

Appendix D: Truth and Justice in Amsterdam¹

Paradigms for Justice

On July 27, 1656 an act of justice or injustice, depending on the paradigm used, took place in the synagogue of the Portuguese-Jewish community of Amsterdam. The event was the excommunication of Baruch de Spinoza from the Jewish community in a document that concluded with the warning that “no one should communicate with him, neither in writing, nor accord him any favor nor stay within four cubits in his vicinity; nor shall he read any treatise composed or written by him.”ⁱ

If the paradigm used to judge the matter of justice or injustice of the action taken by the lay leadership encompassed the ideas regarding freedom of speech and religion as contained in the first amendment to the Constitution of the United States one could make the case that the excommunication of Spinoza was an injustice. However, consider the following:

- At that time, the Dutch Republic was the most liberal state in Europe.
- The Jewish community was permitted by the state to practice its religion on the condition that its membership properly observed Judaism as an exception to the official religion of the state.
- Due process within the synagogue, the official leadership authority within the Jewish community, was observed.

Although Spinoza had opportunity to recant before the excommunication, he chose not to do so and maybe even welcomed his new freedom, such as it was. It brought to mind the choice that Socrates made when offered the opportunity to escape into exile; escaping would have violated his principles.

As to Spinoza’s new freedom, there was precious little freedom. The only work authored by Spinoza and published “under his own name during his lifetime was *Principles of Cartesian Philosophy Geometrically Demonstrated*, along with an appendix entitled *Metaphysical Thoughts*.”ⁱⁱ That was in 1663.

His only other publication of his during his lifetime was in 1670. It was the *Theological-Political Treatise* which was subtitled *Wherein is set forth that freedom of thought and speech not only may, without prejudice to piety and the public peace, be granted; but also may not, without danger to piety and the public peace, be withheld*. It was published with no author listed, and with a fictitious name for a publisher and a city of publication different from the city in which it was actually published.

Rebecca Newberger Goldstein in her *Betraying Spinoza: The Renegade Jew Who Gave Us Modernity* writes of Spinoza’s caution and hope to persuade by reason the merits of his political views noting that “The book evolves into one of the most impassioned defenses of a free democratic state in the history of political theory, an eloquent plea for the separation of church and state.”ⁱⁱⁱ

¹ This is a version of a chapter in another treatise in progress.

Another claim as to the source of modernity, or at least “...a useful framework for understanding and interpreting the history of early modern thought” is in the preface to *Epicureanism at the Origins of Modernity* by Catherine Wilson. Wilson argues “for the contribution of Epicurean natural, moral, and political philosophy to early modern theory and practice...[taking]... materialism as the only valid frame of reference, not only for scientific inquiry but for the solution of the deepest problems of ethics and politics.”

The role of ethics is presented by Spinoza in the book that awaited publication until after his death, being too risky to publish during his lifetime lest it would shorten his life. The book, *Ethics*, “is undoubtedly Spinoza’s greatest work – a fully cohesive philosophical system that strives to provide a coherent picture of reality and to comprehend the meaning of an ethical life.^{iv}

Spinoza agreed with the Epicureanism as espoused by Lucretius (in his *On the Nature of Things*) regarding the matter of the *native power of the mind* as “a mechanism for understanding causes” and further as noted in the Stuart Hampshire introduction to the Edwin Curley translation of *Ethics*,

Spinoza’s so called determinism is the belief that all behavior...is to be explained by causes, but causes of two kinds; causes that are eternally valid explanations of their effects, and causes that are valid as explanations at a particular time and in particular circumstances.

Spinoza not only drew on philosophical boom that grew out of the rediscovery of poem by Lucretius that set forth the ideas built upon Epicureanism that explained the nature of things without reliance on a deity, but also upon the work of the scholars of the Middle Ages who thrived in the Islamic Golden Age that also drew on the philosophy of the ancient Greeks. Indeed, *Ethics* is developed in the geometrical manner of Euclid’s reasoning and is a superb integration of previous ideas, but capped with Spinoza’s own contribution reflecting perspectives from many dimensions.

As to Spinoza’s many dimensions, Antonio Damasio in his *Looking for Spinoza: Joy, Sorrow, and the Feeling Brain* writes,

The difficulty [“Spinoza is not easy to know”] begins with the problem that there are several Spinozas with which to reckon, at least four by my count. ...the radical religious scholar... political architect...philosopher... [and the]... protobiologist. This is the biological thinker concealed behind countless propositions, axioms, proofs, lemmas, and scholia. Given that many of the advances on the science of emotions and feeling are consonant with proposals that Spinoza began to articulate, my second purpose I this book is to connect this least-known Spinoza to some corresponding neurobiology of today...¶ Spinoza is relevant to neurobiology in spite of the fact that his reflections on the human mind came out of a larger concern for the condition of human beings.^v

If one utilizes the paradigm being outlined, the criterion for justice is not correspondence with the truth of what is, but rather correspondence of the truth of *what ought to be*. *What ought to be* may be taken

as simply a value judgment, but, it may also be taken as a matter of faith as in revealed religion and/or as a matter of reason.^{vi}

These issues and the application of 21st century nascent disciplines along with traditional disciplines are being integrated in the paradigm under development. This is being done building on the ideas of Spinoza as a radical 17th century thinker and the concepts inherent in America's Declaration of Independence and the first amendment to the Constitution.

Developing the Paradigm for What Ought to Be

Freedom of Thought

The thrust of this discussion utilizes the perspective that considers individuals as complex adaptive systems bound together in societal networks that are also complex adaptive systems. The idea of being a complex adaptive system refers to the organic nature of individuals and societies – a nature that evolves over time in response to external forces as well as internal forces seeking survival and some semblance of balance in the system. This is a perspective that encompasses some nascent disciplines. The thrust of what is considered justice at any point in time in any community may change over time as the community evolves, and as the individuals evolve. The case of Spinoza was one where the freedom of individuals of the right to think and speak was embryonic for Western civilization, and so the 17th century paradigm in Western Europe started a turn that led to concepts inherent in America's Declaration of Independence and the first amendment to the Constitution, as just noted.

These thrusts of combing the perspective utilizing nascent disciplines with the idea of justice is intended to foster individual well being, admittedly in a societal context where it is essential to get a balance of interests so that the direction is toward liberty and justice for all. The point of it is that America has been going in the wrong direction in recent decades, and it may be time for an Encore Enlightenment or a New Age of Enlightenment.

The relevance of this discussion is to show that modernity is built upon some key ideas, especially as espoused by Spinoza and other radicals in the Enlightenment. The opening discussion is of the key idea of freedom of thought as a fundamental premise for political structure. This discussion is built up from the human mind and brain as an organic system serving as the control center for the human body; and then moving to individual human beings as part of networks that are the source of authority for societal organization. The resulting societal organization is in contrast to that of the vision of Plato in his *Republic* where individuals were relegated to being placed in roles in society as developed in a track system or being governed by the hierarchical structure that prevails under church or royalty. The pursuit of justice is built on the vision of the source of authority being with the individual with the resulting structure being *of the people, by the people, and for the people*, to borrow a phrase.

The concluding chapter of Spinoza's *Theological-Political Treatise* is titled "It is shown that in a free commonwealth every man may think as he pleases, and say what he thinks." The opening paragraph

summarizes some of the analytical results of an earlier chapter making the point that the individual has the inalienable right to think as he wishes, and a governmental attempt to “control men’s minds may be regarded as tyrannical.”

After having noted that although judgment may be influenced, opinions vary as much as taste and are influenced by a variety of emotions, Spinoza states that the task in the final chapter is “...to enquire to what extent this freedom can and should be granted to all without endangering the peace of the commonwealth and the right of the sovereign.”^{vii}

The short answer on the criteria for freedom of thought and speech is in the first subtitle noted , “*Wherein is set forth that freedom of thought and speech not only may, without prejudice to piety and the public peace, be granted; but also may not, without danger to piety and the public peace, be withheld.* The title and subtitle in the Shirley translation is as follows: “*THE THEOLOGICAL-POLITICAL TRACTATE Containing Various Disquisitions, By means of which it is shown not only that Freedom of Philosophising can be allowed in Preserving Piety and Peace of the Republic: but also that it is not possible for such Freedom to be upheld except when accompanied by Peace of the Republic and Piety Themselves.*” Spinoza was very cautious about conformity to state law in his advocacy of application of reason.

Spinoza’s attempt in the treatise was to use reason to deal with political issues facing the Dutch society. Additionally, his writing the treatise may also be viewed as a defense of his actions that led to his excommunication. **Most importantly for contemporary application, the ideas in the treatise laid the groundwork for the United States’ Constitution’s First Amendment, quoted as follows: “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”**

Since concepts of justice evolve over time, and so does our knowledge of neurobiology and other disciplines, we can use a comparison of (1) the then prevailing justice concept as administered in the excommunication process with (2) a modern concept of justice (possibly an idealized version of what it might be) as we consider the insights of Spinoza in the late 17th century.

Human Evolution and Ethics

Understanding what developed in a little over the century between the 17th century in which Spinoza was excommunicated and later had his two key works (*Theological-Political Treatise* and *Ethics*) published, and the 18th century when the British colonies in America united to issue a Declaration of Independence and then formed a Constitution with a First Amendment that dealt with the ideas of freedom espoused by Spinoza, is helpful in envisioning what may further evolve from the current situation in the United States. The regression of justice in the United States over recent decades may be reversed and lead on to an even higher visualization of what out to be, including the nature of the

political-economy in which society functions with a pursuit of social justice that moves closer to *liberty and justice for all*, to borrow another phrase.

The Feeling Brain. Damasio's opening sentence in his book titled *Looking for Spinoza: Joy, Sorrow, and the Feeling Brain* is "Feelings of pain or pleasure or some quality in between are the bedrock of our minds." Later on the opening page he notes that "Of all our mental phenomenon we can describe, feelings and their essential ingredients – pain and pleasure – are the least understood in biological and specifically neurobiological terms."

Later in the same chapter,^{viii} he identified his main purpose in writing the book was "... to present a progress report on the nature and human significance of feelings and related phenomenon..." and then after making some points that include "Feelings can and often are *revelations* of the state of life within the entire organism - ..." and "Life being a high-wire act, most feelings are expressions of the struggle for balance..." he includes the following;

An understanding of the neurobiology of emotion and feelings is the key to the formulation of principles and policies capable of reducing human distress and enhancing human flourishing. In effect, the new knowledge even speaks to the manner in which humans deal with unresolved tensions between sacred and secular interpretations of their own existence.^{ix}

He continues in the middle of the next paragraph with a two sentence explanation of why Spinoza is invoked in the title of the book. It is as follows:

The short explanation is that Spinoza is thoroughly relevant to any discussion of human emotion and feeling. Spinoza saw drives, motivations, emotions, and feelings – an ensemble Spinoza called *affects* – as a central aspect of humanity. Joy and sorrow were two prominent concepts in his attempt to comprehend human beings and suggest ways in which their lives could be lived better.^x

Leading to the two previous quoted statements, Damasio wrote in response to a question he posed, "Because the success or failure of humanity depends in large measure on how the public and the institutions charged with governance of public life incorporate that revised view of human beings in principles and policies. An understanding of the neurobiology of emotion and feelings is a key to the formulation of principles and policies capable of reducing human distress and enhance human flourishing. In effect, the new knowledge even speaks to the manner in which humans deal with unresolved tensions between sacred and secular interpretations of their own existence."^{xi}

Neurobiology and Ethical Behavior. Ethical behavior may be viewed as emergent phenomenon of neurobiological processes. However, in addition to the impact of genetic spirituality imbedded biologically, the memes arising from the prevailing culture are inputs to the process that provides beliefs. Thus, one way of looking at the context of ethical behavior is with the evolution of the brain

accompanied by whatever spirituality is imbedded and the development of the individual brain and spirituality in the lifespan of the individual.

Andrew Newberg in his opening paragraph of the transcript summary of Lecture 6 (titled Spiritual Development) the course *The Spiritual Brain: Science and Religious Experience* provides the following, here shown as an excerpt of the opening paragraph;

The brain and spirituality appear to develop in parallel throughout the human life span. It is through this development process that we come to our spiritual and religious belief systems... As we grow and develop, our brain grows and develops, and this appears to parallel our spiritual growth.^{xii}

In the paradigm under development for this treatise on the pursuit of justice, the biological operation of the brain as a human organ is being used as a model for the operation of the human being as an organic system, which in turn is being used as a model for society as an organic system.

Ethics and spirituality may be impacted by prevailing memes. In the early societal structures that were of small scale when men hunting animals used teams, the leaders divided the bounty. The ethical standards of a fair distribution were informally enforced in that an unfair leader would have difficulty in forming a team. The games children played were predicated on team cooperation and team success in the hunt rather than individual success.^{xiii}

In the modernity of Western civilization, children's games tend to focus on individual success. For adults individual financial success is a great motivator for *unethical* behavior. Some of the disparity in cultures over time is related to the smaller scale of ancient societies where the administration of justice was at a community level as compared to large scale societies with great reliance on laws and formal regulation where it is much easier to *game the system*.

In addition to this first view explaining the existence of a spiritual brain (that is a spiritual aspect of the brain's operation) based on the brain's evolution in guiding action based on evolution of human beings, there are two other plausible explanations. A second view for explaining the existence of the spiritual brain is neuroscientific. That view, while also evolutionary, is "...more on how the brain has come to work."^{xiv} The reasoning runs that as the brain develops to solve practical problems such as food production "...it can also develop to deal with philosophical questions about the nature of reality and existence and the meaning of life. The brain will also begin to consider religious and spiritual answers to these questions."^{xv} Newberg provides a third explanation which is the religious argument, "which simply points out that if God exists, it would make sense that the human brain would be designed to comprehend God."^{xvi}

Spinoza's Paradigm

Spinoza's paradigm has God and Nature as One and the One has been *self-created*. Furthermore, man's knowledge, if in accord with the *overflow* concept rooted in the Neo-Platonism idea of *emanation* or

overflow, would be derived in some sense from God or Nature, although Spinoza has his own classifications of knowledge, with the highest being the intuitive knowledge which may be intellect.

Further on intuitive knowledge,

...the highest level of knowledge, each thing is grasped in the context of the infinite explanatory system, *Deus sive natura*, that is, the world, the details of which cannot – precisely because they are infinite – be exhaustibly grasped in their inexhaustible entirety but can nevertheless be holistically intuited. In intuitive knowledge, the whole entailed system - for each implicated thing entails the whole implicative order – is made palpably, if intuitively present. We can only approach this third level asymptotically. We can never achieve it fully, since to do so would be to possess the mind of God, the thinking with which the infinite order of necessary connections thinks itself.^{xvii}

Below intuitive knowledge lies scientific knowledge, “which involves the explanation of finite things by their necessary connections to their finite causes...And below scientific knowledge lies imagination, which, for Spinoza, includes all the passively received data of the senses, devoid as they are of any inkling of necessary connections that constitute reality.^{xviii}

The chapter in which Goldstein discusses these levels of knowledge as seen by Spinoza is titled “For the Eyes of the Mind,” the opening discussion is about individuals flourishing. In this striving discussion the focus is on what *is* in the context of self. Later, the discussion turns to *ought*, after human nature is explored. Spinoza builds on Epicurean thought, focusing on emotions in Part III of *Ethics* titled “Of the Origin and Nature of the Affects.” But Spinoza is using the geometric style of reasoning in *Ethics* and binds reason and faith together in his paradigm of God and Nature as being One.

Qualities of Knowledge and Abilities in Brain Development

The quality of knowledge is an issue in any paradigm, especially if truth is intended to comport with reality rather than what ought to be. A contemporary bit of literature focused on computers is in the form of a 2014 article titled “Information, Knowledge & Intelligence” appearing in *Philosophy Now: A Magazine of Ideas*. It is by Sir Alistair Macfarlane and is about how these concepts are applied to computers. The short quote is as follows:

“Information describes: it tells how the world is now... Knowledge prescribes: it tells us what to do on the basis of accumulated past experience... Intelligence decides: it guides, predicts and outcome is likely to be.” [Pages 18-20, Issue 98.]

Ron White, the blue collar comic is fond of saying “You Can't fix stupid.” MacFarlane, in the article quoted, is more gentle. His quote is

“Unlike belief and knowledge, intelligence is not information: it is a process, or an innate capacity to use information in order to respond to ever-changing requirements... [It is] the ability to cope with unpredictable circumstances...¶] ...By assiduous practice we can become

more skilled. By diligent study and careful observation we can become more knowledgeable."

The point is we can with our intelligence pursue knowledge and improve outcomes by using the lens of *complexity science*, at whatever level we develop knowledge going through the *museum of life*; an allegory reflecting the evolution of quality of knowledge for human beings and societies. A great deal of what gets done in society today is done through organizations; but organizations can also learn, as can societies. The great challenge of our time may well be the development and dissemination of the knowledge essential for a free society to function effectively, not only in the production of goods and services, but in the social justice for their distribution.

There are two key issues. The first is the right of individuals to hold and express opinions as a matter of liberty and justice. The second is the nature of the structure of society in which liberty and justice will be pursued along with an essential incentive structure for fostering production in a society.

The extent of knowledge is relevant at both bottom and the top levels of the societal structure; first at the level of the network of individuals that compose a society, and then at the level of the network that administers of the structure. In a democratic republic in which there are substantial intervening levels, it is critical that the process be fair all through the various levels.

The case may be made that faith based on spirituality as it evolved over time for individuals and societies, particularly with the Decalogue, is a reasonable way to form the choices on how to live. The issues arise with the relationship with reason. The work of Spinoza was a watershed in the transition that began in the Middle Ages with reason being used to justify religion followed by reason and religion blended. But as discussed earlier, the Islam of the Abbasid Caliphate under the leadership of the Mu'tazilites turned out to be a lost opportunity when the conservatives objected to the mandate of using reason to bolster faith, leaving justice in Islam as an ethical notion rooted in what ought to be based on strict interpretation of the Koran. Thus, at least in a political context from a traditional Muslim perspective, consider the following quote from the Bernard Lewis book, *What Went Wrong: Western Impact and Middle Eastern Response*, **"For traditional Muslims, the converse of tyranny was not liberty, but justice. Justice in this context meant essentially two things, that the ruler was there by just right and not by usurpation, and that he governed according to God's law, or at least according to recognizable moral and legal principles."**^{xix}

The assessment of quality of knowledge relates to the source of authority as well as blending faith and reason. If the source of authority is the individual, as with democracies in contemporary Western civilization, then there is a great burden on reason and/or faith in whatever combination exists. The great challenge is dealing with that relationship homeostatically; that is, preserving some sense of balance in the system while the system evolves.

Meeting that challenge at the individual and societal level as relates to ethical behavior is a matter of both the ingrained biological behavior that has evolved to preserve life of the entity, the individual and

society, but also the reasoning coupled with the emotion. That process in the human brain is not in a single “moral center,” but rather is an emergent process involving multiple centers of activity in the brain.^{xx} This treatise continues with a discussion of the development of knowledge that impacts the process in the hope of facilitating it moving on the next level of organic societal development. That process was facilitated with the radicals of the Enlightenment era.

ⁱ *Spinoza: A Life* by Steven Nadler, pages 120-121.

ⁱⁱ In Seymour Feldman’s introduction to the *Theological-Political Treatise* of the Samuel Shirley translation, p. xii.

ⁱⁱⁱ See *Betraying Spinoza*, page 6.

^{iv} See the back cover of the Edwin Curley translation in the Penguin Classics edition.

^v See pages 14-15.

^{vi} We are accustomed to the view that truth is that which is the conformity to reality. In the words of Abraham Kaplan “A true proposition is one that corresponds to the facts, represents them, states them as they are. This is the ‘semantical conception’ of truth, or the *correspondence* theory.” [*In Pursuit of Wisdom: The Scope of Philosophy*, page 174.] Kaplan continues in the next paragraph with the following. “This connection is central to the *pragmatic* theory of the truth. The truth about something may not be limited to what we know about it, but, at best, this is only a matter of some abstract theory; truth as known is all that has any practical significance to us. The truth is what we are justified in believing, what is useful for us to believe. Correspondence is nothing other than the capacity to make itself useful.” [Pages 174-175.]

A critical element in ethics is truth. The *Encyclopedia Judaica* entry, by Steven S. Schwarzschild, contains the following: “In Judaism truth is primarily an ethical notion: it describes not what is but what ought to be. Thus, in the Bible, truth is connected with peace, righteousness, grace, justice, and even with salvation, ‘The world rests on three things—truth, justice, and peace’... “God acts truthfully in that He keeps His word. Human truthfulness is to be faithful to God and man. This is specified in many ways: to speak truth even in one’s heart; always to quote correctly; to engage in commerce honestly; and to abstain from all deceit and hypocrisy. In sum, as God is truth so Judaism as a whole is the practice of truth. “Jewish philosophers generally accepted the Greek notion of truth as ‘correspondence with reality.’ Even such intellectualism, however, is ultimately superseded by biblical ethicist.’ In modern Jewish philosophy, Hermann Cohen designates the normative unity of cognition and ethics as ‘the fundamental law of truth’. Martin Buber also identifies Jewish faith with truth as interpersonal trust. Thus, truth as a human, ethical criterion is commonplace throughout the mainstream of Jewish thinking.”

^{vii} See page 223 of the Second Edition of the Samuel Shirley translation.

^{viii} See page 6.

^{ix} See page 8.

^x See page 8.

^{xi} See page 8.

^{xii} See page 98 of the full transcript edition or page 39 of the *Course Guidebook*.

^{xiii} See *The World Until Yesterday* by Jared Diamond.

^{xiv} Much of this discussion on reasons for existence of the spiritual brain is from Andrew Newberg’s *The Spiritual Brain: Science and Religious Experience*, published by The Great Courses.

^{xv} See page 16 of the *Course Guidebook*.

^{xvi} See page 16 of the *Course Guidebook*.

^{xvii} Goldstein in *Betraying Spinoza*, pages 187-188.

^{xviii} Goldstein in *Betraying Spinoza*, page 187.

^{xix} See page 54.

^{xx} The process is discussed on pages 164 – 166 of *Looking for Spinoza* by Antonio Damasio.