The main objective of Cambridge Texts in the History of Philosophy is to expand the range, variety and quality of texts in the history of philosophy which are available in English. The series includes texts by familiar names (such as Descartes and Kant) and also by less well-known authors. Wherever possible, texts are published in complete and unabridged form, and translations are specially commissioned for the series. Each volume contains a critical introduction together with a guide to further reading and any necessary glossaries and textual apparatus. The volumes are designed for student use at undergraduate and postgraduate level and will be of interest not only to students of philosophy, but also to wider audience of readers in the history of science, the history of theology and the history of ideas.

For a list of titles published in the series, please see end of book.
BENEDICT DE SPINOZA

Theological–Political Treatise

EDITED BY
JONATHAN ISRAEL
Institute for Advanced Study, Princeton

TRANSLATED BY
MICHAEL SILVERTHORNE
AND
JONATHAN ISRAEL

© Cambridge University Press 1992
978-0-521-82411-8 - Theological-Political Treatise
Benedict De Spinoza
Frontmatter
More information
Contents

Introduction viii
Chronology xxxv
Further reading xxxviii
Note on the text and translation xlii

THEOLOGICAL-POLITICAL TREATISE 1

Preface 3
1 On prophecy 13
2 On the prophets 27
3 On the vocation of the Hebrews, and whether the prophetic gift was peculiar to them 43
4 On the divine law 57
5 On the reason why ceremonies were instituted, and on belief in the historical narratives, i.e. for what reason and for whom such belief is necessary 68
6 On miracles 81
7 On the interpretation of Scripture 97
8 In which it is shown that the Pentateuch and the books of Joshua, Judges, Ruth, Samuel and Kings were not written by the persons after whom they are named. The question
is then asked whether they were written by several authors or by one, and who they were 118

9 Further queries about the same books, namely, whether Ezra made a definitive version of them, and whether the marginal notes found in the Hebrew MSS are variant readings 130

10 Where the remaining books of the Old Testament are examined in the same manner as the earlier ones 144

11 Where it is asked whether the Apostles wrote their Epistles as apostles and prophets or as teachers, and the role of an Apostle is explained 155

12 On the true original text of the divine law, and why Holy Scripture is so called, and why it is called the word of God, and a demonstration that, in so far as it contains the word of God, it has come down to us uncorrupted 163

13 Where it is shown that the teachings of Scripture are very simple, and aim only to promote obedience, and tell us nothing about the divine nature beyond what men may emulate by a certain manner of life 172

14 What faith is, who the faithful are, the foundations of faith defined, and faith definitively distinguished from philosophy 178

15 Where it is shown that theology is not subordinate to reason nor reason to theology, and why it is we are persuaded of the authority of Holy Scripture 186

16 On the foundations of the state, on the natural and civil right of each person, and on the authority of sovereign powers 195

17 Where it is shown that no one can transfer all things to the sovereign power, and that it is not necessary to do so; on the
character of the Hebrew state in the time of Moses, and in the
period after his death before the appointment of the kings; on
its excellence, and on the reasons why this divine state could
perish, and why it could scarcely exist without sedition 208

18 Some political principles are inferred from the Hebrew state
and its history 230

19 Where is shown that authority in sacred matters belongs
wholly to the sovereign powers and that the external cult
of religion must be consistent with the stability of the state if
we wish to obey God rightly 238

20 Where it is shown that in a free state everyone is allowed to
think what they wish and to say what they think 250

Annotations: Spinoza’s supplementary notes to the Theological-Political
Treatise 260
Index 276
Introduction

Spinoza's aims

The *Theological-Political Treatise* (1670) of Spinoza is not a work of philosophy in the usual sense of the term. Rather it is a rare and interesting example of what we might call applied or 'practical' philosophy. That is, it is a work based throughout on a philosophical system which, however, mostly avoids employing philosophical arguments and which has a practical social and political more than strictly philosophical purpose, though it was also intended in part as a device for subtly defending and promoting Spinoza's own theories. Relatively neglected in recent times, and banned and actively suppressed in its own time, it is also one of the most profoundly influential philosophical texts in the history of western thought, having exerted an immense impact on thinkers and writers from the late seventeenth century throughout the age of the Enlightenment down to the late nineteenth century.

Spinoza's most immediate aim in writing this text was to strengthen individual freedom and widen liberty of thought in Dutch society, in particular by weakening ecclesiastical authority and lowering the status of theology. In his opinion, it was these forces which were chiefly responsible for fomenting religious tensions and hatred, inciting political sedition among the common people, and enforcing damaging intellectual censorship on unconventional thinkers like himself. He tried to lessen ecclesiastical power and the prestige of theology as he himself encountered these in the Dutch Republic – or, as it was then more commonly known, the United Provinces – partly as a way of opening a path for himself and those who sympathized with his ideas, or thought in similar ways, to
propagate their views among contemporaries freely both verbally and in writing. But still more he did so in the hope, and even expectation, of helping by this means to build a freer and more stable society.

His strategy for establishing and reinforcing toleration and freedom of thought, as he himself explains in his preface, relies in the first place on exposing what he judges to be the basic causes of theological prejudice, confessional rivalry, intolerance, and intellectual censorship as they plagued the Europe (and America) of his time. He sought to show that conventional – and officially approved – religious teaching and dogmas are based mostly on mistaken notions, indeed profound misconceptions about the character of Scripture itself. In this way, he attempted to expose what he saw as a near universal and dangerous ignorance about such matters as prophecy, miracles, piety and the true nature of divine commandments and revelation. Especially useful for undermining the power of theology and lessening respect for theologically based structures of authority and tradition, he thought, was his method of demonstrating that ‘prophecy’ is not divine inspiration in the way that most people then believed, and is not the work of divine wisdom in action, but is rather a consequence of certain individuals being endowed with a particularly powerful ‘imagination’.

The *Theological-Political Treatise* offers a comprehensive theory of what religion is and how ecclesiastical authority and theological concepts exercise their power over men while, at the same time, providing a new method of Bible exegesis. But Spinoza’s challenge in this anonymously published book was not only to contemporary views about Scripture, faith, piety, priestly authority and text criticism. In the second place, but no less importantly, he also strove to reinforce individual liberty and freedom of expression by introducing, or rather further systematizing, a new type of political theory (albeit one strongly influenced by Machiavelli and Hobbes). This was a distinctively urban, egalitarian and commercial type of republicanism which Spinoza mobilized as a vehicle for challenging then accepted ideas about the nature of society and what the state is for.

To Spinoza, a thinker who grew up in the closing stages of the Thirty Years War – a ruthless and vastly destructive struggle between the European states only ostensibly about religion – changing prevailing ideas about politics and statecraft seemed no less essential than combating religious prejudice, intolerance and authoritarianism. What he regarded as fundamentally false notions about government, public policy, education and morality appeared to him to threaten and damage not only the lives of individuals but the also fabric
of society more generally. It is owing to these defective but strongly prevailing ideas about politics as well as religion, he argues, that ‘superstition’ is built up (often by ambitious clergy), into a force sufficiently potent to overshadow if not direct all aspects of men’s lives, including intellectual debate and the administration of ordinary justice. Religious dogma comes to be enforced on everyone by force of law because the common people are persuaded by religious teachers that they should insist on doctrinal uniformity in the interests of their own and everyone else’s salvation and relationship to God. Religion is concocted into a powerful force in human affairs, he argues, chiefly by means of dogmatic appeals to Scripture, though also ‘with pomp and ceremony, so that everyone would find it more impressive than anything else and observe it zealously with the highest degree of fidelity’. A correct understanding of the mechanics by which all this happens, based on a realistic analysis of human drives and needs, he contends, will not just help ground a solid toleration and reduce inter-confessional strife but also diminish internal ideological threats to legitimate government and generally render the individual happier and society more peaceful and stable.

Spinoza’s method

Although a particular system of philosophy inspired and underpins the whole of the *Theological-Political Treatise*, it does so in most of the chapters unobtrusively and frequently in a hidden fashion. While his revolutionary metaphysics, epistemology and moral philosophy subtly infuse every part and aspect of his argumentation, the tools which Spinoza more conspicuously brings to his task are exegetical, philological and historical. In fact, it is the latter features rather than the underlying philosophy to which scholars chiefly call attention when discussing this particular text. Spinoza’s hermeneutical methodology constitutes a historically rather decisive step forward in the evolution not just of Bible criticism as such but of hermeneutics more generally, for he contends that reconstructing the historical context and especially the belief system of a given era is always the essential first and most important step to a correct understanding of any text. In this respect his approach was starkly different from that of traditional exegeses of Scripture and from Renaissance text criticism as a whole (as well as from that of our contemporary postmodernist criticism).

1 Spinoza, *Theological-Political Treatise, Preface, para. 6.*
But while Spinoza's technique in the *Theological-Political Treatise* is predominantly hermeneutical, philological and historical, at certain points, notably in chapter 6 ‘On Miracles’, he adopts a very different and more explicitly philosophical procedure. Mostly, when discussing biblical phraseology and expressions, Spinoza claims purposely to have ‘asserted nothing concerning prophecy which I could not infer from principles revealed in Scripture’ itself. For especially when dealing with issues like prophecy which ‘is beyond human understanding and is a purely theological issue’, no one can specify what it actually is, in itself, other than ‘on the basis of revealed principles’. Hence, comprehending such a phenomenon must involve constructing ‘a history of prophecy’ from the text of Scripture itself as well as the derivation of ‘certain dogmas from it which would show me its nature and characteristics, so far as that can be done’. When discussing miracles, on the other hand, the position was entirely different. There, he had no alternative, he claims, but to elucidate this question only from principles known by the natural light of reason, for with ‘miracles’, the question we are investigating (namely, whether we may concede that something happens in nature which contradicts its laws or which does not conform to them) is wholly philosophical.

The *Theological-Political Treatise* has been called, with some justification, ‘the most important seventeenth-century work to advance the study of the Bible and religion generally’, being the book which ‘disarmed the religious interpreters who would enforce conformity’. The novelty of Spinoza's approach does not lie in his affirming that Moses was not the author of the Pentateuch, as Hobbes and La Peyrère (and others) had said before, nor in pointing out that its texts must have been composed and redacted long after the events they describe, nor in emphasizing the special characteristics, peculiarities and limitations of the Hebrew language. Rather, Spinoza revolutionized Bible criticism by insisting on the need to approach the subject free of all prejudgments about its meaning and significance, eyeing every chain of tradition and authority whether Jewish, Catholic, Protestant or Muslim with equal suspicion and, above all, by stressing the importance of the distinction – never previously systematized in the history of criticism – between the intended or ‘true’ meaning of a passage of text and ‘truth of fact’.

---

2 Ibid., ch. 6, para. 21.  
3 Ibid.  
4 See below.  
The ‘true meaning’ of a text, for Spinoza, consists of a correct account of the thought processes, assumptions and intended meanings of its author or authors, something which can be done only by carefully reconstructing both the historical and linguistic circumstances in which it was written and analysing the concepts used in terms of a strictly naturalistic interpretation of human nature, that is one that itself makes no appeal to supernatural forces or authority. Given the facts of human nature and the complex ways such belief systems develop, this ‘true meaning’ of the text may not have much, or even anything, to do with truth of fact. For Spinoza, truth of fact is an absolute and purely physical reality grounded on the laws of ‘true’ philosophy and science, an explanation devoid of all supernatural agents and forces, and all spirits and qualities separate from bodies, being expressed solely in terms of mechanistic cause and effect.

A cogent investigation of the significance of a text therefore requires that one carefully avoid mixing the intended meanings of the narrative one is studying with one’s own views (or those of anyone else other than the authors of that particular text) about what is true generally. ‘In order not to confuse the genuine sense of a passage with the truth of things, we must investigate a passage’s sense only from its use of the language or from reasoning which accepts no other foundation than Scripture itself.’

Hence, a consistent, coherent historical-critical method of exegesis cannot be either combined with, or used alongside, the dogmas and received opinions of believers as to what that text (or any other text) truly signifies, or mixed with the dictates of sound commonsense or cogent philosophy. The true meaning of a text (including Scripture) and truth of fact are simply two quite distinct and largely unconnected things. Spinoza was certainly right here at any rate in so far as the ‘true’ meaning of biblical or other texts, and ‘truth of fact’, had in his own day, and previously, invariably been merged and broadly at least identified as one, or as he would say ‘confused’.

Hence, for Spinoza, understanding a text is not a matter of ascertaining what is ‘true’ in it or searching for what is authoritative or divinely inspired, but strictly an historical-critical as well as linguistic exercise anchored in a wider naturalistic philosophical standpoint. What was both quintessentially ‘modern’ and revolutionary in Spinoza’s text criticism and

what chiefly sets it at odds with the text criticism of all varieties of contemporary Postmodernism, is precisely its insistence that there can be no understanding of any text which is not in the first place a ‘historical’ interpretation setting writings in their intellectual context, ‘historical’ now being defined in a highly innovative and naturalistic sense. The ‘historical’ in Spinoza’s sense (which is also the characteristic ‘modern’ meaning) was in fact conceptually impossible until, philosophically, all supernatural agency had been consciously stripped out of all forms of historical explanation, a development that was remote from the thoughts of most early modern thinkers and writers.

It is hence insufficient, according to Spinoza’s rules of criticism, to know the language in which a text is composed, and be familiar with its characteristic idioms, usages and grammar. Of course, one must first determine the grammatical signification of a given passage as accurately as possible; but one must then be able to locate this sensus literalis [literal sense] as a fragment of a wider complex of beliefs and notions, a self-defining and contained, if rarely coherent, human system of ideas and assumptions about the world. One must also take account of specific political circumstances at the time, as well as of motives, ambitions and preoccupations typical of that context. All of this then in turn needs to be explained, philosophically, as a product of nature and natural forces. Here was an idea which depended on a prior theory of culture and religion such as that embodied, since the mid 1660s, in Spinoza’s not yet completed Ethics — his principal work but one which was not published until late 1677, some months after his death and more than seven years after the appearance of the Theological-Political Treatise. It was a ‘revolutionary’ theory in the most fundamental sense of the term.

For Spinoza, all religions and human dogmas are forms of belief concerned with imagined transcendental realities answering to men’s deepest psychological and emotional needs and concerns. The life of primitive man, he surmises, much like Hobbes, was highly insecure, fearful and uncomprehending. Religion in his terms is thus a purely natural phenomenon especially in the sense that human emotions, as he argues in the appendix to Part One of the Ethics, are so structured as to lead us to attribute anthropomorphic and teleological explanations to natural phenomena. This applies particularly to all occurrences that we do not understand, especially those that fill men with dread. It is natural, he believes, for men to become deeply fearful in the face of natural
occurrences they cannot explain in ordinary terms and assume that there really is a transcendental order existing on high outside our imaginations which governs those forces, and that some exceptionally chosen or inspired men, blessed with divine favour, enjoy special access to these invisible higher beings and values which the great majority of humans utterly lack. This access then confers on them a power and status far above that of ordinary men.

To reconstruct the meaning of a text successfully, holds Spinoza, every relevant historical detail about those who wrote it, its circumstances of composition, revision, reception and subsequent preservation and copying, as well as changes in linguistic usage and concepts, must be meticulously examined. Likewise, one must consider the fact that language is employed differently not only from period to period but also by the learned and unlearned; and while it is the former who conserve and propagate texts, it is not chiefly they who fix the meaning of words or how they are used. If it often happens, by intention or error, that scribes and scholars afterwards alter wording or even subvert the meaning of whole passages of written text, or construe them in new ways, no one can change the way current words and phrases are understood in a given society, at a particular place and time, so that by correlating everything relevant to a given usage within a specific historical period, a methodology can be devised for detecting subsequent corruptions of wording, misinterpretation, interpolation and falsification. Even so, we often lack sufficient historical data, he warns, to justify even the most tentative efforts to clarify obscure passages.

While his emphatic rejection of all a priori assumptions about its revealed status and his rigorous linguistic and historical empiricism are undoubtedly key features of Spinoza's Bible criticism, it is nevertheless incorrect to infer from this that his method was, as has been claimed, basically a ‘bottom-up, inductive approach – more British-looking than Continental’ – or maintain that ‘Spinoza wants to start not with general presuppositions, whether theological or philosophical dogma, but with particulars and facts – with history – and then work his way up to broader generalizations’. Far from dramatically contrasting his approach with that of the many Cartesians of his time, or likening it to that of the ‘other great propagator of a new philosophy and patron of the new sciences, Sir Francis Bacon, whose works

---

8 Ibid., 160–1.

xiv
Spinoza knew in detail, the systematic differentiation between the natural and supernatural on which Spinoza's philosophical naturalism insists rests intellectually on a reworking of the Cartesian conception of nature and a drastic reformulation of Descartes' idea of substance. In other words, he begins with lots of prejudgments about the real meaning of texts. Had Spinoza really admired and emulated Bacon (of whom in fact he was rather disdainful), and had the 'contours of Bacon's thought' and the more narrowly experimental empiricism of the Royal Society really been closely akin to Spinoza's approach, the result would certainly have been a complete inability either to envisage and treat history as a purely natural process devoid of supernatural forces or to treat all texts wholly alike. Had Spinoza's austere empiricism genuinely been akin to that of Boyle or Locke (in fact it was very different), it would certainly have led him to a much more reverential and literalist conception of the Bible, and willingness to endorse the reality of miracles and prophesy, of the sort Bacon, Boyle, Locke, Newton and their followers actually evinced.

Far from strictly eschewing 'general presuppositions', Spinoza's text criticism, then, was firmly anchored in his post-Cartesian metaphysics without which his novel conception of history as something shaped exclusively by natural forces would certainly have been inconceivable. Spinoza's philosophical system and his austere empiricism in the conception of text criticism and experimental science are, in fact, wholly inseparable. His particular brand of empiricism, important though it is to the structure of his thought, in no way detracts from the fact that his metaphysical premises, root in one-substance doctrine, result from conflating extension (body) and mind (soul) in such a way as to lead him – quite unlike the members of the Royal Society, or followers of Boyle, Locke or Newton – to reduce all reality including the entirety of human experience, the world of tradition, spirit and belief no less than the physical, to the level of the purely empirical. This was Spinoza's principal innovation and strength as a text critic. But at the same time it is an inherent feature of his system (and his clash with Boyle) and more generally, part of the radical current which evolved in late seventeenth-century Dutch thought, in the work of writers such as Franciscus van den Enden (1602–74), Lodewijk Meyer (1629–81), Adriaen Koerbagh (1632–69), and Abraham Johannes Cufler (c. 1637–94) and the late works of Pierre Bayle (1647–1706), at Rotterdam. It was a current of Early Enlightenment thought altogether distinct from both the Lockean and Newtonian strands of the British Enlightenment, to which indeed it was
often consciously antagonistic, albeit no less important in shaping the subsequent course of Enlightenment thought.

When we study natural phenomena of whatever sort, contends Spinoza in the seventh chapter of his *Treatise*, we must first try to discover those features which are most universal, such as the laws governing motion and rest, laws which are eternally true, and then descend by degrees from the most general to the more specific. When studying texts, including Scripture, he urges us to do the same, seeking out first what is most universal and fundamental in the narrative. What is most universally proclaimed (whether by prophets, scribes, or Christ) in Scripture is ‘that there is a God, one and omnipotent, who alone is to be adored and cares for all men, loving most those who worship Him and love their neighbour as themselves, etc.’ Although such universals are historically determined and are therefore poetic concepts, inexact, limited and vague, and while it is totally impossible to infer from the biblical text ‘what God is’ or how he ‘provides for all things’, nevertheless such universals are not just wholly fictitious or arbitrary intended meanings. To his mind, they are inadequate but still significant perceptions, that is, vague but natural approximations to the ‘truth of things’.

In short, progress in understanding the history of human thought and belief, and Man’s ancient texts, depends on combining a particular set of naturalistic philosophical criteria with new rules of text criticism which supplement the philology of the past with the strict elimination of all supernatural agency and miracles and a constant stress on reconstructing historical context. The general principles guiding Spinoza’s text criticism are identical to those he applies to the study of nature. Both are rooted in the same type of empiricism, so that, at least in his terms, correctly undertaken Bible criticism is ‘scientific’ in a wholly novel sense which, however, was not one of which Boyle, Locke or Newton could approve. With Spinoza, as with Bayle, it is a fundamental principle that natural processes are exclusively determined by mechanistic cause and effect, that mind and human belief is part of this determined chain of natural cause and effect. Consequently, history, study of religion and generally what in German are called the *Soziale und Geisteswissenschaften* [social and intellectual sciences] are methodologically no different in principle from the other sciences: ‘I say that the method of interpreting Scripture’, as Spinoza expresses it in one of his most famous formulations, ‘does not

9 *Spinoza, Theological-Political Treatise*, ch. 7, para. 6.
differ from the [correct] method of interpreting nature, but rather is wholly consonant with it.\textsuperscript{10}

\textbf{Detaching Christ from the churches}

Spinoza creates a whole new 'science' of contextual Bible criticism, analysing usage and intended meanings, and extrapolating from context, using reason as an analytical tool but, except in the case of the rudiments of moral theory, never trying to uncover elements of philosophical truth embedded in Scripture. What one finds in Scripture is truth generally very obscurely and vaguely expressed, albeit in one very important case, namely its basic moral precepts, truth which is propagated more or less adequately. It is in teaching the rudiments of true morality that Spinoza, like his Dutch ally, the radical Cartesian and controversial Bible exegete Lodewijk Meyer, fully accepts that religious teaching based on the Bible plays not just a positive but also, given that most people cannot become philosophers, an indispensable role in underpinning society.

This positive dimension to what most contemporaries (and many since) regarded as Spinoza's 'anti-Scripturalism' merged in a remarkable and characteristic manner with his attack on ecclesiastical authority and what soon came to be called, in those Early Enlightenment circles influenced by Spinoza, 'priestcraft'. This campaign made extensive use of the circuitous tactic, introduced by Spinoza in the \textit{Theological-Political Treatise} and later elaborated by a long line of other radical, Deist and sceptical writers,\textsuperscript{11} of sharply differentiating between the high-minded, idealistic visions of those great founders of religions, like Jesus (and, in later radical authors such as Radicati and Boullainvilliers, also Muhammad), and the sordid perversion and corruption of their ideals by self-seeking 'priests' motivated chiefly by ambition and greed. In this way, radicals could argue that 'true' Christianity, or 'true' Muhammedanism, that is the genuine teaching of Christ and Muhammed, in no way corresponds to the actual doctrines and pretensions of the theologians, priests and mullahs who build and exploit socially and politically powerful organizations while falsely claiming to be their followers.

\textsuperscript{10} Ibid., ch. 7, para. 2.

\textsuperscript{11} Such as John Toland (1670–1722), Anthony Collins (1676–1729), Bayle, Henri de Boullainvilliers (1659–1722), Count Alberto Radicati di Passerano (1698–1737) and the Huguenot author and publisher, Jean-Frédéric Bernard (1683–1744).
Spinoza claims that Christ was not a ‘prophet’, a term which has a rather pejorative resonance in his terminology, but rather someone whose mind was adapted ‘to the universal beliefs and doctrines held by all mankind, that is to those concepts which are universal and true’. Christ, in other words, was a moral teacher and hence a philosopher whose thought had little or nothing to do with what ecclesiastics and theologians subsequently turned it into. Jesus’ message, held Spinoza, belonged by definition not to the realm of theology which, in his scheme, is solely directed at inculcating ‘obedience’ rather than ‘truth’ but, insofar as what he taught was true and clearly expressed, belongs rather to the sphere of philosophy. While Spinoza stopped short of explicitly identifying Jesus with his own philosophy, in the way that John Toland afterwards subversively identified Moses with primitive ‘Spinozism’, he did expressly claim, as his German friend and disciple, Ehrenfried Walther von Tschirnhaus (1651–1708), reported to Leibniz, that in so far as Christ was a universal moral teacher who proclaimed true religion to consist in ‘justice and charity’, he was no ‘prophet’ speaking from ‘imagination’ rather than on the basis of reason, but rather ‘the supreme philosopher’. The Piedmontese Spinoziste Radicati later added to this the idea that Jesus was really a great social reformer and egalitarian, the wisest and most just of legislators, someone who desired men to live in ‘perfect democracy’, his legacy being then wholly subverted by the first bishops, patriarchs and popes, who outrageously abused his teaching to erect their own authority and pretensions to pre-eminence and were, in effect, responsible for destroying the ‘democratical government settled by Christ’.¹²

Spinoza’s emphatic if idiosyncratic eulogy of Christ as a uniquely inspired moral teacher who was not, however, a superhuman individual has long puzzled commentators of both Christian and Jewish background. Evidently, Christ, for Spinoza, was someone who was in no way divine. Equally clearly, as he admitted in letters to Henry Oldenburg, secretary of the Royal Society in London, in December 1675 and January 1676, in Spinoza’s eyes, the Resurrection never took place.¹³ Doubtless, one should infer from both his remarks about Jesus in the *Theological-Political Treatise* and his letters, and from his philosophical system as such, that to his mind Christ neither performed any miracles nor could do so. In the

---

Introduction

Theological–Political Treatise, Spinoza declares as an absolute principle that 'no event can occur to contravene nature which preserves an eternal, fixed and immutable order'. During the Enlightenment, this was generally and rightly taken to mean that Spinoza flatly denied that there have ever been, or ever could be, any miracles. However, for reasons of prudence, and so as not to contravene the laws of his country at the time, he preferred not to say this in so many words. He was accused of holding this very doctrine in a letter written by the Cartesian regent Lambert van Velthuysen (1622–85), in Utrecht, in January 1671. The letter charged him with putting the Koran on the same 'level with the Word of God', and a copy of the letter was sent on by the recipient, the Mennonite preacher, Jacob Ostens, to the 'Political Theologian' [i.e Spinoza] at The Hague. Spinoza defended himself by saying that what he had 'proved' concerning miracles was that miracles, which he defines as something that goes outside the bounds of the normal laws of nature, 'afford no knowledge of God. God is far better comprehended from the unchanging order of Nature'.

It was clear even to those who remained unaware that Spinoza's philosophical system actually precludes all possibility of miracles a priori that, for him, we can learn nothing of importance about, and nothing from, 'miracles', which means that Christ's miracles could have had no particular significance even if they really occurred. The value of Christ's mission among men, in Spinoza's eyes, lay not in any reported signs, wonders, or mysteries, but entirely in his moral teaching. But this he considered to be of surpassing value. He clearly looked forward to the day when, as he puts it in chapter 11, 'religion is finally separated from philosophical theories and reduced to the extremely few, very simple dogmas that Christ taught to his own', which would result in a new golden age free from all superstition. This remark clearly shows that in Spinoza's system religio is by no means the same thing as superstitia, despite its relatively lowly status compared with philosophy. In fact, true 'religion' and true 'piety' are completely redefined by Spinoza in the Theological–Political Treatise to mean simply devotion and obedience to worldly good conduct, especially justice and charity.

Perhaps the best way to explain Spinoza's special emphasis on the significance of Christ for all humankind is to link it to his deeply felt need

14 Ibid., p. 229. 15 Spinoza, Theological–Political Treatise, ch. 11, last para.
16 Preus, Spinoza, 178.
to form a tactical and strategic alliance with those fringe Christians, especially Collegiants\(^{17}\) and Socinians,\(^{18}\) willing to assist him in promoting the sort of campaign that could eventually help to strengthen toleration and individual liberty, reform society and politics, and institute true ‘freedom to philosophize’. Several such men, including Pieter Balling (d. 1669) who translated much of his early work from Latin into Dutch, Jarig Jelles (c. 1620–83) who wrote the preface to his *Posthumous Works*, and his publisher Jan Rieuwertsz (c. 1616–87), figured among his closest allies and friends. During the course of his own personal development it had long been of great concern to him, especially during the years after his expulsion from the synagogue in 1656, to form ties with this exceptionally tolerant Christian fringe milieu which professed to accept the overriding status of reason in explicating both Scripture and Christ’s spiritual significance. They too denied Christ’s divinity, the Trinity, and Resurrection along with most other conventional Christian ‘mysteries’ and sacraments on the ground that these are incompatible with ‘reason’.

As for the major churches, Orthodox, Catholic and Protestant, these, like rabbinic tradition and the Talmud, had little status in Spinoza’s eyes. The Early Church may originally have been inspired by the authentic teaching of Christ and may therefore have genuinely been a ‘religion of love, joy, peace, temperance and honest dealing with all men’, based on wisdom. But it had soon become debased in his opinion, losing its authenticity immediately after Christ’s death even during the time of the Apostles. The Early Church, he argues, everywhere degenerated into warring factions which ceaselessly vied with each other for supremacy, forging theological doctrines as their weapons and deploying dogma and ceremonies as the building-blocks of their power.\(^{19}\)

This ‘rise of ecclesiastic superiority and dominion’, as Radicati calls it, went hand-in-hand, moreover, with a constant further elaboration of

\(^{17}\) ‘Collegiants’ is a name given to a movement which developed in the Netherlands in the seventeenth century, especially in Amsterdam, Rotterdam and at Rijnsburg of mostly highly literate townspeople who sought to base their lives on the Bible and Christ’s example but dispensed with formal doctrines and clergy and prized toleration, equality and freedom of speech; on this subject see Andrew Fix, *Prophecy and Reason. The Dutch Collegiants in the Early Enlightenment* (Princeton, 1991).

\(^{18}\) A radical Reformation Christian tendency, originally an organized sect, which became established in Poland in the sixteenth century but later diffused to parts of Germany, the Netherlands, Britain and North America; they rejected the divinity of Christ, the Trinity, and other traditional Christian doctrines.

\(^{19}\) Spinoza, *Theological-Political Treatise*, preface para. 9.
doctrine. ‘As soon as this abuse began in the church’, explains Spinoza in the preface of the *Theological–Political Treatise*, ‘the worst kind of people came forward to fill the sacred offices and the impulse to spread God’s religion degenerated into sordid greed and ambition.’

To make their ‘mysteries’ appear more impressive intellectually, theologians also utilized the ‘the speculations of the Aristotelians or Platonists’; and as ‘they did not wish to appear to be following pagans, they adapted the scriptures to them’. In this way, faith has become identical, holds Spinoza, ‘with credulity and prejudices’ and ‘piety and religion are reduced to ridiculous mysteries and those who totally condemn reason and reject and revile the understanding as corrupt by nature, are believed without a doubt to possess the divine light, which is the most iniquitous aspect of all.’

In their subsequent debased condition, lacking moral and intellectual status, the religions of the Christians, Jews, Muslims and pagans, he argues, have long really all been equivalent, that is all equally adulterated and lacking in genuine authority.

Far from being, as some maintained at the time, a confused idea of deities or the Deity, ‘superstition’, contends Spinoza, proceeds from emotional frenzy, especially dread and foreboding, and like other forms of emotional disturbance assumes very varied and unstable forms. But no matter how unstable (and destabilizing) ‘superstition’ can be, wherever the multitude is ruled by it more than by anything else, it remains a constant means of accumulating power for the crafty and ambitious, especially those who know how to channel it effectively by dressing it up in pompous and impressive ceremonies, dogmas and great mysteries (as well as impenetrable Platonic philosophy), all of which serve to extend and reinforce its reach, rendering popular ‘superstition’ the overriding danger to those who are independent-minded or who dissent from theological dogmas and what the majority thinks.

**Spinoza’s theory of toleration**

One of the key features of the *Theological–Political Treatise* is the theory of toleration that it so powerfully formulates and its general defence of freedom of expression and publication. Spinoza, Bayle and Locke are undoubtedly the three pre-eminent philosophical champions of toleration.
of the Early Enlightenment era. But of these three great and distinct toleration theories, Spinoza's is unquestionably not just the earliest but also the most sweeping, and is arguably also historically the most important – especially from the perspective of ‘modernity’ conceived as a package of egalitarian and democratic values – even though in the Anglo-American intellectual tradition it is customary to stress the role of Locke much more than that of Spinoza. Radical Enlightenment thinkers such as Diderot, d'Alembert, d'Holbach and Helvétius, in any case, were plainly much closer to Spinoza's conception of toleration than they were to Locke's, whose theory depends in large part on theological premises and which emphatically excludes 'atheists' and therefore also materialists and to a lesser degree agnostics, Catholics, Muslims, Jews and the Confucians whom Bayle, Malebranche and many other Early Enlightenment authors classified as the ‘Spinozists’ of the East.

It was one of Spinoza's chief aims in the Theological-Political Treatise to demonstrate that ‘not only may this liberty be granted without risk to the peace of the republic and to piety as well as the authority of the sovereign power, but also that to conserve all of this such freedom must be granted’.\(^{23}\) At the same time, liberty of worship, conceived as an ingredient separate from freedom of thought, always remained marginal in Spinoza's theory of toleration, so much so that in contrast to Locke, for whom religious freedom remained always the foremost aspect of toleration, Spinoza scarcely discusses it in the Theological-Political Treatise at all, despite this being the work where he chiefly expounds his theory of individual freedom and toleration. He does, though, say more about religious freedom, later, in his unfinished Tractatus Politicus [Political Treatise] (1677). This unusual and at first sight surprising emphasis derives from Spinoza's tendency to conceive liberty of conscience and worship as something strictly subordinate in importance to freedom of thought and not as something of itself fundamental to the making of a good society and establishing the good life. He therefore treats religious freedom as an element necessarily comprised within, but yet strictly subsidiary to, toleration conceived in terms of liberty of thought and expression.\(^{24}\)

But while encompassing freedom of worship in his toleration, Spinoza in both the Theological-Political Treatise and the later Tractatus Politicus shows

\(^{23}\) Ibid., ch. 20, para. 16.

a marked reluctance to encourage organised ecclesiastical structures to expand their influence, compete for followers, assert their spiritual authority over individuals, or engage in politics, in the way that Locke's theory actively encourages churches to do. For Spinoza was acutely aware that such latitude can have deeply ambivalent results with regard to individual freedom and liberty of expression. In fact, he carefully distinguishes between toleration of individual worship, which he sees as one thing, and empowering churches to organize, expand and extend their authority freely, just as they wish, which he sees as something rather different. While entirely granting that everyone must possess the freedom to express their beliefs no matter what faith or ideas they profess, he simultaneously urges the need for certain restrictions on the pretensions and activities of churches, a line subsequently carried further by Diderot. While dissenters should enjoy the right to build as many churches as they want and individuals should freely fulfill the duties of their faith as they understand them, Spinoza does not agree that minority religions should, therefore, be given a wholly free hand to acquire large and impressive ecclesiastical buildings and still less to exercise a near unrestricted sway over their members, as the Amsterdam Portuguese synagogue had once sought to dictate to him.

Still more urgent, in his view, was the need to keep the majority or state church under firm secular control: ‘in a free republic (respublica)’, he argues, ‘nothing that can be devised or attempted will be less successful’ than to render the official religion powerful enough to regulate, and consider itself justified in seeking to control, the views and expressions of opinion of individuals. ‘For it is completely contrary to the common liberty to shackle the free judgment of the individual with prejudices or constraints of any kind.’ 25 Officially condoned persecution justified by the alleged need to enforce religious truth is an oppressive intrusion of the law into the private sphere and arises only because ‘laws are enacted about doctrinal matters, and beliefs are subjected to prosecution and condemnation as if they were crimes, and those who support and subscribe to these condemned beliefs are sacrificed not for the common welfare but to the hatred and cruelty of their enemies.’ 26 Consequently, holds Spinoza, the state should only punish men for deeds and never for their utterances or opinions. The publicly established

---

25 Spinoza, Theological-Political Treatise, preface, para. 7.
26 Ibid., para. 7.
churches in his view are not upright, praiseworthy and justified religious institutions but rather debased and corrupt bodies in which what he considers to be the church's true function, namely to instruct the people in 'justice and charity', is being continually adulterated and thwarted, not just by 'base avarice and ambition' and use of doctrine to defeat rivals, but also by exploiting popular ignorance and credulity to intimidate, marginalize and condemn freethinking individuals. Hence, 'faith amounts to nothing more than credulity and prejudices', something which degrades human reason completely inhibiting men's free judgment and capacity to distinguish true from false, a system of theological doctrines apparently 'designed altogether to extinguish the light of the intellect'.

Where a republic, whether democratic or aristocratic, or any monarchy permits an organized clergy to evolve distinct from the ruling elite, from the office-holders of the state, and preside over the publicly proclaimed religion, the 'multitude', admonishes Spinoza, will always consider the clergy and its leaders an alternative, and higher, source of authority than the secular government, believing, as they do, that ecclesiastics are closest to God. Churchmen, as is only to be expected, will then devise more and more dogmas and rulings further to enhance their power and subordinate secular authority to their judgment and approval. Hence, a vital safeguard for preserving liberty in any republic, argues Spinoza, is to prevent the factions that form among the ruling oligarchy, and the office-holders, from dividing into competing sects or churches supporting rival priesthoods and schools of doctrine. The more office-holders seek the approval and support of ecclesiastics in their battles with other political factions, the more they must defer to theologians, and hence the more they will become helpless prey to 'superstition', Spinoza's shorthand for subservience to theology and ecclesiastical control. In such cases, he maintains, adherents of religious congregations and doctrines condemned by the dominant priesthood are ruthlessly sacrificed not, he insists, for the public good but solely 'to the hatred and cruelty of their enemies'.

Freedom of religion, then, as distinct from freedom to expand ecclesiastical authority, wealth and influence, is accommodated within Spinoza's scheme but remains secondary to freedom of thought and tied to restrictions on priestly independence and the authority of churches over their members. Freedom to embrace a particular faith, practise the

---

27 Ibid., para. 9.  28 Ibid., para. 7.
observances it prescribes, and profess its doctrines, not only should be respected but is politically useful where well managed, albeit only when accompanied by robust safeguards against religious zeal and intolerance. Preventing the growth of a separate and powerful public priesthood is a prerequisite, in Spinoza's opinion, for a free republic because the outward forms of religion and religious authority fundamentally affect the cohesion, stability and orderliness of the state as well as individual liberty and freedom of thought. Where ecclesiastical authority is permitted to follow an independent line, the masses will inexorably become estranged from their government the moment it tries to uphold freedom of thought, expression and the press against the church hierarchy, the ignorant inevitably rushing to assist those who thirst for power over others 'so that slavery may return once more', as Spinoza characteristically puts it, and 'superstition' again reign supreme. Having himself witnessed the street riots, and the murder of the Brothers De Witt, in The Hague, in 1672, he knew at first hand the disastrous consequences of enabling ministers of religion to denounce office-holders of the state with a view to inflaming the ignorant and credulous against government policies by proclaiming these ungodly and heretical.

It is not then religious toleration, for Spinoza, but freedom of thought and expression which principally safeguard individual liberty under the state, constituting the most precious possession not just of the wise but of those who are genuinely 'religious'. Unfortunately, he argues, this essential point is very rarely grasped in society. To regulate men's thoughts, beliefs and judgments may be impossible, but in his time, as subsequently, it was generally not deemed appropriate for individuals to form their own views, freely and independently, as to what is true and what is not, what is morally right and what is not, and what is just. Rather governments, churches and educational institutions took it for granted that individuals have no right to decide the most fundamental questions of conviction for themselves and that what is proper for them to believe should be enforced and what is incompatible therewith suppressed. Among the various censorship laws, anti-heresy statutes and decrees of religious uniformity applying in Europe in his day, those with which Spinoza himself had most directly to

29 Johan de Witt (1625–72) was 'Pensionary' or chief minister of the States of Holland and the presiding figure in Dutch politics between 1653 and 1672; he and his brother Cornelis, also a high office-holder of the state, incurred the hostility of the strict Calvinist clergy through their policy of religious toleration and general opposition to hard-line Calvinist attitudes.
deal were the Dutch anti-Socinian laws of 1653, a code designed not just to curb Socinianism but to serve as a tool of theological censorship more generally. It was under these decrees, for instance, that the books of Spinoza's friends and allies, Lodewijk Meyer and Adriaan Koerbagh (1632–69) as well as the Dutch version of Hobbes' *Leviathan* were all suppressed.

For Spinoza, book censorship posed a formidable problem. Indeed, the question of whether, when, and how to publish his own writings dogged him in his later years on an almost daily basis. There was also a wider pall of disapproval and condemnation hanging over him (he was formally placed under surveillance by the Reformed Church council of The Hague, in 1675), so that, by the early and mid 1670s, he had some reason to feel anxious and insecure. The famous reference in the preface of his *Theological-Political Treatise* to his co-citizens and himself enjoying the ‘rare happiness of living in a republic where everyone's judgment is free and unshackled, where each may worship God as his conscience dictates and where freedom is esteemed above all things dear and precious’ was undoubtedly tactful but it was also more than a touch sarcastic and was probably also designed to prod his readers in a particular direction by hinting that, with its current laws, the Dutch Republic was not living up to the true ideals of its founders.

A key aim of Spinoza's toleration doctrine, in any case, was to establish the desirability of freedom to publish one's views no matter how decried they might be by theologians and by the majority. No other Early Enlightenment theory of toleration, certainly not those of Locke or Le Clerc, or even that of Bayle, seeks to clear a comparably broad path for liberty of the press. For Spinoza, the principle that society may rightly demand of the individual submission with respect to actions but not with regard to his or her desires, thoughts, opinions and conversation, meant that men should also be free to express their views in print. All efforts to curb expression of opinion, and freedom to write and publish, he insists, not only subvert the sphere of legitimate freedom but spell constant danger of instability for the state. The bitter strife between Remonstrants and Counter-Remonstrants in the United Provinces and the overthrow of the Advocate of Holland, Johan van Oldenbarnevelt (1547–1619),30 in

30 The Remonstrants were the more tolerant and liberal, and the Counter-Remonstrants the strict Calvinist, faction of the Dutch Reformed Church during the early seventeenth century; the regime of Oldenbarnevelt strongly supported the former against the latter but was overthrown, in 1618, by
1618, he contends, sufficiently proves that in times of spiritual turmoil the ‘real schismatics are those who condemn other men’s books and subversively instigate the insolent mob against their authors, rather than the authors themselves, who for the most part write only for the learned and consider reason alone as their ally. Hence, the real agitators are those who attempt to do away with freedom of judgement in a free republic— a freedom which cannot be suppressed. 31

Spinoza and the rise of modern democratic republicanism

Another crucially important aspect of the Theological-Political Treatise is its advocacy of democracy. By thoroughly subordinating freedom of conscience and worship to individual freedom of thought and expression, Spinoza, like Bayle, placed his toleration entirely beyond the then pale of respectability. Aside from a few Collegiants and Socinians, few contemporaries considered such a concept of individual liberty of thought and conviction to be in any way compatible with a proper Christian outlook or fitting for a well-ordered society. His doctrine was widely condemned in the United Provinces as well as elsewhere. Generally, during the eighteenth century Locke’s toleration was vastly preferred to Spinoza’s and, in this slightly pejorative sense, it is doubtless true that ‘Locke provided the theoretical defence of the toleration which would rule the outlook of the coming age’. 32 However, Locke’s ‘Christian argument’ was decidedly not that of Bayle, Diderot, Helvétius, d’Holbach and the radical wing of the Enlightenment which was the source of our own ‘modernity’, although until recently this has seldom been acknowledged. By prioritizing freedom of the individual, and of expression, in preference to freedom of worship and religious observance, Spinoza in fact cleared a much wider space for liberty, and human rights, than did Locke, and cut a historically more direct, and ultimately more important, path towards modern western individualism.

Spinoza’s highly unHobbesian rule that the ‘less freedom of judgement is conceded to men the further their distance from the most natural state, a coup-d’état led by the Prince of Orange, Maurice of Nassau (1567–1625) and backed by the Counter-Remonstrants; for further details, see Jonathan Israel, The Dutch Republic. Its Rise, Greatness and Fall. 1477–1806 (Oxford, 1995), pp. 426–57.

31 Spinoza, Theological-Political Treatise, ch. 20, para. 15.
and consequently the more oppressive the regime', besides firmly anchoring everyone's unrestricted right of access to information and ideas in a free republic, also afforded a readily available method for evaluating any given state. No doubt this highly original perspective arose partly out of personal needs and preferences, especially Spinoza's inclination to judge the worth of any state in terms of whether or not it encourages the free thinking man's rational love and understanding of Nature — and of society where the latter is deemed a part of Nature. Nevertheless, as the twentieth-century British philosopher Stuart Hampshire pointed out, such an approach, with its stress on promoting learning, freedom of expression and encouragement to debate, clearly results in practice in a much wider criterion for judging societies on a purely secular basis than does the political theory of Hobbes, whose criteria for judging the worth of states were essentially confined to issues of security and stability.

According to Spinoza's deterministic philosophy, human beings have the power, and hence the natural right, to do whatever their circumstances, abilities and environment enable them to do. But of all the different things individuals could conceivably do, they will actually do only what they consider to be 'best' for them. The fact that in all spheres of activity people behave in markedly different ways despite our all being determined in the same way is due to the fact that their mostly 'inadequate' notions give people very different ideas as to what is best for them. It is because the desires and ideas of each individual, whatever they may want or believe, serve the same purpose and are determined in the same way, that Spinoza is able to argue that everyone's primal desire to be happy in their own way must be treated as strictly equal in any realistic discussion of society and politics. On this ground and because of the indispensable role of this principle of equality in erecting his strictly non-theological moral theory, Spinoza's system was from the outset intrinsically linked to the idea that the democratic form is always the most natural, freest and best kind of state. Historically, this is something of huge importance, for Spinoza was actually the first great philosopher since the rise of philosophy itself, in ancient Greece, to argue unequivocally, forcefully, and as an intrinsic and central part of his system that democracy is and must always be the best form of human organization.

In Spinoza, consequently, unlike in Bayle or Locke, freedom of thought is not just broadly couched but also expressly tied, through freedom of expression, to an anti-monarchical, anti-ecclesiastical and anti-aristocratic politics. Spinoza's political thought endeavours to maximize individual liberty under the state by demonstrating, and emphasizing, the positive interaction between Man's individual and collective interests and the power of the sovereign. In his view, the state's true strength and stability depends on the willingness of citizens to identify with, participate in, and support it. Hence, in Spinoza, toleration and freedom of thought and expression are grounded on a particular conception of political power and of the role and functions of the state. Since the ‘right’ of the state is identical to the power of the state, according to his conception, and since no one can control the thoughts or desires of someone else, it follows that it lies entirely outside the proper scope of the state even to try to control men's thoughts and discussions. When setting up the state, holds Spinoza, each individual surrendered, for the sake of added security, co-operation and also freedom, his or her natural right to act unrestrictedly, as he or she pleases – but not his or her right to reason, judge and express opinions. And since everybody retains the right to think and judge independently, it follows that it remains everyone's right to express whatever one wishes about religion, politics, law and everything else pertaining to the ‘common interest’ and the state, provided such freedom is exercised without undermining the law or prejudice to the state. Expressing views about this or that decree, event, political decision, or office-holder only becomes seditious and hence liable for punishment, he maintains, if it directly obstructs implementation of laws and decrees.

Whether the sharp divide this theory presupposes between action, on one side, and thought and expression, on the other, is likely to be clearly apparent in practice may well strike us as doubtful. When exactly, by Spinoza's criterion, is political or religious propaganda seditious and when not? But however he proposed to substantiate it in particular instances, this divide between action, on the one hand, and thought and expression, on the other, remained fundamental to Spinoza's (and the Spinozists') conception of individual liberty. Where Hobbes, preferring monarchs to democracy, suppresses the ‘natural right’ of individuals under society and the state, postulating a ‘contract’ which cancels it, Spinoza always preserves the ‘natural right’ intact as far as he can. Whatever thoughts, utterances, speeches and publications can safely be allowed in society

xxix
should be permitted, he concludes early in the twentieth chapter of the Theological-Political Treatise, since ‘the true purpose of the state is in fact freedom’.35

Ultimately, the close connection between individual liberty and politics in Spinoza's philosophy revolves around the idea that personal freedom, and satisfaction of individual desires, is greater or less, and the individual more or less secure, depending on the degree to which the state strives to maintain ‘the common good’, something which Spinoza argues is inherently more likely to happen the more the state is broad-based and democratic in character. Conversely, the more autocratic the state – though he regards pure monarchy along the lines eulogized by Hobbes as an impossible fantasy – the weaker it is. This means that the rational individual will learn to see that his or her private personal aspirations and interests are more likely to prosper the more individual liberty in general is buttressed, something which can only happen where the free republic receives the support of individuals like him or herself. Eventually, this will lead the more rational part of the population to grasp that true individual self-interest directly depends on the prosperity or otherwise of the ‘common good’ as furthered, defended and presided over by the state.

The urban, commercial, egalitarian ‘democratic republicanism’ Spinoza expounds in the Theological-Political Treatise and his later Tractatus Politicus is of great importance but was no isolated phenomenon. Historians of political thought in recent decades have devoted a great deal of attention to the development of republican theories in early modern times. However, attention has focused primarily on the Anglo-American ‘classical republican’ tradition, which, with its agrarian country gentry background, tended to be aristocratic in orientation, anti-commercial and ‘soft’ on monarchy. Curiously enough, there has been much less interest in the historical origins of the kind of full-blooded ‘democratic republicanism’ that developed not in the gentry-dominated but rather in the urban, mercantile context especially of the Dutch Republic, where pro-burgher, aggressively anti-monarchist and anti-aristocratic writers like Franciscus van den Enden (1602–74), Johan (1622–60) and Pieter de la Court (1618–85), Spinoza, Ericus Walten (1663–97) and Frederik van Leenhof (1647–1713), and later Bernard Mandeville developed a body of political theory of which Spinoza’s contribution is only part. Anglo-American ‘classical republicanism’ may be a

35 Spinoza, Theological–Political Treatise, ch. 20, para. 6.