

Patrick Riley, *Leibniz' Universal Jurisprudence: Justice as the Charity of the Wise*. Cambridge, MA: Harvard University Press, 1996. Xiii + 338 pp.

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Leibniz was introduced to the English-speaking world in the twentieth century by Bertrand Russell's *Critical Exposition of the Philosophy of Leibniz*, a book that at once hailed the depth and elegance of Leibniz's logico-metaphysical scheme and scorned his ethical theory.¹ In the intervening years, Russell's book has stimulated a large body of commentary, which has led to a sophisticated understanding of the strengths and weaknesses of Leibniz's metaphysics. Predictably, Leibniz's practical philosophy has received much less attention. With the exception of John Hostler's *Leibniz's Moral Philosophy* (1975), there has been no book-length treatment of Leibniz's ethics in English and only a handful of articles. In this respect, English-language scholarship has lagged behind that of the Continent, where beginning with Gaston Grua's landmark *Jurisprudence universelle et Théodicée selon Leibniz* (1953) there has grown a rich body of literature that has explored in detail the character of Leibniz's practical philosophy and its relation to the history of moral and political thought.

It can only be hoped that Patrick Riley's impressive book helps to set a new course for Leibniz scholarship in the English-speaking world. *Leibniz' Universal Jurisprudence* offers a compelling argument for the concept of justice—understood as the “charity of the wise” (*caritas sapientis*)—as the core idea of Leibniz's philosophy, one that finds equal expression in his metaphysics, theology, ethics, and politics, and which constitutes one of his lasting contributions to Western thought. In the six chapters of his book, Riley explores the doctrine of *caritas sapientis* from a variety of perspectives: in relation to the foundational commitments of Leibniz's metaphysics; as the cornerstone of the doctrine of theodicy; as the starting point for Leibniz's legal and political theories; and as the basis of his many projects of enlightenment and reform and his engagement with the politics of his day. Throughout Riley emphasizes the deep connection between Leibniz's moral and political ideas, on the one hand, and his theodicy and metaphysics, on the other. Not the least of Riley's achievements is the effort he makes to display Leibniz as a moral and political theorist whose ideas remain worthy of serious consideration.

Leibniz' Universal Jurisprudence is a rich and learned work. In developing his argument, Riley draws on the full range of Leibniz's moral and political writings, including some unpublished texts and many that have not yet appeared in English.²

In doing so, he is able to demonstrate among other things the striking continuity of Leibniz's ethical thinking, dating back to the early 1670s. Although Riley's topic is, in an obvious sense, the analysis of a concept, his method is primarily historical. He brings the significance of *caritas sapientis* to light by interpreting it as a synthesis of fundamental themes of Platonism and Pauline Christianity: on the one hand, a wisdom defined by knowledge of an eternal standard of goodness, on the other, the charity of a will inclined to love all things in proportion to their goodness. Riley shows in detail how this notion of an eternal and universal justice, grounded in the action of a supremely wise God, is the foundation of Leibniz's philosophy and the starting point for his engagements with the views of his contemporaries. Riley's discussion of Leibniz's place in the landscape of seventeenth-century political thought (itself always shaped by theological commitments) is one of the most valuable aspects of the book. At both the theological and political levels, Leibniz's primary target is the "radical voluntarism" of Descartes and Hobbes, in which arbitrary power is left unchecked by reason. Placing the *Theodicy* at the center of his account, Riley maintains that the book can be read as "the supreme anti-*Leviathan*" (p. 207), in which Leibniz argues for the subordination of both divine and human power to a "common concept" of justice, understood as charity exercised in accordance with wisdom.

Riley's reading of *caritas sapientis* as a union of Christian and Platonic ideas is supported by Leibniz's own understanding of his thought as essentially synthetic in character (p. 14). Leibniz saw this was one of the great strengths of his philosophy, which reflected its connection to a tradition of wisdom dating back to ancient Greece.³ For Riley, however, Leibniz's synthesis also conceals a "central problem" (p. 205), to which he returns repeatedly throughout the book. Leibniz embeds a theory of human justice in a theory of divine justice. As a perfectly just being, God acts with the charity of the wise, and he holds human beings to this same standard, allotting reward and punishment in proportion to how well each succeeds in living a life of wise charity. But if a just God holds human beings to this standard, Riley reasons, it must be possible to conceive of them as earning their reward and punishment through acts for which they bear responsibility (pp. 21, 39). This means, in Riley's view, that when Leibniz identifies charity with "universal benevolence," and "benevolence" with "good willing," the will in question must be one that has the freedom to act in a wisely charitable manner. Riley associates this conception of freedom with the position of Augustine in *De libero arbitrio*, which he sees as basic to the Christian tradition in which he locates Leibniz (pp. 31-2, 49-50).⁴

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It is this notion of freedom, Riley insists, that cannot be reconciled with Leibniz's Platonism, in particular, his view that the identity of any substance is determined by an "eternal and necessary essence"—an idea that forms part of the divine understanding.⁵ If God has foreseen for all eternity the fate of Sextus Tarquin (considered in the last pages of the *Theodicy*), and has created a substance that will inevitably realize that fate, then in what sense could Sextus have chosen to act with greater justice? And if he could not have chosen differently, does God himself act justly when he subsequently condemns Sextus for his actions? As Riley frames the problem,

Since he was evil 'from all eternity,' he will be condemned for all eternity. But if justice is *caritas sapientis*, and 'good willing' is not possible for the actual Tarquin who exists in history, then the justice of both finite and infinite beings in the Leibnizian 'best' world is as problematical as ever (p. 140).⁶

This line of argument is so central to Riley's interpretation that one cannot avoid giving it careful scrutiny.⁷ The first thing to ask is whether the objection is one that is brought from within Leibniz's system or from without: Is Riley claiming that on the issue of freedom Leibniz's theory of justice undermines itself, or is he claiming that without a stronger account of freedom and responsibility Leibniz does not have a defensible theory of justice? In at least some places, Riley clearly suggests the former. He writes, for example, that Leibniz's theory of substance "seems to involve a determinism which is incongruent with [his] Christian-Augustinian idea of freedom and hence with the possibility of choosing to act with greater wise charity and benevolence" (p. 47). The root of the problem is Leibniz's attempt to work with "two kinds of premises—Christian voluntarism ('good will') and Platonic rationalism—simultaneously" (p. 20). In Riley's view, these positions cannot be reconciled; consequently, Leibniz is left wavering: "sometimes he tilts toward Christ, sometimes Plato, even if an equilibrium between the two world views is what he aimed at" (*ibid.*).

On this point, I suspect, Riley underestimates the extent to which Leibniz is prepared to transform, and even break with, Christian voluntarism. While it is plausible to see Leibniz as effecting a "synthesis" of Christian and Platonic ideas, there is no presumption that the synthesis will preserve the original content of these ideas. The case for Leibniz embracing an Augustinian conception of freedom remains largely circumstantial. In his theory of justice, Leibniz gives prominence to the virtue of charity and identifies this with universal benevolence. Riley associates this notion of benevolence (or "good willing") with Augustine's *bona voluntas* (pp. 31, 136), but he seems also to accept that considerable textual evidence

goes against this reading, supporting a conception of the will that subordinates choice to knowledge of the good.

Restricting our attention to Leibniz's writings, I believe, we must begin by assuming that freedom is a notion for which a full meaning is not given in advance, but instead is worked out through a complicated course of reflection. Leibniz is well-aware of the pressures his foundational commitments (divine foreknowledge; the principle of sufficient reason; the theory of substance) place on the possible meaning of divine and human freedom. The task he confronts during the 1680s and 1690s is to articulate a conception of freedom that is consistent both with the basic principles of his philosophy and with a wide range of theological opinion. By the time of the *Theodicy* he has arrived at such a notion of freedom in the idea of "moral necessity," and he believes this notion should be acceptable to all parties, in as much as it accounts for the essential characteristics of freedom (intelligence, spontaneity, contingency), "according to the definition required in the schools of theology."⁸ In the *Theodicy*, Leibniz is explicit about his method: "confusion springs, more often than not, from ambiguity in terms, and from one's failure to take trouble over gaining clear ideas about them."⁹ He begins, then, by attempting "to distinguish clearly between necessity and determination or certainty," identifying the latter with the influence that inclinations or reasons have on the will:

There is always a prevailing reason which prompts the will to its choice, and for the maintenance of freedom for the will it suffices that this reason should incline without necessitating. That is also the opinion of all the ancients, of Plato, of Aristotle, of St. Augustine. The will is never prompted to action save by the representation of the good, which prevails over the opposite representations.¹⁰

Leibniz maintains that this notion of freedom is one that *should* be acceptable to all parties. It reflects what they all have known in at least a partial or confused manner.¹¹ Significantly, Leibniz includes Augustine among those who would accept this conception of freedom. Whether he is justified in making this claim is largely beside the point. Whatever the textual evidence, Leibniz can argue that he has advanced a notion of freedom which, if not explicitly Augustine's, should still in charity be attributed to him. Granting this, it is difficult to see how Leibniz can be committed at any level to an "early Augustinian" conception of freedom: a will with the power to choose to act more justly, regardless of how mistaken its perception of the good. While this is not the "radical voluntarism" that Leibniz attacks, it is a stronger notion of freedom than he defends.¹²

At this juncture, Riley's argument must become an external critique, which

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maintains that any plausible theory of justice incorporating a conception of duty must guarantee that agents are able to fulfill those duties: "If wise charity... is to be the foundation of a 'universal' ethical-political system, one must grant an importance to 'good acts' which Leibniz was hard-pressed to allow.... [O]ne must be capable of doing all these admirable things, if one 'ought' to do them" (pp. 48-9).¹³ The strong Kantian flavor of Riley's criticism comes out clearly in the final sentence. We are to conceive of Leibniz's theory of justice as supporting the imperative: Act in a wisely charitable manner.¹⁴ If rational creatures lack the freedom to obey this imperative—if their obedience or lack thereof is instead a function of their innate capacity to judge correctly about good and evil—then a system of universal justice cannot be sustained. In Riley's view, Leibniz's considered view of freedom as moral necessity does not meet this standard. It is "unpersuasive especially from a Kantian point of view," he writes, "which requires the possibility of beginning to do what one ought to do at any and every moment: it requires 'absolute' spontaneity" (p. 79).

Whether one locates the problem in Leibniz's failure to adhere more closely to Augustine's *bona voluntas* or his failure to anticipate more fully Kant's *guter Wille*, the issue remains the same: Leibniz's Platonism, which posits an eternal and unchangeable order of things, cannot be reconciled with a theory of universal justice that assigns to rational beings a duty to perform acts of wise charity, for which they are held responsible by God. Where the latter demands an "absolute spontaneity" on the part of rational beings, the former precludes it.¹⁵

We may accept that Riley has identified an important problem, which may undermine the success of any project that attempts the particular union of Platonism and voluntarism that he considers. The question, however, is whether this is precisely Leibniz's project. Does his defense of divine justice, and the ethical doctrine he bases on this, conform to the model Riley describes? Again, there is room for doubt. Riley is obviously correct to read Leibniz's universal jurisprudence as synthesizing Christian and Platonic themes, but this synthesis is (as I have argued) less conservative than Riley suggests, and it is not limited to these two sources. Missing from Riley's account, in particular, is the significant Stoic element in Leibniz's thought. Although Leibniz distances himself from Stoicism in the *Theodicy*, rejecting the "forced patience" of the Stoics, his conception of divine justice is at many points closer to Stoicism than to Christianity.¹⁶

On Riley's account, the best of all possible worlds is almost exclusively the *Monadology*'s "city of God": a community of rational minds governed by divine justice. From the point of view of Leibniz's political theory, this is obviously most

central; however, Leibniz is adamant in the *Theodicy* that this is only one part of God's plan for the best of all possible worlds. In *Causa Dei* §40, he maintains that God's wisdom and goodness are exercised both as "universal providence" in the creation and governance of the world (justice in the wide sense), and as a narrower notion of retributive justice in ruling over substances endowed with reason (G VI 445).¹⁷ A critical point, argued in *Theodicy* §§118-119, is that justice in the wide sense (providence) takes precedence over any particular concern God has for the welfare of rational creatures. While it is guaranteed that justice in the narrow sense will be observed, with rational minds rewarded or punished in proportion to the rightness of their actions, there is no requirement that rational minds have the power to *choose* to act in a way that is deserving of divine reward. On this score, their fate is one with that of the rest of the universe: God has chosen the best possible order for the world, one that best accords with the dictates of wisdom, and within this order rational minds will enjoy varying degrees of happiness, in proportion to the degrees of metaphysical goodness intrinsic to their natures.¹⁸

God's retributive justice forms one part of Leibniz's understanding of a larger order of nature. Within this scheme, just action is proportionate to happiness, and wicked action to unhappiness. In the ordinary course of things, just acts have happiness as their natural correlate. To exercise the charity of the wise, to contribute to the increased perfection of the world, is to make oneself happy, for pleasure is the perception of perfection, and happiness, "a lasting state of pleasure."¹⁹ Sometimes, however, the order of nature disrupts this equation of virtue and happiness; for reasons connected with the economy of the whole, the just person is not able to enjoy the happiness that is the natural product of her virtue. It is here that Leibniz insists on an eventual balancing of the scales, but he claims that this balancing always comes about *as part* of the natural order, as a consequence of the harmony of the kingdoms of nature and grace.²⁰ Although Leibniz is ready to respect ordinary ways of speaking, from a metaphysical point of view, this "retributive" justice reflects less God's concern to reward the virtuous and punish the wicked—what they only deserve if they have acted with "absolute spontaneity"—than the simple need, within the economy of the cosmos, to maintain order: an intelligible progression in which perfection begets perfection.²¹

Leibniz's ethical theory incorporates the fundamental Stoic tenet that rational minds are offered their best prospect for happiness when they "live in agreement with nature." Consistent with Stoicism, Leibniz maintains that the happiness of a rational mind comes in identifying its understanding with the reason implicit in the governance of the world, that is, divine reason.²² For Leibniz, this entails under-

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standing both the order and harmony of nature, and the moral order—the balance of virtue and happiness—that embraces rational minds. This understanding itself is intrinsically pleasing, and all the more so insofar as one identifies the order with its source: the supreme perfection of God. At no point does Leibniz assume that one can choose, with an absolute spontaneity, to make this happen: one can only do one's best to understand. Then, content with the order God has given to things (which includes an appreciation of the role of rational minds as propagators of wise charity), one accepts one's destiny with a tranquility that surpasses that of the Stoic sage.²³

In emphasizing the Stoic dimension of Leibniz's thought, one does nothing to undermine Riley's general thesis concerning the significance of the project of universal jurisprudence and Leibniz's opposition to the theology and politics of "radical voluntarism." If anything, the thesis is strengthened, albeit at the cost of weakening Leibniz's connection to the tradition of Christian voluntarism.²⁴ In the short space of this review it has been impossible to deal with the full complexity of the case Riley constructs on behalf of Leibniz's connection to this tradition. Although I have suggested a couple of places at which the story might go differently, *Leibniz' Universal Jurisprudence* stands as a wonderful achievement, which deserves to be read by anyone with an interest in Leibniz.

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¹London: George Allen & Unwin, 2nd ed. 1937. In Russell's inimitable words, Leibniz's "Ethics is a mass of inconsistencies, due partly to indifference, due partly to deference for Christian moralists.... This is the reason why the best parts of his philosophy are the most abstract, and the worst those which most nearly concern human life" (pp. 191, 202).

²Some of these have been translated in Riley's own *Leibniz: Political Writings* (Cambridge: Cambridge University Press, 2nd ed. 1988).

³See his letter to Nicholas Remond of 26 August 1714 (G III 624-5), and "On the Greeks as the Founders of Rational Philosophy," translated in Riley, *Leibniz: Political Writings*, pp. 235-40.

⁴Although Riley does not offer a detailed interpretation of Augustine's position, I accept for the sake of argument that he has accurately characterized the position as assigning to the will a power of choice that is not determined by the mind's capacity to judge about the good. Cf. *De libero arbitrio*, I. xii ("it lies in the power of our own will to enjoy or else to lack such a great and true good [namely, a good will]. For what lies more truly in the power of the will than the will itself?") and I.xvi ("We have established, moreover, that what each man chooses to pursue and to love lies in his own will, and that the mind cannot be deposed from the citadel of mastery or from right order by anything except the will.") (Saint Augustine, *On Free Choice of the Will*, tr. Anna S. Benjamin and L.H. Hackstaff [New York: Macmillan, 1964]).

⁵*Theodicy* §§20, 335.

⁶Cf. p. 136: "If everyone's imperfection is just 'there' (though admittedly not 'metaphysically' necessary), then measured love will be proportional to something uncontrollable and nonmeritorious." Riley sometimes expresses the problem in terms of Leibniz's grounding of moral evil in metaphysical evil: "It is absolutely essential that he be able to distinguish between moral and metaphysical evil, if the idea of moral responsibility is to be maintained; if all evil is purely metaphysical (a consequence of limitation or 'privation' alone) then sin will be involuntary—caused, in fact, and not chosen—and thereby not sin" (pp. 39-40).

⁷Riley raises as a second problem the issue of why a supremely perfect being would choose to create a world that while "best," is less than wholly good (pp. 5, 41). This problem receives less attention in the book, and I leave it aside here. Leibniz responds to it at *Theodicy* §§228-230.

⁸*Theodicy* §288 (T, p. 303). On the background to this conception of freedom, see Michael Murray, "Intellect, Will, and Freedom: Leibniz and His Precursors," *Leibniz Society Review* 6 (1996), 25-59.

⁹*Theodicy* §367 (T, p. 345).

¹⁰*Theodicy* §45 (T, p. 148).

¹¹See *Theodicy* §367: "I do not wonder if in reality the Thomists and the Jesuits, and even the Molinists and the Jansenists, agree together on this matter more than is supposed. A Thomist and even a wise Jansenist will content himself with certain determination, without going on to necessity: and if someone goes so far, the error mayhap will lie only in the word. A wise Molinist will be content with an indifference opposed to necessity, but such as shall not exclude prevalent inclinations" (T, p. 345).

¹²At one point, Riley seems to suggest that as a Christian, Leibniz must embrace this

conception of freedom: “Leibniz, as a Christian descended partly from Augustine, needs to place *bona voluntas* somewhere in his universal jurisprudence” (p. 31). But Leibniz evidently understood the weight of his Christian heritage differently than this.

¹³See also p. 270: “[Leibniz’s] constant view is that we ought to be good willing.... If justice = *caritas sapientis* = universal good willing, and if good will *ought* to prevail, then Leibniz does indeed need ‘early Augustinian’ will (first free then good)....”

¹⁴This imperative is grounded in the eternal truth that justice is wise charity, and not in the divine will alone. Still, insofar as God creates rational minds in his image, they acquire a duty to obey the principle that governs God’s will. Cf. *Monadology* §§84-5.

¹⁵For Riley, the problematic aspects of Leibniz’s “Platonism” extend to the most basic commitments of his metaphysics: “Good acts—such as acts of justice, charity, and benevolence—would necessarily involve alterations in the relations of rational substances, alterations presupposing a degree of moral spontaneity which important elements of ‘*Monadology*’ seem to disallow” (p. 48). It follows that to preserve Leibniz’s ethics, one must abandon his metaphysics: “What Leibniz ought to have, given his stress on good will and charity... is not ‘preestablished’ but ‘postestablished’ harmony: a social harmony brought about by the charitable strivings of self-determining agents” (pp. 86-7).

¹⁶For a brief but helpful discussion of Leibniz’s relationship to Stoicism, and his distinction from Kant on this issue, see Jerome Schneewind, “Kant and Stoic Ethics,” in *Aristotle, Kant, and the Stoics*, ed. Stephen Engstrom and Jennifer Whiting (New York: Cambridge University Press, 1996).

¹⁷Some of the points that follow are discussed in more detail in chs. 1-3 of my book, *Leibniz and the Rational Order of Nature* (New York: Cambridge University Press, 1995), although I do not broach there the issue of Leibniz’s Stoicism.

¹⁸See *Theodicy* §120, partially quoted by Riley, p. 49: “...often creatures lack the means of giving themselves the will they ought to have; often they even lack the will to use those means which indirectly give a good will.... This fault must be admitted.... But I reply that it is not necessary, and that it was not feasible for all rational creatures to have so great a perfection, and such as would bring them so close to the Divinity.... There are degrees among creatures: the general order requires it” (T, pp. 192-3).

¹⁹See the essay “Felicity,” in Riley, *Leibniz: Political Writings*, p. 83.

²⁰*Monadology* §§87-90.

²¹In a set of reflections prepared for Sophie in 1696, Leibniz writes: “[A]s to order and justice, I believe that there are univereal rules which must hold with respect to God and with respect to intelligent creatures.... [I]t is good to consider that order and harmony also have something mathematical about them, which consists in certain proportions; and that since justice is nothing but the order which is observed with regard to the evil and good of intelligent substances, it follows that God who is the sovereign substance observes unchangingly the most perfect justice and order which could be observed” (A I 13, 11). See also the preface of the *Theodicy*: “God is all order, he always observes the exactness of proportions, he creates universal harmony” (T, p. 51).

²²Diogenes Laertius (VII.87-9) cites Chrysippus’s version of the classical Stoic doctrine: “...living in agreement with nature comes to be the end, which is in accordance with the nature of oneself and that of the whole, engaging in no activity wont to be forbidden by the universal law, which is the right reason pervading everything and identical to Zeus, who is this director of the administration of existing things. And the virtue of the happy man and his good flow of life are just this: always doing everything on the basis of the concordance of each man’s guardian spirit with the will of the administrator of the whole.” (Translated in A.A. Long and D.N. Sedley, *The Hellenistic Philosophers* [Cambridge: Cambridge University Press, 1987], vol. 1, p. 395.)

²³In a 1702 letter to Sophie Charlotte, often titled “On What is Independent of Sense and Matter,” Leibniz writes: “[A] consideration of the perfection of things, or what amounts to the same thing, of the sovereign power, wisdom, and goodness of God, who does everything for the best, that is, for the greatest order, is enough to make all reasonable people content and to convince us that our contentment should be the greater in the measure in which we are inclined to follow order and reason” (GP VI 508/L 553). Cf. *Theodicy*, Preface (T, pp. 51-2); §254 (T, pp. 282-3).

²⁴It is worth noting that Stoicism forms the main philosophical inspiration for Roman jurisprudence, which Riley rightly emphasizes as a critical influence on Leibniz’s thought. The universality of an eternal law is expressed clearly in Cicero, *De republica* III.33: “True law is right reason, in agreement with nature, diffused over everyone, consistent, everlasting, whose nature is to advocate duty by prescription and to deter wrongdoing by prohibition.... There will not be a different law at Rome and at Athens, or a different law now and in the future, but one law, everlasting and immutable, will hold good for all peoples and times. And there will be one master and ruler for us all in common, god who is the founder of this law, its promulgator and its judge” (Long and Sedley, pp. 432-3).