

The Freedom of Religion Is a Divine Idea

Spinoza and Derrida on Democratic Autonomy

JASON HOULT

Jason Hoult is an Adjunct Instructor at the Department of Philosophy,
St. Jerome's University.

[jhoul@uwaterloo.ca](mailto:jhoult@uwaterloo.ca)

How is the freedom of religion possible? How is it that we can freely gather to discuss, to share, and indeed to critique the various beliefs and practices of different religions? In other words, how is this journal issue possible? How is it possible to engage in a public discussion – to publish an essay, for example – that critically assesses both Christianity and the nation? Is the publicity of this discussion an “event”, in Jacques Derrida’s (1930–2004) terms?¹ Does it involve the “coming of the other”?² How do we address the

1. Derrida is constantly playing with the root of the words event, advent, and invent (*venir*) in his works. *Venir* means to “come”; an “event” for Derrida is constantly arriving and so always at once here (now) and yet still to come. In his essay “Privilege: Justificatory Title and Introductory Remarks”, he describes the promise that constitutes the democratic as an event: “An event or a promise”, he writes, “[constitutes] the democratic: not presently but in a here and now whose singularity does not signify presence or self-presence.” Jacques Derrida, *Who’s Afraid of Philosophy? Right to Philosophy*, vol. 1, Stanford, CA 2002, 42.

2. In “Psyche: Invention of the Other”, Derrida observes, as he reflects on the mind’s inventiveness and invention, that it is “another ‘we’ that is given over to this inventiveness [...], a ‘we’ that does not find *itself* anywhere, does not invent *itself*: it can be invented only by the other and from the coming of the other that says ‘come’ and to which a response with another ‘come’ appears to be the only invention that is desirable and worthy of interest. The other is indeed what is not inventable” as one’s own product, “and it is therefore the only invention in the world, the only invention *of* the world, *our* invention, the invention that invents *us*. For the other is always another origin of the world, and *we are to be invented*. And the being of we, and being *itself*”. Jacques Derrida, *Psyche: Inventions of the Other*, vol. 1, Stanford, CA 2007, 45. Unless otherwise noted, emphasis is given in the text.

subjects of religion and democracy (or Christianity and nationality, to invoke the themes of this special issue) so that our essays are rendered eventful and inventive, as Derrida would say, avoiding the conventions that give rise to calculated and expected responses?

In this essay, I undertake to address these questions through an analysis of the concepts of democracy and religion as advanced by Baruch Spinoza (1632–1677) and Derrida. As we shall see, there is a profound relationship between the moral principles central to their analyses of the democratic state and religious concepts. In the *Theological-Political Treatise*, for example, Spinoza founds the civil rights of democratic freedom on the command, the duty, to uphold another's right as one's own. He argues that in founding the civil state, people "had to bind themselves by the most stringent pledges to be guided in all matters only by the dictates of reason [...], to do to no one what they would not want done to themselves, and to uphold another's right as they would their own".³ Thus, he marries the dictates of reason that guide the actions of human beings in a democratic state to the Golden Rule; in turn, he ties the observance of the Golden Rule (as articulated by Jesus in Matt. 7:12 and in Luke 6:31) to civil freedom. But, from his presentation of the founding of democracy, there arises a series of questions. For is democracy (not) then religious? Is the Bible or are the religions of the Bible, in turn, understood to be democratic? Is the democratic right to autonomy (the right to decide upon one's own religious commitments for oneself, including the right not to believe in anything that one identifies as religious) a biblical or a modern invention? Is it a divine or is it a human idea?

Spinoza begins the *Theological-Political Treatise* by indicating that the freedom to think (that is, reason) preserves and is preserved by both piety and political peace. It is freedom that constitutes, for Spinoza, philosophy, religion (the knowledge of God as articulated by the authors and figures central to the Bible),⁴ and politics. Derrida also holds, over a suite of

3. Baruch Spinoza, *Theological-Political Treatise*, Indianapolis, IN 2001, 175. When I include, within the same paragraph, successive quotations from the same page of a source, I append the footnote citation to the last quotation.

4. Although I recognize the significant differences between Judaism and Christianity, along with the differences between what constitutes Jewish and Christian Scripture, I shall generally refer, in concert with Spinoza, to "the Bible" and use the term "biblical" in order to allow me to focus not on Judaism or Christianity in particular but on the particular set of ideas and values that are found at the very core of both traditions. Let me also note here that, although I do not discuss Islam explicitly in my study, Derrida properly includes Islam among the religions of the book, as the third, historically, of the Abrahamic religions, all of which contain, he argues, the concepts of justice and grace (the gift) that he also associates with deconstruction. Finally, I want to be sure to note that, although I refer, at times, to Christianity specifically (in keeping with the particular terms of this special issue), I do not mean to suggest that Christianity or Christian doctrine in any way supersedes or supplants Judaism or Jewish doctrine (or that Spinoza or Derrida suggests, in any critical way, that

essays and works, that it is the free promise to respond responsibly to others that constitutes reason, faith, and politics. But what these thinkers thereby show us is that neither religion nor democracy have their origin in the natural evolution of human beings but in the law (at once divine and human) to uphold another's rights as one's own. Consequently, what we discover when we examine the concepts of religion and democracy advanced by Spinoza and Derrida is that, paradoxically, the freedom of religion (the freedom involved in the democratic right to practice any or no religion at all as an autonomous human subject) is a divine idea. In other words, through an analysis of the concepts of Spinoza and Derrida, I shall undertake to show in this paper that biblical religion is democratic (in principle) in the beginning and that the principles of modern democracy (the rights and freedoms articulated in democratic states, including the freedom of religion) are religious unto the end.

Prior to turning to Spinoza's *Theological-Political Treatise*, I want to indicate what I understand by the idiom "democratic autonomy". It is patent that Immanuel Kant (1724–1804), in setting out what it means to impose a law upon yourself, to impose the law yourself, to impose your own law – *auto-nomoi* – demonstrates that the call for autonomy is but another version of the democratic imperative: all persons are created equal. For what Kant shows us in both the *Grounding for the Metaphysics of Morals* and the *Critique of Practical Reason* is that, as the legislator of the law, you are equally its subject, that is to say you are subject to the law that you prescribe for others.⁵ Thus, the autonomous human subject is the person who wills for others what she wills for herself, the person who wills to treat both herself and others as ends and never merely as means. Kant thereby argues in Part III of the *Grounding* (and in concert with Spinoza, as we shall soon see) that, because we possess an understanding of ourselves as natural, we are not only natural but free: born in the state of nature yet conceived by the civil state in which human beings know the dictate of reason as the practice of willing what he calls the kingdom of ends.⁶ Democracy disseminates autonomy in bearing witness to the idea that every human subject is to be treated as a free human person and never merely as a determined natural object. Autonomy, in turn, is a democratic practice. For it involves the practice of building the

Christianity exceeds Judaism). As we shall see, there is no exceeding or superseding the command to love your neighbour as yourself. There is nothing more perfect than this imperative (and the existence that is created in its image). For it is this command (along with its infinite variety of expressions) that enables us to distinguish our perfections from our imperfections, good from evil, right from wrong, holy from unholy.

5. Immanuel Kant, *Grounding for the Metaphysics of Morals*, 3rd ed., Indianapolis, IN 1993, 431–434, 440–441; Immanuel Kant, *Critique of Practical Reason*, New York 1997, 5:33–5:35.

6. Kant, *Grounding*, 446–463.

kingdom, the social structure, in which all persons are treated as ends, as persons with dignity, and not as mere means, as objects with a price.

But how do the ideas of autonomy, democracy, and equal human rights arise? They do not appear to be found in or founded upon the feudal, aristocratic past that precedes them. What is the history of these ideas? What is the story of the ideas of human equality and autonomy? Are we not also critical (and rightly so) of the founders of democracy? Are the people who voice these principles historically not also the ones responsible for contributing to the massacres that follow the French Revolution and for the violent and vile oppression of American slavery? The answer is: Yes. But how, then, do we relate to the history of democracy in a way that is justified? How do we tell the story of the founding of democracy in a way that does justice to its own principles? In mustering a critical response to these questions with the aim of demonstrating the historical paradox involved in the development of democratic rights (including the right to free religious expression), let us see how Spinoza's argument unfolds in the *Theological-Political Treatise*.

The Religion of Democracy

In the *Theological-Political Treatise* Spinoza undertakes, as his main objective, to separate philosophy and theology, for the aims and bases of these two faculties, he writes, “are as far apart as can be”.⁷ Philosophy, for Spinoza, rests on universal axioms, whereas faith is derived from scripture and revelation. Yet Spinoza indicates at the outset that natural knowledge (philosophy) “has as much right as any other kind of knowledge to be called divine [...] for the knowledge we acquire by the natural light of reason depends solely on the knowledge of God”.⁸ Thus, he concludes that one who abounds in justice and charity, “whether he be taught by reason alone or by scripture alone is in truth taught by God and is altogether blessed”.⁹ In separating philosophy and religion, Spinoza demonstrates that the two faculties are inseparable. As Spinoza never wavers in holding, neither is theology the handmaiden of philosophy nor philosophy subordinate to theology. Instead, both reason and faith (the natural light of the mind and the revelation of scripture) are invested in the knowledge of God. It follows that whatever it is that serves as the basis of philosophical or religious thought is a divine idea (expressing the knowledge of God). As Spinoza observes, “the whole of our knowledge, that is, our supreme good, not merely depends on the knowledge of God but consists entirely therein”.¹⁰ There is nothing outside divine

7. Spinoza, *Theological-Political Treatise*, 164.

8. Spinoza, *Theological-Political Treatise*, 9.

9. Spinoza, *Theological-Political Treatise*, 70.

10. Spinoza, *Theological-Political Treatise*, 50.

knowledge. The human mind, whatever it thinks or knows, knows God. But what, then, is the content of this knowledge? What does God think or know? What do we think about when we think about God?

In the “Appendix” to Part I of the *Ethics*,¹¹ and throughout the *Theological-Political Treatise*, Spinoza develops a critical distinction between religion and superstition. After distinguishing between those laws that depend on nature’s necessity (the laws of nature that “explain [particular] things through their proximate [efficient] causes”) and those that are generated by human will, Spinoza draws a further distinction between the laws that render to each one’s own through fear, threat of punishment, or bondage and the laws that render to each one’s own “through awareness of the true principle of law”, which ascribes freedom to all individuals and which, therefore, engenders a community where, as Spinoza writes, “sovereignty is vested in all citizens, and laws are sanctioned by common consent”.¹² It is this community, sanctioned by the right of all persons to sovereignty or autonomy – the community that insists, by law, that each person has infinite worth – that Spinoza describes as just. He draws a sharp distinction, in other words, between two types of human law: between the human law that renders to each one’s own, *suum cuique*, through the violence of bondage, threat, and fear (a law that William Shakespeare [1564–1616] aligns with ancient Roman justice in *Titus Andronicus*)¹³ and the human law that renders to each one’s own through the right to sovereignty for all individuals. It is in light of the distinction between these two formulations of law that Spinoza proceeds to establish the relationship between human and divine law. “By divine law”, he writes, “I mean that which is concerned only with the supreme good, the true knowledge and love of God [...] So the rules for living a life that has regard to this end can fitly be called the Divine Law.”¹⁴ The divine law that establishes these rules for living (*ratio vivendi*: the rule of life) does not consist in ceremonial rites, doctrinal commitments, or dogmatic belief. Rather, the divinity of Scripture, written on the hearts and minds of all human beings, consists in true moral doctrine, “for it is on this basis alone

11. Baruch Spinoza, *Ethics*, Toronto 1996, I, Appendix.

12. Spinoza, *Theological-Political Treatise*, 48–49, 64.

13. Marcus Andronicus, tribune of the Roman people and brother of the Roman general Titus, states, in defense of Bassianus’ claim to Titus’ daughter Lavinia, “*Suum cuique* is our Roman justice: / This prince in justice seizeth but his own”. William Shakespeare, *Titus Andronicus*, in Stephen Grenblatt et al. (eds.), *The Norton Shakespeare*, vol. 1, New York 2008, 1.1, 280. It is arresting to see the tribune of the people within the Roman republic apprise the motto *suum cuique*, to each his own, in defense of the seizure of Lavinia by prince Bassianus. Shakespeare is so conscious that in Rome, as in the natural state, might is (coextensive with) right. In the Roman state depicted in his play, there is no idea of the people’s rights but only that of the might of the public majority.

14. Spinoza, *Theological-Political Treatise*, 49–50.

that its divinity can be proved”.¹⁵ “From Scripture itself”, Spinoza writes, “we learn that its message unclouded by any doubt or any ambiguity, is in essence this, to love God above all, and one’s neighbour as oneself.”¹⁶ The worship of or obedience to God consists in loving one’s neighbour and (as) oneself. That is, the knowledge of God expresses the justice and charity entailed in the human command to uphold another’s right as one’s own.¹⁷

In light, then, of his notion of divine law as expressed in human justice and charity, Spinoza launches his attack on superstition, which he associates with the belief in supernatural miracles and with the concept of free will.¹⁸

15. Spinoza, *Theological-Political Treatise*, 88.

16. Spinoza, *Theological-Political Treatise*, 151.

17. For a comprehensive examination of the relationship between the love of God and the love of human beings in Spinoza’s *Ethics*, see Clare Carlisle, “The Intellectual Love of God”, in Yitzhak Y. Melamed (ed.), *A Companion to Spinoza*, Hoboken, NJ 2021, 440–448. As Carlisle explains, Spinoza stresses the dialectical tension of this relationship, “first by attributing the affect of self-love to God, and then by assimilating this divine self-love to human self-love” (p. 444). As Spinoza argues, Carlisle observes, citing the Part V, Proposition 36 of the *Ethics*, “The mind’s intellectual love of God is the very love of God by which God loves himself [...] from this it follows that insofar as God loves himself, he loves men, and consequently that God’s love of men and the mind’s intellectual love of God are one and the same”. Searching for a way to express this equivalence, she notes, “Spinoza describes *Amor Dei intellectualis* as ‘an action by which the mind contemplates itself, with the accompanying idea of God as its cause, that is, an action by which God, insofar as he can be explained through the human mind, contemplates himself’”, citing the *Ethics* VP36, in which Spinoza concludes that the human mind, through this contemplation, becomes satisfied with itself. In other words, as Carlisle tells her readers, the love of God describes the process by which we learn to love being ourselves (and *vice versa*). Nonetheless, Carlisle also remarks that, for Spinoza, there is an “asymmetry between God and finite individuals”, for God is different ontologically from “finite things” (p. 445). Yet she immediately points out that Spinoza also ceaselessly argues that the mind thinks infinite existence (God), that all thinking involves and expresses infinite existence, that the existence of thinking things (the mind) is infinite (not a thing that is measured in terms of quantity). It follows, I would add, that human beings (in strict, philosophical terms) are not finite things; for, as both Spinoza and Carlisle indicate, nothing finite about us can explain what it is that makes us human. I would also add that, viewing God as infinite and human beings as finite (in the tradition of René Descartes [1596–1650], notwithstanding his own resistance to the idea that the mind is an extended or material thing) finitely opposes God and human beings and renders what is infinite about God finite (subject to a finite border: a finite demarcation of space or time). It is a finite conception of the infinite that results in opposing the infinite to the finite. The infinite describes the act of thinking founded upon the moral principles that are brought into existence in our social, political, personal, economic, and historical relationships. For an analysis of the concept of the “infinite” in the biblical tradition and in Derrida’s philosophy, see Mark Cauchi, “Traversing the Infinite through Augustine and Derrida”, in Philip Goodchild (ed.), *Difference in Philosophy of Religion*, Burlington, VT 2003, 45–57.

18. As Carlisle notes, “in the *Ethics* Spinoza defines religion as ‘whatever we desire and do of which we are the cause insofar as [...] we know God’”, citing the Scholium of the *Ethics* IVP3. “He could have added”, she continues, “affectivity to this definition – ‘whatever we desire and do *and feel* insofar as we know God’ – since the affects are central to his discussion of religion.” She additionally notes that Spinoza viewed “both the Dutch Reformed Church and the Roman Catholic Church” as promoting “a superstitious popular religion characterized by

Indeed, Spinoza is a staunch advocate for the freedom of all persons, in concert with his avowal of reason, which dictates “that all should strive together, as far as they can, to preserve their being [...] – want[ing] nothing for themselves which they do not desire for other men”. But he is an assiduous critic of free will in both its divine and human versions.¹⁹ Spinoza thereby undertakes to deconstruct the teleological belief in first and final causes, along with the theology – consistent with the superstitious belief in miracles – that assigns these causes to God. The belief that God is a first or final cause of natural events, the belief that God contravenes nature or natural law, the belief, that is, that God is supernatural, “would lead to atheism”,²⁰ Spinoza suggests, for “we can understand nothing” of an event that surpasses human understanding.²¹ That is, the belief in a supernatural God is an admission of ignorance of God and God’s works. But the admission of ignorance indicates that one believes that there is no evidence for belief in God. Thus Spinoza finds himself in concert with Hosea, who castigates the people of Israel for a lack of knowledge, for rejecting, as Hosea states, knowledge of God and so for joining those who believe in idols.²²

It becomes evident, moreover, why it is that Spinoza criticizes the act of conflating the theology of the Bible with the teleology of Aristotle (384–322 BCE) and ancient Greek philosophy. For to imagine God as a first or final cause is to conceive of God as an end, a *telos*, out of thy stars (outside of the world of human beings): an end that all desire and so lack. As Aristotle notes in Book VIII of the *Nicomachean Ethics*, “what a man actually lacks he aims at”.²³ Plato (c. 428–c. 348 BCE) also indicates, through Socrates (c. 470–399 BCE) in the *Symposium*, that to love the good, beauty, or wisdom is to lack it, to demonstrate one’s human ignorance of it. The wise man does not seek after wisdom, for “he is wise already”. Nor, however, Socrates continues, do the ignorant seek after wisdom. For, as ignorant of the good, Socrates notes that human beings do not even know to seek what they do not know.²⁴

The teleology to which Aristotle subscribes and that Plato sets out in his dialogues is contradictory. There is no way to know or to seek the end, the

passive affects, many of them species of sadness (the feeling of diminishing power), bound up with confused ideas about God and human beings”. Carlisle, “The Intellectual Love of God”, 445.

19. Spinoza, *Ethics*, IVP18, Schol., 126.

20. Spinoza, *Theological-Political Treatise*, 76.

21. Spinoza, *Theological-Political Treatise*, 75.

22. See Hos. 4:6–14, 6:4–6, 9:10. All biblical citations reference the Revised Standard Version.

23. Aristotle, *Nicomachean Ethics*, New York 2001, 1095b.

24. Plato, *Symposium*, Toronto 1976, 162.

good, of which all human beings are ignorant. Therefore, as both Plato and Aristotle recognize, in the *polis*, good and evil are averred *ad hominem*, relative to the man. As ignorant of the good, human beings judge an event good or evil by how it affects them. Spinoza therefore scolds all those who give in to these “prejudices” concerning good and evil by abjuring the knowledge of God in favour of a belief in supernatural causes. Of those Jews and Christians who “subject God to fate” by believing in God as a first or final cause capable of abrogating the laws of nature and who judge good and evil by whether it rains or shines, Spinoza writes:

I do not see that they have taught anything more than the speculations of Aristotelians or Platonists, and they have made Scripture conform to these [...]. It was not enough for them to share in the delusions of the Greeks; they have sought to represent the prophets as sharing in these same delusions.²⁵

Although Spinoza introduces a sharp distinction between superstition (as the conflation of the concepts of freedom and God with ancient Greek ideas) and religion (represented, for him, by the teachings of the Bible), he nevertheless maintains that the knowledge of God, and so of the dictate of reason, is universal. Spinoza finds himself confronted by the same paradox of history that confronts Jesus and Paul (in addition to the Hebrew prophets and the authors of the stories of Genesis). In Chapter 3 of the *Theological-Political Treatise* he tells us in no uncertain terms that the gift of prophecy, which consists not in foreseeing future events, but in teaching true moral doctrine and virtue, was not peculiar to the Jews.²⁶ Still, although Spinoza claims that natural knowledge (what he calls philosophy or reason) is invested with the knowledge of God, that the true knowledge of God is universal, and that, therefore, all peoples historically possessed prophets, he cites no examples of prophets of other nations who, like Hosea, testify to the moral precepts that he aligns with the dictates of reason. Spinoza’s concept of the human mind (as principled by a concept of freedom that wills the good common to all) is uniquely wed, rather, to the principles and values of Hebrew and Christian Scripture. Indeed, as we have seen, he excepts Plato and Aristotle (and ancient Greek thought, more generally) from the history of natural knowledge (that is, philosophy). It is astonishing to note, then, that, for Spinoza, Plato and Aristotle do not belong to the category of philosophy as he conceives it (as the consciousness of God that

25. Spinoza, *Ethics*, IP33, Schol.2, 25; Spinoza, *Theological-Political Treatise*, 5.

26. Spinoza, *Theological-Political Treatise*, 40.

consists in the practice of justice and charity). In becoming self-consciously critical of the idolatry in which God is confused with the concept of fate, condemning human beings to ignorance of divine laws, Spinoza calls his readers to uphold the total difference between ancient Greek philosophy and biblical texts.

But it is also important to note for my purposes in this essay that what Spinoza finds to be unique to the Bible is a notion of universality that encompasses all people, all races, all nations – and so all religions: whether Abrahamic or Gentile. On this point, he is in agreement with Jesus, who repeatedly reminds his listeners that it does not help, when your aim is to love one another, to have Abraham as your father.²⁷ Or, as Jesus tells his own followers: “Not everyone who says to me, ‘Lord, Lord’, shall enter the kingdom of heaven, but he who does the will of my Father who is in heaven.”²⁸ Just because you identify as a “Christian”, we can say (to invoke one of the themes of this special issue) does not mean that you are truly following the teaching of Jesus. To be a Christian is not reducible to the appearances of “Christianity” in one’s life – to its rites, the observance of its ceremonies, or churchgoing. To be a Christian, as Martin Luther (1483–1546) puts it, is to be free – to be free to make your own rituals and traditions meaningful by placing them in the service of the freedom of oneself, others, and still others.²⁹ To be a Christian, then, as Luther says (in one of his striking claims), is to become a Christ – a messenger who bears witness to the message of love – to your neighbour.³⁰

What I want to point out here, in introducing the idea that it is not the appearances that justify one’s religious commitments but (as chief figures within the Bible and the history of Christianity indicate) one’s commitment to the moral imperative to love one another that justifies – and so re-fashions – our appearances, is that the uniqueness of the Bible is not reducible to its

27. See Matt. 3:9.

28. Matt. 7:21–23.

29. Martin Luther, “The Freedom of a Christian”, in John Dillenberger (ed.), *Martin Luther: Selections from His Writings*, New York 1962, 53.

30. In “The Freedom of a Christian”, Luther observes that “it is not enough or in any sense Christian to preach the works, life, and words of Christ as historical facts, as if the knowledge of these would suffice for the conduct of life” (p. 65). Rather, he continues, claiming that through our faith manifest in our works, we must also “serve and benefit others in all” that we do, considering nothing but the need and advantage of human beings so that “we may be sons of God, each caring for and working for the other, bearing one another’s burdens and so fulfilling the law of Christ [Gal. 6:2]” (p. 73–74). For this is “a truly Christian life. Here faith is truly active through love, that is, it finds expression in works of the freest service, cheerfully and lovingly done”. Hence, “as our heavenly Father has in Christ freely come to our aid, we also ought freely to help our neighbor through our body and its works, and each one should become as it were a Christ to the other that we may be Christs to one another and Christ may be the same in all, that is, that we may be truly Christians” (p. 76).

own appearances. In other words, the distinction between the Bible and ancient Greek thought historically (between Jew and Gentile, in Paul's terms) cuts across the terms of that distinction. All religious expressions belong to the history of the concept of religion in modernity insofar as they embody the call to love one another, a call voiced by both Jesus and Mahatma Gandhi (1869–1948), as we shall see. That is, the uniqueness of biblical thought identified by Spinoza (in contrast to ancient Greek philosophy) does not permit us to oppose biblical religion to any other world religion. My purpose in pointing out the distinction that Spinoza makes between ancient Greek philosophy and the biblical message is to show how the very maintenance of a respect for the difference between religious practices (and so the freedom of religion) enacts the spirit of the moral principles that are advanced by both biblical and modern authors. In the spirit of Spinoza, I want to preserve the moral concept of universality that is advanced by biblical authors so that it does not devolve (when confused with the ancient Greek notion of sovereignty or the One, as we shall see) into an abstract notion of oneness that obscures the unique history of the different expressions of religion in modernity. The concept of “religious studies” today – the reason that it is possible to hold critical and loving discussions with one another about the variety of religious expressions – is made possible through, and so demonstrates our commitment to common human rights. The message of the Bible does not allow one to reify the Bible, to reduce the concept of what is truly “biblical” to the pen and ink that we find on the pages between its covers. Rather, what is truly “biblical” – what belongs to the truth that many passages in the Bible convey (although many transgress these dictates) – is discerned by what Spinoza calls the dictates of reason written on the hearts and minds of all human beings: the principles of justice and charity.

In other words, while there are many different religions, there is one (unique and universal) concept of religion.³¹ As Cynthia Ozick notes in her essay “The Moral Necessity of Metaphor”, in which she distinguishes between the “natural religion” of the ancient Greeks and “our idea of religion today”, the concept of religion for us invokes a notion of “conscience” (which she also ties to the biblical command to love your neighbour –

31. To be sure, there are many rich, unique, different ideas of what religion involves and entails today. But the respect that we show for the difference between our individual religious expressions also sets a limit upon these expressions. The celebration of religious diversity does not permit us to call “religious” any act that undertakes to disrespect – to demean or to oppress – other, different religious expressions. The concept of religious diversity demands respect for the differences of ourselves and others and so does not permit us to welcome oppressive ideas, actions, or policies that infringe upon the right to the freedom of conscience or religious expression.

including the stranger and your enemy – as yourself).³² It is also fascinating to note that when the Internal Revenue Service (IRS) of the United States has to define what it is that qualifies as religious for the purposes of offering tax exemptions, they do so by defining a religious institution as an organization with a charitable objective.³³ The IRS agrees with Ozick (not to mention Spinoza): what is fundamental to religion in modernity is the conscientious work to provide for the needs of ourselves and others, that is, *caritas*: love or charity. So Gandhi writes, in concert with the IRS and Ozick, that his experiments in truth (in which he includes, above all, the practice of non-violent resistance he deploys in opposition to the oppression and occupation of India by Britain) are fundamentally “spiritual, or rather moral; for the essence of religion is morality”.³⁴ Gandhi then proceeds to develop his concept of the love of all human beings as one that both demands (justifies) the right to forceful resistance and condemns (holds as unjust) the violent tactics of resistance that seek to oppress one’s oppressor. Not only does Gandhi explicitly connect this concept of love (*ahimsa*) to the counsel to love your neighbour as yourself,³⁵ but he also links it to (as another expression of) his concept of *harijan*, the idea, for him, that all people are children of God, which he uses to denounce the hierarchies that plague the social structures of his time. For Gandhi, religion describes the practice of establishing human equality by recognizing our infinite difference: the uniqueness of one another.

As we are beginning to see, the very concept of religion in modernity, in reflecting a common (democratic) commitment to respecting the difference between expressions of faith, is moral. The method by which the above authors identify and catalogue practices and expressions under the concept of religion reflects the very content that they view as central to those practices and expressions. As conceived by Ozick and Gandhi (not to mention Spinoza and Derrida), the concept of religion is, we can say, democratic. It is also important to note that Spinoza makes the concepts of justice and charity the hallmark of religious expression in order to assess the second part

32. Cynthia Ozick, *Metaphor and Memory*, New York 1989, 274.

33. As Section 501(c)(3) states: “The organization’s activities may not serve the private interests of any individual or organization. Rather, beneficiaries of an organization’s activities must be recognized objects of charity (such as the poor or the distressed) or the community at large (for example, through the conduct of religious services or the promotion of religion).” U.S. Department of the Treasury, Internal Revenue Service, “Tax Guide for Churches and Religious Organizations”, IRS Pub. 1828, Washington, DC 2015.

34. Mahatma Gandhi, *The Essential Writings*, Toronto 2008, 1.

35. Gandhi, *The Essential Writings*, 98.

of the argument that I am presenting here: that democracy (as conceived by Spinoza and Derrida)³⁶ is religious (in principle) unto the end.

Before turning to the concept of democracy, however, I want to examine the critique of the reified (ontic, idolatrous) concept of sovereignty that Derrida sets out. For, as we shall see, Derrida makes the contrast between Aristotelian thought and modern democracy central to his critique of the theology of first and final causes (what he calls *ontotheology*). He thus joins Spinoza in alerting us to the difference between ancient Greek metaphysics and modern thought as he develops his concepts of religion and democracy (such that we can, in modernity, understand the relationship between them).

In *Rogues: Two Essays on Reason*, for example, Derrida undertakes a mordant critique of sovereignty and autonomy when these concepts are conceived by modern authors according to the principle of identity (the principle that Parmenides uses, as Aristotle shows, in generating his concept of being as “One”). For to be recognized as self-identical or “one” requires, Derrida repeatedly points out, another. To be one (to be oneself) requires the other, who reflects a difference between one and others. It is the desire for self-mastery, for license, the desire not to be limited by one’s relationship to any other, that leads to the unjust abuses of power and the rule of one, some, or many over others. Derrida therefore indicates that our modern or “democratic” God, when conceived under *ipseity*, the *autos*, the sovereignty of the one – that is, when conceived under the principle of identity – resembles the unmoved mover of Aristotle. “Aristotle also defines”, he writes, “this first principle [...] as a life, a kind of life, a way of leading life, comparable to the best of what we might enjoy [...] It is thus a life that exceeds the life of human beings.” The life for man, the “best of what we might enjoy”, when that “best” reflects and is reflected in the unmoved mover, is not for man in the *polis*, not to be found in or through man’s relationships: social, political, economic, familial, and so on. Derrida continues, the life of this principle is also represented by a “finitude of time. God, the Prime Mover or pure actuality”, as conceived by Aristotle, “is not infinite”.³⁷

36. In *The Gift of Death* Derrida asks, “What is religion? Religion”, he responds, “presumes access to the responsibility of a free self [...] Religion is responsibility or it is nothing at all.” It involves, therefore, “the subject’s relation to itself as an instance of liberty, singularity, and responsibility, relation to self as being before the other: the other in its infinite alterity”. Jacques Derrida, *The Gift of Death*, 2nd ed., Chicago 2008, 5. Religion, for Derrida, involves the relation to oneself that is engendered by responding to the other responsibly; it involves a way of engaging one’s existence that affirms that no human being is a substitute for any other human being.

37. Jacques Derrida, *Rogues: Two Essays on Reason*, Stanford, CA 2005, 15.

Derrida recognizes that the God of Aristotle is finite.³⁸ Derrida also sees that, given that Aristotle's notion of God is finite, unmoved, unchanging, and so unchallenged and that God represents the "best" way of leading life for human beings, the politics of Aristotle is constituted by master–slave or ruler–ruled relations: whether in the form of the rule of one (monarchy), some (aristocracy), or many (democracy) over others. But modern democracy bears no relation to the concept of "democracy", the rule of the many, that is set out by Aristotle. Rather, as Derrida notes, it is in reflecting the notion of sovereignty that is represented in Aristotle's finite God that democratic nations, and the people in those democratic nations, reduce democracy, to Derrida's horror, to the rule of the majority over others and so fail to enact the principles that constitute democracy in modern nation-states. For democracy is not, in principle, the rule of many over the few but the rule of all, by all, and for all, to recall Abraham Lincoln (1809–1865).³⁹ "It has always been very difficult", Derrida observes, "and for essential reasons, to distinguish rigorously between the goods and the evils of democracy [...] It has always been hard to distinguish, with regard to free will, between the good of democratic freedom and the evil of democratic license."⁴⁰ Freedom, for Derrida, is not license, not the will to do whatever one chooses whenever one chooses to whomever one chooses. Rather, freedom is shared. Freedom is the act of sharing (in) our human rights, the act of advancing the rights of others as one's own.

38. By contrast, in examining Abraham's relation to God (concept of God) in *The Gift of Death*, Derrida observes that the God of Abraham is "defined as the infinitely other, the wholly other" (p. 87). "We should stop thinking about God", he continues, "as someone, over there, way up there, transcendent, and, what is more [...] capable, more than any satellite orbiting space, of seeing into the most secret of interior places. It is perhaps necessary, if we are to follow the traditional Judeo-Christian-Islamic injunction, but also at the risk of turning against that tradition, to think of God and of the name of God without such representation or such idolatrous stereotyping. Then we might say: God is the name of the possibility I have of keeping a secret that is visible from the interior but not from the exterior. As soon as such a structure of conscience exists, of being-with-oneself [...] as soon as I have with me [...] a witness that others cannot see, and who is therefore *at the same time other than me and more intimate with me than myself*, as soon as I can have a secret relationship with myself and not tell everything, as soon as there is secrecy and secret witnessing within me, and for me, then there is what I call God" (p. 108). Here, God names the "structure of conscience", the possibility of a relationship with myself and others that is governed by principles that aim to affirm our infinite subjectivity.

39. Lincoln concludes his "Gettysburg Address" by stating that "it is for us the living [...] to be dedicated here to the unfinished work which they who fought here have so nobly advanced. It is [...] for us here to be dedicated to the great task remaining before us – that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion [...] that this nation, under God, shall have a new birth of freedom – and that government of the people, by the people, for the people, shall not perish from the earth". Abraham Lincoln, *The Gettysburg Address*, Toronto 2009, 116.

40. Derrida, *Rogues*, 21.

It is also the distinction between freedom and license that Spinoza invokes when he criticizes free will. Spinoza insists, “the mind cannot be a free cause of its own actions, *or* cannot have an absolute faculty of willing and not willing”.⁴¹ The mind is not disembodied. Rather, for Spinoza, the mind is the practice of willing human action. Or, as he also indicates, the mind is always affective and so involves the transition, the process, the communication (with oneself and others) that works through the ideas that adequately and inadequately describe the cause of our joy and sadness (the increase and the diminishing of our power). To be free, then, is to acquiesce in the knowledge that it is love, at once divine and human, that serves as the eternal cause, the divine source, of our joy and sadness, of our feelings and actions. To have an effect on an object is not necessarily, therefore, to act freely. Rather, in indicating that the mind is not a “free cause”, Spinoza puts us on notice that freedom describes the way in which we measure, and so account for, our effects (actions) and affects (feelings).

Although we make choices between two options, things, possibilities, and so on, all the time, we never choose (to paraphrase Spinoza) between choosing and not choosing. There are also times when we decide not to make a choice between two alternatives to give ourselves time to think or to allow time to rearrange our choices. But, paradoxically, the choice to suspend our choices remains a choice. The mind is not free, we can say, not to be free. Nonetheless, to choose is to recognize the choices of others, the choices for which others are responsible in your life and for which you are not responsible. To choose is also to recognize what we have not chosen, from the social facts into which we are born to the natural traits with which we are born. As Spinoza puts it in his discussion of the story of the “fall” of Adam and Eve, to be free is not to be born free.⁴² The facts of our birth – where we are born, to whom we are born, and so on – are not under our control. What counts is what we do with the facts, the givens, of our lives. To be free, then, is to use all that we are given in the loving service of ourselves and others. To be free, in other words, as Spinoza points out in the same proposition, is to know good from evil, right from wrong. We see, then, why Derrida insists that it is for “essential reasons” that it remains a task for each and every generation to distinguish the goods from the evils of democracy, that is, freedom from free will. For freedom, in conflating its own practice with the ability to cause effects, ever runs the risk of disintegrating into the license that seeks one’s own (to the disadvantage of others) or else of collapsing into the self-negation that seeks to give up one’s own for the

41. Spinoza, *Ethics*, IIP48, Dem., 62.

42. Spinoza, *Ethics*, IVP68, Schol., 152.

advantage of others (to one's own disadvantage). So Spinoza concludes Part IV of *Ethics* with the proposition that "a man who is guided by reason", as by faith in the Golden Rule, "is more free in a state where he lives according to a common decision, than in solitude, where he obeys only himself".⁴³ That human beings are "more" free, truly free, only in a community that recognizes and respects the dictate of reason, the law to uphold another's rights as one's own, is also what Spinoza demonstrates in his discussion of the democratic state, as we shall now see.

The Democracy of Religion

In Chapter 16 of the *Theological-Political Treatise* Spinoza analyzes what he calls the "transition" from the state of nature to the civil state. He notes, reflecting upon the state of nature, that "it is by sovereign natural right that fish inhabit water, and the big ones eat the smaller ones. For it is certain that Nature, taken in the absolute sense, has the sovereign right to do all that she can do, that is, Nature's right is coextensive with her power".⁴⁴ In the natural state might is (coextensive with) right. The state of nature involves the enslavement to appetite and, therefore, to the right of the strongest (what Derrida calls the "reason of the strongest" in his reflections on Jean de La Fontaine's [1621–1695] poem "The Wolf and the Lamb" in the Preface to *Rogues*).⁴⁵ However, what is so contradictory about this state is that, in advocating for the co-extension of one's rights with one's power, in holding that whatever one does by one's own might is right, one's rights are equally open to reprisal by another's might. The result is that there are no (universal, binding) human rights governing the state of nature, wherein natural right is aligned with natural power. To align our right with our natural power is to abdicate our power to advocate for human rights. As Spinoza proceeds to show us, it is, rather, only when we surrender our natural right and so put our rights into common ownership, as in the civil state, that we can endeavor to serve and protect our inalienable human rights. It is the very endeavor to preserve (in promoting and advancing) human rights, at once individual and collective, that we make the leap, the transition, involved in constituting the civil state.

There are two startling paradoxes, then, that arise from Spinoza's simple, concise treatment of the "transition" from the state of nature to the civil state. First, although Spinoza depicts the state of nature as ruled by the appetites, he also holds that we are, in the beginning, conscious of our

43. Spinoza, *Ethics*, IVP73.

44. Spinoza, *Theological-Political Treatise*, 173.

45. Derrida, *Rogues*, xi.

appetites, conscious of ourselves as we naturally are. Yet, it is only from outside the state of nature that one is conscious that our appetites are naturally determined; for there is no consciousness of the rules governing the state of nature within the state of nature. A fish is not conscious of the natural ecosystems determining its survival. Instead, it is within the civil state that we become truly conscious of our natural state. Thus, we find that, although we begin *in* the state of nature, we begin, all of us, *of* the civil state, conscious of the divine law, the Golden Rule, the human(e) command to do unto others: to love others as ourselves. Second, it is in surrendering our *natural* right that we acquire natural and inalienable human *rights*. It is in divorcing might from right that we invest our human rights (constituted by the equality, the uniqueness, of all persons within the global community) with inimitable power and force. For it is the idea of human rights, including the right to the freedom of religion, that guides how we legislate and enact our laws (both nationally and internationally). As Spinoza states, “such a community’s right is called a democracy”.⁴⁶

In distinguishing between natural and human law, Spinoza goes on to observe that “God has no special kingdom over men except through the medium of temporal rulers [...], from which it follows that the kingdom of God is where justice and charity have the force of law and command”.⁴⁷ He continues:

We must concede without qualification [moreover] that the divine law began from the time when men by express covenant promised to obey God in all things, thereby surrendering, as it were, their natural freedom and transferring their right to God in the manner we described in speaking of the civil state.⁴⁸

Since, then, the natural right in a state of nature to “live by the laws of appetite” is in “clear contradiction” with the divine law, we are told that the state of nature is “prior to religion in nature and in time. For nobody knows by nature that he has any duty to God”. Prior to the revelation of the dictates of reason, “nobody can be bound by a divine law of which he is unaware”. Yet, to repeat, to be aware of a time in nature prior to the revelation of the divine law (of religion) presupposes that one already knows what the divine law entails. There is no way to tell the story of human history – the story of modern democracy (the transition, in Spinoza’s terms, to the

46. Spinoza, *Theological-Political Treatise*, 177.

47. Spinoza, *Theological-Political Treatise*, 212.

48. Spinoza, *Theological-Political Treatise*, 182.

civil state) – except from a position that acknowledges these civil principles (which Spinoza argues are at once rational and faithful). Thus Spinoza concludes by reiterating the universal dictum wrought by this divine command: since all human beings “without exception [...] are equally required by God’s command to love their neighbour as themselves, we cannot, without doing wrong, inflict injury on another and live solely by the laws of appetite”.⁴⁹ Any attempt to return to the state of nature does wrong. But the attempt to return to a natural state therefore demonstrates that we do not begin in a state of natural innocence but begin, always already, knowing good from evil, right from wrong. In other words, the paradox that I am flagging here is that the story of the transition from the state of nature to the civil state can only be told within the civil state of human freedom, having already made the leap, the transition, into knowledge of justice and charity, the very knowledge that Spinoza views as the foundation of democracy (along with philosophy and religion).

But we are not yet done with Spinoza (or he is not yet done with us). For Spinoza goes on to argue explicitly that the covenant established by the ancient Hebrew people was democratic. As he writes in Chapter 17 of the *Theological-Political Treatise*, upon analyzing the story of the exodus from Egypt: “Without much hesitation”, following their liberation from the “intolerable oppression” of the Egyptians, the Hebrew people “all promised, equally and with one voice, to obey God absolutely in his commands and to acknowledge no other law than that he should proclaim [...] Now this promise, or transference of right to God”, Spinoza continues, “was made in the same way as we have previously conceived it to be made in the case of an ordinary community when men decide to surrender their natural right.” Since “the Hebrews did not transfer their right to any other man, but, as in a democracy, they all surrendered their right on equal terms, crying with one voice” to obey the divine command, “it follows that this covenant left them all completely equal, and they all had an equal right to consult God, to receive and interpret his laws; in short, they all shared equally in the government of the state”.⁵⁰ He then repeats: “This is an exact parallel to what we have shown to be the development of a democracy, where all by common consent resolve to live only by the dictates of reason.”⁵¹

I want to make three points, then, prior to concluding my reflections on Spinoza’s (together with Derrida’s) conceptions of religion and democracy. First, it is patent that, in separating philosophy (natural knowledge) from

49. Spinoza, *Theological-Political Treatise*, 181.

50. Spinoza, *Theological-Political Treatise*, 189–190.

51. Spinoza, *Theological-Political Treatise*, 213.

theology, Spinoza determines that they are equally based upon moral principles and not on the knowledge of natural processes, as we have seen. An analysis of his description of the “transition” from nature to the civil state also shows us that it is the human mind (as grounded in moral principles and so conscious of its difference from natural objects: things) that gives rise to the understanding of nature as determined by appetite. Second, in founding his concept of religion on justice and charity, Spinoza is able to distinguish critically between religion and superstition, with superstition characterized by the conflation, historically, of ancient Greek philosophy with biblical theology and by the confusion, ontologically, between natural causes, on the one hand, and human and divine laws or principles, on the other. Third, precisely because he sees that our concepts of justice and charity are not based on our natural appetites (our understanding of the processes that determine the operations of the state of nature), he is able to develop a concept of the civil state (and so of democracy) that is based upon the very imperative that governs what he understands by faithful (true) religious practices. This observation returns us to the task at hand: examining how the concepts of religion and democracy developed by Spinoza and Derrida can aid us in thinking about the relationship between religion (together with the freedom of religious expression) and democratic states.⁵²

Conclusion

Spinoza’s demonstration of the relationship between the biblical covenant and modern democracy (together with Derrida’s critique of the evils that follow when democracy is conceived according to a finite concept of sovereignty) puts pressure on how we understand our democratic nation-states today. For what we learn is that the union of democratic nations is not founded upon anything that human beings share naturally but upon the recognition of the uniqueness (and so the absolute value) of each and every individual, which Spinoza describes in theological terms as one’s individual right to consult God. As Brayton Polka points out, whenever we attempt to derive right from the unity of natural facts, we ineluctably “erect a hierarchy of rulers and ruled”.⁵³ For any attempt to choose – to discriminate or to demarcate – who belongs to the group or to the union on the basis of immediate facts inevitably results in the inclusion of one, some, or many and the exclusion of others. “Whenever barriers of discrimination”,

52. Section 2 of the Canadian Charter of Rights and Freedoms reads: “Everyone has the following fundamental freedoms: (a) freedom of conscience and religion; (b) freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication; (c) freedom of peaceful assembly; and (d) freedom of association.”

53. Brayton Polka, *Truth and Interpretation: An Essay in Thinking*, New York 1990, 247.

Polka observes, are erected upon the idolization of natural facts, “others are unjustly excluded (or included) on the basis of race, gender, or class”.⁵⁴ What we learn by holding together the constitution of modern democracy and the law of the covenant is that the foundation of our modern unions (including our nation-states) is not natural but divine or, in philosophical terms, infinite. The origin of our ongoing critique of the ways in which we continue to engage in discriminatory forms of socialization (from the most overt to the most subtle) is not based on our phylogenetic biology but on our commitment to the principles of justice and charity. The reward, then, for our modern democracies, upon seeing that there is no natural basis for what makes us human (which is not to suggest that what makes us human is not profoundly concerned with celebrating what is natural about us), is that they are equipped with a principle for interpreting each and every situation (including the legitimacy of our laws and their application) in a way that critically distinguishes between justice and injustice. In light of Spinoza, we discover that any form of nationalism that seeks to establish the character of a nation upon the immediate facts of race, class, creed, gender, physical ability, or citizenship status unjustly violates the principles upon which democratic nations are founded.

But Spinoza’s demonstration of the link between modern democracy and the Hebrew covenant also puts pressure on how we conceive of religion. For it follows from his argument that biblical religion is democratic (in principle) in the beginning. That is, in seeing that the divine law commands a respect for human beings, not as determined by our biological inheritance but as self-determined (autonomous) human subjects, we discover that there is no race, class, creed, or nation – no person – who can be excluded from the historical process involved in overcoming the hierarchies that are formed when we reduce our unions to natural bases. We can and must continue to organize ourselves around the idiosyncrasies of our own social identities insofar as our organizations seek to defend, to preserve, and to celebrate the equality (the uniqueness) of all human beings. But one excludes oneself from the covenant of democracy insofar as one’s social identity is used as a tool for the oppression of one, some, or many. Still, the task of identifying and denouncing our own wrongdoing (as, for example, embodied in oppressive forms of nationalism) is one that is included in the forming of democratic states.

The reward, we can say, for the study of Spinoza’s (together with Derrida’s) concept of religion is that we are equipped with a basis for interpreting religious traditions and concepts according to a notion of freedom

⁵⁴ Polka, *Truth and Interpretation*, 168.

that involves a respect for the freedom of others. In other words, we can engage in a critical and loving discussion of religion (and religious practices) on the grounds of our common commitment to the rights of each and every person to decide upon one's own religious beliefs, including the right not to believe in anything publicly identifiable as religious. To return to the themes of this issue, we discover that rightly calling Christianity to account involves invoking principles that demand that we treat others as we would want to be treated by them, principles that evoke the Golden Rule, the *ratio vivendi*, for Christians.

But the implications of Spinoza's study of the foundations of modern democracy ramify yet further for our understanding of Christianity when we note that our individual (no less than our collective) identity is formed on the basis, not of our natural inheritance, but of our commitment to the Golden Rule. As Kant notes, with perspicacity in his work on religion, in the "appearance of the God-man, the true object of the saving faith is not what in the God-man falls to the senses, or can be cognized through experience, but the prototype lying in reason which we put in him", the moral law of justice and charity.⁵⁵ The incarnation expresses the act of incorporating the laws of justice and charity, the effort to embody the teaching of biblical scripture. So Spinoza writes, quoting Paul, that all people have the mind of Christ, the mind borne in the body of our feelings and actions that testify to our commitment to loving principles.⁵⁶ Bearing in mind that "Christ" (in Greek) means "messiah" (in Hebrew), it follows that the messiah, for Spinoza, remains no less a part of our future than of our past.⁵⁷ For it

55. Immanuel Kant, *Religion within the Boundaries of Mere Reason*, New York 1998, 6:119, 125.

56. Spinoza, *Theological-Political Treatise*, 14, argues that, in teaching moral doctrine, Christ possessed the wisdom (and so the mind) of God. Thus, he writes, "the Wisdom of God [...] took on human nature in Christ" and "Christ was the way to salvation". He continues: "Now the mind of God and his eternal thoughts are inscribed in our minds too, and therefore we also, in Scriptural language, perceive the mind of God" (p. 19). Since the mind of Christ exposes and expresses the principles of morality, no one, he concludes, "becomes blessed unless he has in himself the mind of Christ", citing Paul in Rom. 8:9 (p. 55).

57. Michael J. Scanlon, "A Deconstruction of Religion: On Derrida and Rahner", in John D. Caputo & Michael J. Scanlon (eds.), *God, the Gift, and Postmodernism*, Bloomington, IN 1999, 227, points out the association between Derrida's concept of the gift and the "radical interpretation" of the incarnation forwarded by Karl Rahner (1904–1984) and Augustine (354–430). According to Scanlon, Rahner and Augustine demonstrate the necessary circularity between the love of God (ontologically) and the love of ourselves and others (ethically). For, as Scanlon points out, love *is* God in the biblical tradition. Scanlon then ends his essay by relating the concept of the gift (which, as impossible to present [to become present], is also always yet to come) to the messianic tradition of the Bible. He reflects: "It seems that our post-secular mood might open us once again to messianisms more faithful to the messianic" (p. 228). Although the valence of Scanlon's use of the term "post-secular" is not made explicit, it is evident from his comment that to be post-secular means to move beyond the simple narrative

ever remains for us to bear witness to – and so to incorporate (to make corporeal, to make flesh) – the idea that people ought to be treated as subjects with dignity and not as objects with a price.

To conclude, then, both for Spinoza and for Derrida democracy is not given naturally or a natural given. Derrida notes:

There *is no* pure instance [of democracy]. “Thinking” [...] must even, in the name of a democracy still *to come* [...], unremittingly interrogate the de facto democracy, critique its current determinations, analyze its philosophical genealogy, in short, deconstruct it: in the name of the democracy whose being to come is not simply tomorrow or the future, but rather the promise.

Derrida launches a critique against the “de facto” democracy, the social and historical facts of oppression for which democratic states are responsible. He is ever critical, as we have seen, with the idea that democracy is, in fact, founded on majority rule and governed by majority opinion to the chagrin of the ruled and silenced minority. Derrida remains, that is, an unrelenting critic of unjust democratic practices and ideas. Yet he criticizes these practices not in the name of a philosopher king whose might is coextensive with his right, whose right is right because of his might, but in the name of a democracy “still *to come*”, a democracy that is never immediately or directly (purely) present in the facts but is constituted by a promise.⁵⁸

For Derrida, democracy is at once always yet “to come” and always “here and now”. The policies and practices of democratic states and institutions are forever subject to critique or deconstruction. There is no pure

that opposes one’s religious past to one’s secular future. His comment implicitly acknowledges that the way in which we break with religious traditions (on moral grounds; by receiving the gift, as Derrida might say) involves re-evaluating what is most true to those traditions and so demonstrating anew what we share with those traditions (and what they share with us).

58. Lee Danes puts us on notice that, because authority (or democracy, as the revelation of justice) is never wholly present, it is also never wholly absent. Rather, justice is established, each time, in and as the historical relationship between the past (old) and the future (new), between now and then (at once the past and the future). After citing Derrida’s analysis of the decision of a judge in “Force of Law”, Danes writes that, “for a decision to be just, Derrida tells us, a judge must reduce the law to nothing yet reinvent it according to the law’s own principle. The judge conserves the laws by destroying it, yet in such a way that the law (the old) is reinstated in and through a ‘new and free confirmation of its principle’”. Lee Danes, “Between Genealogy and Virgin Birth: Origin and Originality in Matthew”, in Yvonne Sherwood (ed.), *Derrida’s Bible: Reading a Page of Scripture with a Little Help from Derrida*, New York 2004, 29. He goes on to state, in returning his attention to the biblical tradition, that “on the one hand, the interpreter of the biblical tradition must break with the tradition, and yet, on the other hand, s/he must in the very process of breaking with the tradition, rediscover and be transformed by that tradition (and in being transformed by the tradition, transform it)” (p. 29).

(complete, perfect, final) state of democracy. Yet there is also no promise of a democracy *to come* that is not embodied *now* in the democratic practice of criticizing the acts of democracy that enforce the rule of one, some, or many over others. The democracy that Derrida espouses is not now presently nor to come in the present but is still “to come” because it has “always already” arrived (in principle, we can say) and is “always already” here and now because it remains yet “to come”. As Derrida puts it: “The time of teaching”, as the time of philosophy and so of democracy, “lodges itself in the fold between the already and the not yet.”⁵⁹ In the folds of time – in the act of folding time by criticizing (deconstructing) the (un)democratic practice of dispossessing another of his or her rights – democracy unfolds. Because the legitimate critique of democracy involves articulating a concept of human rights that shares a core principle with the Golden Rule, it follows that democracy is religious (in principle) unto the end. Democracy, we learn, is the promised land: the land, the place, that designates all finite (natural) places as bound to a promise, a contract, a covenant, to uphold the rights of both the many and the few, both the citizen and the stranger (visitor, newcomer, or recent immigrant).⁶⁰

Although Spinoza and Derrida explicitly connect the concepts and values that found modern democracy to the Abrahamic religions, they also hold that this knowledge is universal and so found among all nations historically. In his interview entitled “Epoché and Faith”, Derrida states: “the fact that it [deconstruction] is literally linked to Christianity doesn’t mean that Christianity is more deconstructive than other religions”⁶¹ (although demonstrating the deconstructive maneuvers of other religions is a project that falls outside the focus of his interview). As I have shown, both Spinoza and

59. Derrida, *Who’s Afraid of Philosophy?*, 35.

60. For an illuminating catalogue of the many passages in which both Derrida and Paul (among others) bring together the concepts of justice and the gift (or grace, as God’s promissory note to God’s people), see Theodore W. Jennings, Jr., “Justice as Gift: Thinking Grace with the Help of Derrida”, in Yvonne Sherwood (ed.), *Derrida’s Bible: Reading a Page of Scripture with a Little Help from Derrida*, New York 2004, 181–198. As Jennings points out, to be made just, to become just, is the gift that God bestows upon the people who faithfully obey God’s commands. Although Jennings is not primarily concerned, he admits, with the content of justice or grace (the gift) in his essay, it is evident that to be just is to bear the gift of hospitality towards others, to welcome others and to be welcomed by others as the different, unique, irreplaceable other (selves) we are. Thus Jennings notes, prior to concluding his paper, that how Derrida’s reflections on hospitality and Paul’s own “reflections on welcome of the other, the other who has a different practice/opinion and thus in a certain way a different religion” bear on the concept of justice is a question “of particular urgency” today (p. 195). My own essay has aimed to address a related question: the question of how the ethics of the Bible (as presented by Spinoza) relates to the concept of religious freedom.

61. Jacques Derrida, “Epoché and Faith: An Interview with Jacques Derrida”, in Yvonne Sherwood & Kevin Hart (eds.), *Derrida and Religion*, New York 2005, 33.

Derrida also point out at times (and in critical ways) that the concepts of Greek philosophers are not adequate for understanding the concepts that they make central to their presentation of religion and democracy. As we have seen, natural knowledge, in accounting for the difference between the rules governing the natural world and the dictates of reason (which bespeak the principles that found modern democracy), reveals that the moral ideas that underpin our social covenants are not drawn from a study of nature. They are not naturally universal, but historical. They belong to the historical process in which all peoples and all religions participate, a process that is unique to the particular story of each religious tradition and group (as well as to the rich variety of individual religious expressions). In other words, in the spirit of the freedom of religion insofar as it is actualized in democratic nations, Derrida is surely right to indicate that all religions today are deconstructive (and so auto-deconstructive). For in the democracy of, say, the United States, a person is free in principle to discuss, to communicate, and to practice any religion one desires, including no religion at all. Yet there is, therefore, one right that no one is free to violate: the right to the freedom of religion. No one, inside or outside a religious community, is free to violate another's democratic rights, the right, above all, to freedom, to free and equal treatment from those both inside and outside one's religious (or secular) community.

It is these democratic rights, the right to freedom (though not to license), that we saw reflected in the divine law of the covenant (not to mention the religious and political teachings of Gandhi). What we learn, consequently, is that the freedom of religion is a divine idea. But what we discover, furthermore, as I have also argued, is that religion, insofar as it is founded upon moral principles, is democratic in the beginning and that democracy, in recognizing the Golden Rule of human autonomy (and so the freedom of each and every person to decide upon one's own religious commitments), is religious (in principle) unto the end. For the critical assessment of both Christianity and nationality to involve the coming of the other, we learn that we are required to assess the work of others, as of ourselves, in and through the principle that all persons possess the right to democratic autonomy. As Derrida has argued, we cannot be one with ourselves if we want to have a relationship with others. To learn to welcome the other's critical ideas is, instead, to be open to becoming oneself, not delineated according to the immediacies of one's identity but liberated to celebrate one's unique identities (both political and religious) under the guidance of the right to exist as thoughtful, willing, free human subjects. ▲

SUMMARY

In this essay I examine the concepts of democracy and religion as developed by Baruch Spinoza and Jacques Derrida. In taking up the argument for the relationship between philosophy and theology that Spinoza makes central to his *Theological-Political Treatise*, I undertake to show that, in separating philosophy (what he calls natural knowledge) from theology, Spinoza demonstrates that they are equally based upon moral principles that advocate for the autonomy of all human beings. I also invoke Spinoza's distinction between religion and superstition before turning to Chapter 16 of the *Theological-Political Treatise*, in which Spinoza demonstrates that political democracy does not have its origin in the state of nature but in the articulation of moral laws that are at once divine and human. Just as the origin of religion is not supernatural for Spinoza, so the civil state does not have its source in the natural evolution of human beings but in a respect for the rights and freedoms of all persons. In developing my argument, I make use of Derrida's concept of religion as well as his notion of the promise of democracy in order to continue to show that the source of both religious concepts and the democratic state in modernity is neither natural nor supernatural but moral. Throughout my paper, then, I point out the relationship between the values that underpin the concepts of religion and democracy for these two thinkers. Consequently, I undertake to show as the overall argument of my paper that biblical religion (as conceived by Spinoza) is democratic in principle in the beginning and that the principles of modern democracy (the rights and freedoms articulated in democratic states, including the freedom of religion) are religious unto the end.