento. Don't you see that for the sake of our father he is paying you not to commit suicide?

Bento replies with words such that he discloses his resolute commitment to an emerging authentic selfhood that stands in contrast to the inauthentic selfhood of his Jewish contemporaries. Bento knows he must be the man, the authentic self, that he is, not the inauthentic man who is Jew merely because others expect that of his self-identity; knows that his philosophical silence cannot be bought off; knows that he cannot quash his own freedom of expression, both to think and to say what he thinks; knows that what his sister and father expected of him do not govern a destiny only he can appropriate:

“He would be paying me to do something I cannot do. I intend to pursue truth and to devote my life to knowing God, whereas the rabbi's offer demands I live dishonestly and thus dishonor God. I shall never do that. I shall follow no power on earth other than my own conscience.” (Yalom 2012)

Rebekah and Gabriel could not then have understood what seemed a manifest paradox in what Bento had said. For, how could he possibly devote his life to *knowing* “God” without *believing* the teachings *about* “God” that are *revealed* by “God,” and transmitted by the venerable rabbis spoken of in the Talmud, Rabbi Morteira himself likewise one who had studied these tractates and committed himself to teaching the same with the authority of a chief rabbi? How could Bento possibly know about “God,” about the *truth* of “God,” without committing himself fully to accepting both the Torah and the Talmud, the “holy” *inerrant* “Written Law” and the “Oral Law” (*halacha*), as a long line of rabbis with superior knowledge and understanding have done over centuries? Where could he find “devotion” to “God” if not with study of Torah and Talmud, under the guidance of long reputed rabbinic authority?

Rebekah and Gabriel could not have understood that Bento had a concept of “God” that was not as they inherited and imagined from rabbinic teaching—at once “anthropomorphic” and “anthropopathic” in its traditional conception, a conception Spinoza could not but refuse for all of its manifest “superstition” (*superstitione*) in contrast to a philosophical conception that carried veracity in the clarity and distinctness of the idea.²⁶ “How could you

²⁶ See Spinoza, “Short Treatise on God, Man, and His Well Being,” dated to 1662 (Spinoza 2002, pp. 366 ff.). Given his conception of God as a perfect being with infinite attributes, Spinoza

throw everything away?” Rebekah asked in simultaneous dismay and protest. Bento’s answer could not be more clear: “*I took my own path*”—Yalom’s choice of word here, ‘my own’ underscoring Spinoza’s insistence on an authenticity arising from uncommon courage, and definitely not the path laid out for him by the rabbis, even by the “chief” Rabbi Morteira, especially if that path presupposes one follow with a blind obedience that does not permit even reasonable doubt much less a critical method that challenges the veracity of the scriptures. “I don’t believe that questioning is a malady. Blind obedience without questioning is the malady,” Bento explained (Yalom 2012). Despite the *cherem* that displaced him from hearth and home, that made him homeless (in the sense of *Unheimlichkeit*, “estrangement”), Bento added, “I will find a way to live without a Jewish community.”

Strident in the certitude of his own rational comportment, Bento stated what the Jews of his community could not but deem a heresy: “I shall not permit the rabbis or anyone else to forbid me to reason, for *it is only through reason that we can know God, and this quest is the only true source of blessedness in this life*” (Yalom 2012, emphasis added). Such words deny the Torah as the only true source of knowledge of the blessings possible in this life and in the world to come. Such was Spinoza’s self-assertion and self-affirmation of his authenticity against the governance of both rabbinic tradition and the specific communal norms of the Amsterdam Jewish congregation. Such was his authentic choice, though it meant his exile not only from the Jewish community in Amsterdam but also, as the words of the *cherem* stipulated, “from the people of Israel” across place and time.

To some Jews a *cherem* is a curse. To Spinoza, in Yalom’s existential-psychological representation, it was the doorway from ancient bondage to his

distinguishes between ‘creation’ and ‘generation’: “To create is to posit a thing *quo ad essentiam et existentiam simul* [i.e., to give a thing both essence and existence], while in the case of generation a thing comes forth *quo ad existentiam solam* [i.e., it only receives existence]. And therefore there is now in Nature no creation but only generation.” Rejecting the act of creation in this strict sense, Spinoza thereby sees the whole of Nature as following from a divine act of *generation*. Spinoza thereby manifests his philosophically grounded “pantheism,” in contrast to Judaism’s “monotheism” with its belief in a “revealed” truth transmitted in Torah and inerrant in the interpretations delivered to Jewish faith in rabbinic tradition. Spinoza (p. 43) makes “God” and “Nature” an identity: “So it must necessarily follow that Nature, which results from no causes, and which we nevertheless know to exist, must necessarily be a perfect being to which existence belongs.”

liberation and radical enlightenment, i.e., from the very roots of his self-understanding. *To be authentic*, even if in a future of solitude, even if in an unending homelessness/estrangement, *that was Spinoza's choice*. Yalom (2012) situates Bento's likely reflective words, thus:

“...freedom is the antidote. You are finally free from the yoke of tradition. Remember how you yearned and strained for freedom—from prayer and ritual and superstition. Remember how much of your life has been in bondage to ritual. The countless hours devoted to tefillin. Chanting the appointed prayers three times a day in the synagogue and again whenever drinking water or eating an apple or any morsel of food. Whenever engaging in any event of life. Remember the endless hours reciting the alphabetical list of sins and striking your entirely innocent breast and praying for forgiveness.”

Yalom (2012) hence narrates Bento's realistic assessment of his fate: “*It is all for the better—they force me to do nothing that I would not have done of my own accord. I dreaded scandal, but since they want it that way, I enter gladly on the path that is opened to me.*” Against the common opinions of his community, against all that is given by the “they-self” (*das Man-selbst*), i.e., what “they” say and do even to the point of blind obedience, Spinoza chooses his authenticity, his authentic self. Such was *his* freedom, consistent with *his own* most proper (*eigentlich*) possibility of being. To think himself capable of doing otherwise would be to deny his *true* self, the *clear and distinct idea* of his authentic self. More accurately, to think otherwise, indeed, would be to *deny* “God” such as Spinoza conceived him; for, he believed, as a matter of his reason (in contrast to irrational faith):

...since all that happens is done by God, it must therefore necessarily be predetermined by him, otherwise he would be mutable, which would be an imperfection in him. And as this predetermination by him must be from eternity, in which eternity there is no before or after, it follows irresistibly that God could never have predetermined things in any other way than in which they are determined now, and have been from eternity, and that God could not have been either before or without these determinations. (Spinoza 2002)

Paradoxical as it might seem to many, this predetermination, this predestination (*praedestinatione*) that is *God's* freedom, is also thereby *Spinoza's* freedom. For, “*true freedom*,” Spinoza argues, is not “the ability to do or to omit to do something good or evil; but *true freedom is only, or no other than* [the status of being] *the first cause* [...]” Is one to assert that God could have generated Spinoza in some other way, i.e., to have predetermined him

otherwise than he was in his personality, in his philosophical frame of mind, in his commitment to reason? Nay, not in Spinoza's reasoning:

...if Nature had, from all eternity, been made different from what it is now, then, from the standpoint of those who ascribe to God will and understanding, it would necessarily follow that God had a different will and a different understanding then, in consequence of which he would have made it different; and so we should be compelled to think that God has a different character now from what he had then, and had a different character then from what he has now; so that, if we assume he is most perfect now, we are compelled to say that he would not have been so had he created all things differently. All these things, involving as they do palpable absurdities, can in no way be attributed to God, who now, in the past, and unto all eternity, is, has been, and will remain immutable. [...] If, therefore, he had formerly made things different from what they are now, it would needs follow that he was at one time imperfect, which is false. (Spinoza 2002)²⁷

“Bento” could not have been *made* “to do” *other than* he did, even as his sister Rebekah (as Yalom represents her) believes he must have been “cursed from birth.” But, this suggests belief in an act of condemnation from God, even as she nonetheless hoped for Bento's *teshuvah*, which the Torah and Talmud seemingly made possible for all God-fearing Jews who kept the commandments. Yet, for Spinoza (2002), “Strictly speaking, God does not love or hate anyone,” he says in his *Ethics*, even as the “free” will of any human being has an external cause “by which it is necessarily caused,” and that cause is God/Nature: “If particular things had to conform to some other Nature, then *they could not conform to their own*, and consequently *could not be what they truly are*.”²⁸ It is *through* God's perfect causation, in this sense, that Spinoza would understand *his* “freedom” as *a conformity to what is properly his own*, to *what he truly is*.

Hence, in the “Appendix” to Part I of his *Ethics*, Spinoza (2002) summarizes the logic of his deductions and comments:

Desires that follow from our nature in such a way that they can be understood through it alone are those that are related to the mind insofar as the mind is conceived as consisting of adequate ideas. [...]

Our active emotions, that is, those desires that are defined by man's power, that is, by reason, are always good; the other desires can be either good or evil. Therefore, it

²⁷ See also “Chapter VI, On Divine Predestination,” of *Short Treatise on God, Man, and His Well-Being*, pp. 54 ff. See further, Steinberg, “Spinoza and the Problem of Freedom.”

²⁸ Spinoza (2002), p. 55. Emphasis added.

is of the first importance in life to perfect the intellect, or reason, as far as we can, and the highest happiness or blessedness for mankind consists in this alone. For blessedness is nothing other than that self-contentment that arises from the intuitive knowledge of God.

Spinoza's freedom, which he understood negatively as freedom from bondage to all that rabbinic Judaism represented, but understood positively as freedom to be who he is, could not but lead to his own blessedness (happiness), so long as he worked in his thinking to perfect his intellect and thus to arrive at his own *intuitive*—not the biblically revealed—knowledge of God. His joy, despite his solitude, despite his homelessness, was to live “the life of the mind” as his paramount good; for, “Those things only do we call evil which hinder a man's capacity to perfect reason and to enjoy a rational life” (Spinoza 2002).

In short, Spinoza had his own piety, which is none other than to live according to the precepts of reason, not according to the dictates of Torah and Talmud. Practical rules of conduct, Spinoza argued in his *Ethics*, have their source in the natural light of reason, not in the supposed supernatural light of revealed religion. In the Scholium of Proposition 41 of the *Ethics*, Spinoza (2002) accounts for the “common belief of the multitude” which is different from his concept of freedom:

For the majority appear to think that they are free to the extent that they can indulge their lusts, and that they are giving up their rights to the extent that they are required to live under the commandments of the divine law. So they believe that piety and religion, in fact everything related to strength of mind, are burdens which they hope to lay aside after death, when they will receive the reward of their servitude, that is, of piety and religion. And it is not by this hope alone, but also and especially by fear of incurring dreadful punishment after death, that they are induced to live according to the commandments of the divine law as far as their feebleness and impotent spirit allows. And if men did not have this hope and this fear, and if they believed on the contrary that minds perish with bodies and that they, miserable creatures, worn out by the burden of piety, had no prospect of further existence, they would return to their own inclinations and decide to shape their lives according to their lusts, and to be ruled by fortune rather than by themselves. This seems to me no less absurd than if a man [...], on realizing that the mind is not eternal or immortal, he preferred to be mad and to live without reason.

Thus, for Spinoza, it is both preferable and necessary to live with reason, no matter whatever else one takes one's identity to be.

Yalom (2012) suggests that, after the *cherem* was formally decreed, Spinoza may well have asked, “*What am I? If not a Jew, then what am I?*”²⁹ The question is incisive and beside the point of interests some have in seeing Spinoza rehabilitated *as a Jew*. For the Jewish community in Amsterdam today (some 365 years since Spinoza’s excommunication), Spinoza remains an exile, a pariah of the “Orthodox”³⁰ Jewish faith. He is a man whose philosophy will remain for many “incomprehensible;” for others, committed to monotheism, “dangerous rubbish;” and, for free thinkers, a noble herald of intellectual liberty and the “free man” (*homo liber*) made possible by radical enlightenment (Rubin 2020).³¹ Those who cherish the freedom to reason are ever indebted to Spinoza for his insistence on the possibility of our own radical enlightenment. For, as J. Samuel Preus opines, “The fact that we are not governed by interpreters of divine law, nor intellectually answerable to alleged divine revelations, is a major aspect of modern liberty” (Preus 2001)—this largely due to Spinoza’s intellectual legacy.

But, in the end of all deliberation, Yalom perhaps apprehends the matter correctly, even as one distinguishes truth and fiction: Believing as he did in predestination, Spinoza could say—without regret or protest at human caprice, and by appeal to the principle of sufficient reason—that the *cherem* was “fated,” that the best anyone could do for him was to give him silence, and to sustain that silence in all its sanctity. Then, together with Spinoza, one too would commit to the radical universalism of reason that, if it must,

²⁹ Saperstein (2009), p. 10, represents Rabbi Morteira to have expressed a “rhetoric of rebuke” in his homilies, e.g., the view that the “New Christians” who had returned to Judaism remained Jews though they sinned (by converting, whether by force, *ansusim*, or otherwise, *meshummadim*), citing here *Exodus 21:4*. However, Morteira also clarified that the Jew who failed to uphold the terms of the covenant inevitably would face the judgments (*ba-mishpatim*) set forth (*Exodus 21:1*) “that God ordered to be set out clearly for all Jews who seek to abandon their people.”

³⁰ One must be cautious of ‘orthodoxy’ here, since, as Rabbi Cardozo argues. Rabbi Morteira was intellectually committed to the teaching of Maimonides, who articulated the claim that “the whole of Judaism was founded on 13 dogmas,” but, “the problem is there are no dogmas in Judaism”: “Dogma is an outgrowth of systematic theology, and if there is anything absent in Judaism it is precisely that. Instead Judaism consists of ongoing debates on Jewish belief, and the intense differences of opinion are not insignificant.”

³¹ See also Israel (2001). The political philosopher Leo Strauss, in his *Philosophy and Law: Contributions to the Understanding of Maimonides and His Predecessors* (Albany: SUNY Press, 1995), p. 23, expressed the concept earlier: “The Enlightenment has undermined the foundation of the Jewish tradition. Indeed from the very beginning it was with complete consciousness and complete purposefulness that the radical Enlightenment—think of Spinoza—did this.”

establishes religion on the ground of reason alone. In that silence, one can concur with Yalom that, from the moment of the *cherem*, there is no longer a “Baruch” Spinoza, i.e., he who once upon a time was a Jew by that name. Since then, there is only “Bento De Spinoza” (“B.D.S.”), a free man with a free mind, who lived “an unencumbered life of contemplation,” who freely took upon himself the task and the joy of fashioning his entire identity anew. In that way, it is to be said, Spinoza accomplished in “unwavering self-sufficiency” what was ever “to his ownmost advantage”—“absolute absorption in God.” Such, he would say, was the piety of his words, thoughts, and deeds, his *amor Dei intellectualis*.

What mattered most of all to Spinoza was the emendation of his intellect for the pursuit of the “true good” that is also “the supreme good” that would afford him “a continuous and supreme joy,” the “highest” of happiness. That true good excludes “honor” such as is commonly sought among the multitude, since the pursuit of honor requires that a person conduct his or her life to suit others, as Spinoza observed, “avoiding what the masses avoid and seeking what the masses seek,” and which may thereby lead to “a most wretched fate.” After all, Spinoza (2002) understood, there will likely always be men whose minds are blinded by reason of their unexamined prejudices. But, he also understood that, with a proper knowledge of good and evil, there are passions, such as hatred, that should be suppressed and which he would suppress in himself. All Jews, be they Torah-observant Orthodox or other, are on Spinoza’s account *necessarily* what they are; and, in Nature strictly speaking “there is no good and evil,” in which case those from Congregation Torah Talmud who sought to cause him harm through *cherem* did what they did necessarily without good or evil.

Spinoza’s authentic choice of the life of the mind, then, was to shape his life according to that piety that comes from the free exercise of his reason. Amidst a community of men whose lives are lived in superstition and in reference to unfounded dogma, such an authentic choice could not but have had its impediments, such as the Jews of Congregation Torah Talmud and Rabbi Morteira sought to impose upon him with their *cherem*. Spinoza understood, eventually, in formulating the mature thoughts of his *Ethics*, that

although “All things excellent are as difficult as they are rare,” yet the road to this excellence can be found. He believed he himself found it, thus having lived freely *to think* what was to *his own* advantage and *to say* what he *thought*, no matter any and all *cherems*.

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