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Cita:

N'Dré Sam, BEUGRE (2022). *Living under democracy: Freedom of expression in the work of Spinoza*. Pontificia Universidad Javeriana, 3 (2), 8-17.

Dirección estable: <https://www.aacademica.org/ndresambeugre/2>

ARK: <https://n2t.net/ark:/13683/pr5C/S0m>



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Living under democracy: Freedom of expression in the work of Spinoza

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Doctor end philosophy

Abstract: This work approaches Spinoza's work, focusing on the place that the notion of freedom of expression occupies in it. Much of the work of this philosopher is an exhibition of arguments to defend the democratic regime - and, even more, the democratic way of life - understood by the author as the best regime to be, among all possible forms, the more natural, that which comes closest to the ultimate objective of the State. In this context, the defense of Spinoza's freedom of expression is, in the end, a defense of democracy. In relation to the above, according to this author, freedom of expression (the defense of which is inseparable from the defense of Reason) is the condition of possibility of Democracy because it is only with freedom of expression that the rationality of decisions is guaranteed and, consequently, the gradual increase in the efficiency of the democratic system.

Keywords : democracy - freedom of thought - freedom of expression - to - right.

Introduction

The present work proposes to approach the work of Spinoza by focusing on the place that the notion of freedom of expression occupies in it. It is based on the assumption that much of this philosopher's work is an exhibition of arguments for the defense of democratic rule - and, more importantly, the democratic way of life - understood by the author as the best regime. to be, of all possible forms, the most natural, the one that comes closest to the ultimate goal of the State. In this context, the defense of Spinoza's freedom of expression is, ultimately, a defense of democracy. In relation to the above, the second hypothesis that guides this work is that, for Spinoza, freedom of expression (the defense of which is inseparable from the defense of reason) is the condition of possibility of democracy, because it is no It is that with the freedom of This expression guarantees the rationality of the decisions and, consequently, the progressive increase of the effectiveness of the democratic system. In order to study the problematic proposition, essentially two of Spinoza's great works will be taken up: the *Treatise on Theology and Politics*, in particular the last five chapters of this work, where the author

develops the concept of freedom of expression and its link with the end of the state. ; and the *Political Treaty*, taking up the idea of the State and, essentially, the notion of democracy.

1. General considerations. On the concept of state and the concept of democracy

Although Spinoza has not finished writing the fragment of his work devoted exclusively to the analysis of democracy, other parts of it make it clear that the author postulates such a form of government as the best form possible. In this section, the arguments from which the philosopher defends this position will be exposed. In the first place, Spinoza affirms that in the natural condition of existence all human acts are determined by the laws of nature of each man, laws which ultimately direct the action of each individual towards his own conservation (*conatus*). In this haste, individuals are constantly limited by others because each, according to his power, struggles to satisfy his own appetites. Consequently, and since according to Spinoza the power of each one decreases as the causes of fear increase, in the state of nature the right of each one is practically non-existent. This leads to the urgent need for all men to create stable relationships and bonds, as external determinations can be more adequately confronted with the union of individual powers. For Spinoza, the more important the factors of the sum, the greater the power of the resulting singular, the greater his rights ; that is, the greater the number of men who make up a community, the closer they will be to identifying with the " absolute power " of human nature. This sum can be done in three main ways, which will result in the three types of state that Spinoza exposes in the *Political Treaty* (1964): monarchy, aristocracy and democracy.

For the philosopher, it is clear and it is a fact that neither the monarchy nor the aristocracy are faithful expressions of the state as " absolute power " (Spinoza, 1986). A central argument in this regard refers to the original impossibility of a single man to take back the sum of power from civil society, which is absurd because for this to be the case, the individual must be equated with absolute power. , should be this power. From the above, it is concluded that an absolute state will only be possible if all the individuals that make up a society cede their rights to the community as a whole and not to one or more representatives of it (which happens in the case of monarchy and aristocracy, respectively); In this way, an identity is formed between the private rights and those of the whole community. And these are precisely the foundations that Spinoza attributes to the democratic state, which he defines as the general association of men, which collegially possesses the supreme right to whatever it can (Spinoza, 2005) .1 Another argument from which Spinoza defends the democratic system is found in *the Political Theological Treatise* (1964). The author begins with an open questioning of the monarchical system, insofar as he links it to superstition, the tool par excellence of human control. In the preface to this work, the author underlines: `` (...) the great secret of the monarchical regime

and its main interest consists in deceiving men, disguising under the beautiful name of religion the fear they need for them. keep in slavery, so that they believe that they are fighting for their salvation when they are fighting for their slavery (...) " (Spinoza, 1964, p.13-14). Throughout his work, Spinoza will propose that monarchy is the government of superstition, and tyranny is the government of fear.

In relation to this argument, understanding the value that Spinoza attributes to democracy implies remembering what, according to the author, is the ultimate goal of the state: The state does not have as its objective to transform the people of rational beings into animals or automatons, but for the citizens to develop their body and mind safely, freely use their reason, do not profess hatred, fury and cunning, and do not unfairly look at you with jealous eyes . The end of the state is therefore really freedom. (Spinoza, 2005, p.305). Thus, and to integrate the two arguments, the democratic system is, from Spinoza's point of view, the most able to guarantee the realization of what he means by the end of the state. The author attributes this virtue of democratic regimes to a series of factors: in principle, as indicated above, democracy is the system closest to the state of nature.² This is significant for two reasons: on the one hand , the democratic regime is a regime in which men retain a large part of their natural rights, since each is his own sovereign . While men endure nothing less than being ruled by their peers, Spinoza concludes that any society must have power in a collegial manner so that everyone is obliged to obey themselves and that no one is equal. (p. 154).

In other words, this regime builds a social apparatus in which the living conditions are similar to those of the state of nature, but within the framework of the security offered by the state. On the other hand, from his realistic point of view and by examining the historical account of the Hebrew people found in the Bible, Spinoza shows that when the people had power in their hands, the peace of the state was preserved. .³ Thus, for the author, a democratic society is a society (...) in which the inviolability of the common pact can be maintained without infringing natural rights. In this way, each individual transfers his power to society which, for this very reason, will have over all things the absolute right of nature, that is to say sovereignty (Spinoza, 1964, p. 241).

As previously stated, to understand how natural rights are preserved, the figure of the Assembly is central: democratic society is defined by Spinoza (1964) as a `` General Assembly which generally holds its sovereign right over everything within the sphere. of its power " (p. 241). This definition has all the components specific to what Spinoza understands by state: the concept of community ("the general association of men ..."), and the concepts of law, absolute power and collegial power. This last concept is central, because it is affirmed that no man would be willing to cede his rights to a single man, so that the latter rules him absolutely; but, in addition, because man wants to be free, and for this reason, every society should have, if possible, a collegial power, so that everyone is obliged to obey himself and that no one is equal.

Then, democracy is established as the only absolute power which, as such, is the only means by which man can realize his freedom. The figure of the Assembly, typical of democracy, again refers to the ultimate goal of the state: the state aims to allow citizens to develop their body and mind in safety, freely using their reason. The image of the assembly is the maximum exponent of the reconciliation of the individual with the whole, insofar as, starting from the free use of reason and the freedom to express one's own opinions, in a democracy all subjects decide to themselves. The democratic regime is the most natural regime of government and the most suitable for the freedom that nature gives to all men, because in this state no one transfers his natural right to another, On the other hand, if the goal of the State is the freedom of men, Spinoza gives a very clear and precise meaning to the concept of freedom, by linking it to reason. Man is free, says the author, as long as he acts according to reason: (...) reason, I say, advises man to peace, and peace is possible only in the obedience to the common law . Consequently, the more a man governs according to reason, that is to say that he is freer and more faithful to the common law , the more he conforms to the sovereign to whom he is subject (Spinoza, 1964, p. 251).

However, at the same time as he affirms the need for man to conform to the sovereign, Spinoza postulates that the sovereignty of the individual sets a natural limit on power and law, that is to say on sovereignty. of State. In this way, the absolutist theory of the state acquires particular characteristics when it is put in necessary relation with the concept of democracy, thus reconciling the individual with the whole (Madanes , 2001). The foundation of the state is here the foundation of democracy. In turn, from the Spinozian thought matrix, it is possible to assert that democracy is the most rational form of government : In democracy, absurd laws are less sensitive than in other forms of government, because it is less than impossible for the majority of an assembly to sanction an absurdity, and on the other hand, the basis and the object of this government are, as we have demonstrated, to contain the disturbances of the appetite and to keep men, as much as possible, within the limits of reason, so that they live together in peace and harmony, and if this foundation is forgotten, the whole building can only collapse (Spinoza, 2005, p.242) .4 This rationality specific to the democratic form of government therefore guarantees peace within the state. In short, Spinoza asserts that the only way to organize society and guarantee human freedom, so that peace and piety coexist there, is democracy.

II. On the right to freedom of expression and the rationality of decisions

One of the natural rights that can - and should - be preserved in a democratic state is freedom of expression. In Spinoza's work, freedom of expression is the condition of possibility so that people can understand each other and collectively exercise the right to everything that each has received from nature (Spinoza, 2005). In other words, on the basis of the social pact,

individuals freely and voluntarily renounce their right to act, but not to reason and to express these reasonings freely. This means that whoever wants to respect the rights of the sovereign must not act in opposition to his decrees, but he can think, judge and therefore speak in complete freedom. (Spinoza, 2005) In this sense, the right to freedom of thought and expression of all men derives from natural rights, and they are equivalent to self-preservation, because they constitute rights which cannot be renounced. Indeed, they are part of the natural condition - which men preserve to a certain extent, even within the framework of the pact which constitutes the state. But, in addition to these philosophical assumptions, Spinoza adds a realistic argument : he affirms that the suppression of these rights - in addition to making impossible their effective realization - would deeply and definitively affect the possibility of preserving the piety and the peace of the State. . This last argument is based on the idea that the prohibition of a right - as fundamental in the eyes of the author - as freedom of expression would generate such a lack of commitment on the part of the subject, which could quickly become a desire for sedition.

Finally, another central argument in the defense of freedom of expression consists in asserting that the public debate of diverse opinions is a condition for the rationality of the decisions which are taken. As Spinoza (1964) points out: For example: a citizen demonstrates that a certain law is loath to reason and thinks that it should, for that reason, be repealed; if he submits his opinion to the judgment of the sovereign (who belongs only to establishing and abolishing laws), and if during this time he does not act against the law, he well deserves from the State the best citizen; but if, on the contrary, he undertakes to accuse the magistrate of iniquity, if he tries to make the crowd detestable, or if, with a seditious spirit, he tries to repeal the law against the advice of the magistrate, he is only a disruptor of public order and a rebellious citizen (p. 306). Here appears another relevant element of what the author understands by freedom of expression: what - according to some theories of democracy and citizenship - would be called the public orientation of the opinions expressed in the debate.⁵ This implies that the opinions expressed and confronted with others must necessarily be intended for the construction of the common good, exceeding sectoral desires or individuals. In this way, Spinoza constructs a substantial concept of freedom of expression.⁶ It is precisely for this reason that, like other rights, the right to freedom of expression belongs to the collective, in the sense that it does not belong to the collective. can only be exercised within the framework of the support and mutual respect of men. As Atilano Domínguez asserts in the Prologue to the Political Treaty (1986), (...) The identification of law and power does not mean that human power is unlimited. On the contrary, he is limited by his surroundings and, more precisely, by the power of other men. (...) That is to say that the individual human right is not a reality, but a simple opinion or a simple imagination. To be real, it must be supported by the power of others (pp. 32–33). Spinoza (1986) says in this sense: (...) the law of nature, with regard specifically to the human race, can hardly be conceived without there being among men common rights,

and lands which 'they can live and cultivate together, and without being able to ensure the maintenance of their power. , protect yourself, reject violence and live by following a decision common to all. The greater the number of those who have gathered, the greater the right they will all have together (pp. 44–45).

And precisely because rights cannot be such in exclusively individual terms, freedom of thought and freedom of expression have a necessary relationship. This is particularly interesting here, insofar as for Madanes (2001), the equivalent use in certain passages of the two terms shows confusion, or at least a poorly argued use. However, from the point of view of this article, it is understood that in Spinoza's approach, freedom of thought and freedom of expression are two sides of the same coin, and both are synthesized in what the author calls for the freedom to philosophize. And this is because, although it is not stated in this way by the author, reason is precisely the product of the development of thought and the confrontation of ideas, and reason as the principle of organization of society and of human action is the guarantee of freedom. Spinoza (1964) underlines in this regard: The individual therefore freely and voluntarily resigns from the right to act, but not from the right to reason, nor from the right to judge. Thus, the one who wants to respect the rights of the sovereign must not act in opposition to his decrees, but he can think, judge and, therefore, speak in complete freedom, as long as he does all this by calling his reason to his aid. , do not be dominated by cunning, anger, hatred or seek to introduce any alteration into the state (p. 306). In this way, the centrality that reason acquires in the Spinozian approach is inseparable from the defense of freedom of expression.

In summary, and in the light of subsequent theoretical developments, the fundamental concepts of Spinoza's proposition take on a collective dimension, from which communication between men becomes essential.

III. the right to freedom of expression as a condition for the possibility of democracy

Spinoza's assertions lead Leiser Madanes to conclude that the main argument from which Spinoza defends freedom of expression is as follows: `` As the natural tendency of men is to express what they think, if the sovereign tries to prevent it, this will cause multiple conflicts with its subjects " (Madanes , 2001, p. 181). However, from the readings made, it is possible to postulate that Spinoza goes beyond this negative argument - the impossibility of limiting freedom of expression -, defending freedom of expression as a condition for the possibility of democracy. Now, why is it possible to assert that, according to Spinoza, freedom of expression is a condition for the preservation of democracy? Precisely because it is a condition of possibility of the rationality of the decisions that the sovereign takes there. In a passage from the last chapter of the *Treatise on Political Theology* (2005), rhetorically and anticipating

possible questions, the author asks: Have we not shown that in a democratic government (the closest to 1 state of nature), all citizens are bound by a pact to conform their actions to the common will, but not their judgments and feelings, that is to say that all men, not being able to profess the same things, the same opinions, have established that they will acquire, apart from the law, the measure which has the most votes, retaining however the power to replace this measure by a better one if it is found. ? (p. 311).

As Leiser Madanes (2001) himself states, "the current antiplatonic bias of the political philosophies of Hobbes and Spinoza is that, for both thinkers, the right to decide is not based on knowledge of good decisions" (p.145). However, for Spinoza, the possibility of making the right decisions lies in the governmental regime from which the society is organized, while proposing that, collectively, men can only make the decisions which result in the majority. This implies that, for Spinoza, decision making is at the heart of how they are constructed. This is linked to Spinoza's idea that passions divide men, while reason unites them, so that the more men have to build an agreement to make a decision, the greater its degree of rationality (Madanes , 2001). The above allows us to conclude that, according to Spinoza, freedom of expression is a necessary condition for the functioning of democracy: if democracy is the best system of government, then freedom of expression is justified because it is considered to be a necessary means.

CONCLUSIONS

Spinoza's work exhibits a deep coherence in its conceptual apparatus, in the sense that much of it can be read as a defense of democracy. Now, what does Spinoza mean ? Are the foundations of democracy a certain degree of freedom, a representative system and an electoral system based on majority rule ? Democracy is not only that, nor in principle that: democracy, as proposed by Spinoza, must be founded on something much deeper and lasting: living democratically. Spinoza considers democracy not as a utopia, but as a regulatory idea of political life. And the foundation of this democratic life is, precisely, collegial power and, as a condition of its possibility, freedom of expression. Thus, the right to freedom of expression is not only a negative limit on state power, as stated in the work of Leiser Madanes (2001) when he stated that, for Spinoza, freedom of expression is only a right which cannot suppress without generating sedition, but rather Spinoza goes further, defending a democratic life, a rational life, the foundation of which is freedom of expression.

In this sense, the author's theoretical developments make an important contribution to the proposals which grant the right to communication a central place in the possibility of building and consolidating democratic systems. Communication, as the sharing of socially shared meanings, is essential not only in terms of a decision-making mechanism from which

all relevant actors have the opportunity to express their needs, concerns, demands, but, and more fundamentally, as a means of constructing and challenging the meanings of collective life and common well-being. As Sergio Caletti (2001) says, Communication constitutes, in our opinion, the condition of possibility of politics in a double sense. In the first place, as it is obvious and not negligible, because the policy supposes a relation between the men which does not occur in a central way, neither by the work nor by the body, but, par excellence, by the sharing of meanings socially recognizable by a speech and action. But, on the other hand and in a decisive way, because it is precisely communication - understood in this sense, insofar as it is a sharing of socially recognizable meanings - which precisely allows the common as a horizon to be given to aspirations. that they have beaten in any multi-intervention game of what we usually call politics (pp. 44–45).

From this horizon of concerns, Spinoza's approach proposes a concept of freedom of expression which has a strong substantial content. In other words, if indeed, according to his theory of law and power, the author proposes that the right to freedom of expression - like other rights - belongs to the social group, in the sense that it cannot be exercised in a framework other than that of freedom and mutual support between men, it is understood that in its proposal, freedom of expression does not have as its main object to limit the power of the State over the individual; rather, it makes life in common possible by facilitating understanding between people. This implies, not only that Spinoza's approach cannot be framed in what will later become the theoretical and epistemological paradigm of liberalism, on the contrary, the concept of democracy is not reduced to a problem of procedure, but to a fundamental problem. The author's realistic perspective shows a concern with how men actually live, and not just with definitions of how they should do it. Therefore, its efforts are directed towards the reflection and the defense of a type of social organization where - despite the deeds to which men often turn - life in freedom, peace and security is possible. The guarantee is, from Spinoza's point of view, what human beings are able to build collectively.

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