

Response to Rutherford

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The greatest satisfaction a scholar can know is to have his work intelligently appreciated by the most competent judges. I am therefore delighted when Professor Donald Rutherford, the author of that superb book, *Leibniz and the Rational Order of Nature* (Cambridge University Press, 1995), generously describes my *Leibniz' Universal Jurisprudence: Justice as the Charity of the Wise* as “a wonderful achievement.” I am especially pleased that he thinks I made a respectable case for Leibniz' anti-Hobbesian, Christian-Platonist definition of justice as *caritas sapientis seu benevolentia universalis*, “the charity of the wise, that is, universal benevolence.” For, as I said in my Conclusion, “Obviously a social world fully and completely governed by the Leibnizian principle of justice as ‘wise charity’ would be a good one, and certainly better than our present social world ... Who can doubt that the world would be better if Leibnizian universal jurisprudence were in place—if every rational substance in the universe not only refrained from harm [the *neminem laedere* of Roman law] but rejoiced in the ‘perfection’ of others? ... Only an ungenerous heart would fail to be moved by so generous a moral vision.” That generous moral vision, I suggested, comes out most eloquently in *La véritable piété* of 1710 (the year of the *Theodicée*):

Those who . . . reduce justice to [mere] rigor, and who fail altogether to understand that one cannot be just without being benevolent . . . in a word, not only those who look for their profit, pleasure, and glory in the misery of others, but also those who are not at all anxious to procure the common good and to lift out of misery those who are in their care, and generally those who show themselves to be without enlightenment and without charity, boast in vain of a piety which they do not know at all, whatever appearance they create.

But—and here Professor Rutherford and I begin to diverge a little—if a jurisprudence of wise charity and benevolence is to be truly “universal,” if it is to be valid for any infinite or finite mind in any logically possible world, it must be possible for God and men (*inter alia*) to take *caritas sapientis* as the maxim of (or reason for) self-determined action. If we (universally) ought to be wisely charitable and benevolent, as a matter of “moral necessity,” then we must be capable of being so. As Leibniz himself urges in the *Theodicée*, “an inevitable necessity ... would

destroy the freedom of the will, so necessary to the morality of actions: for justice and injustice, praise and blame cannot attach to [metaphysically] necessary actions.”

Now even if one grants that Leibniz escapes the “metaphysical” necessity which, on his own showing, “destroys” freedom—by saying (for example) that “Caesar’s crossing of the Rubicon,” while “certain” and “determined” (in the actual best world translated into existence by God), is not *necessary* (since Caesar’s Rubicon-crossing is “contingent,” unlike “all radii of a circle are equal”)—that does not automatically mean that he has managed to save a freedom or self-determination which is adequate to his own stated moral-political purposes. Throughout *Leibniz’ Universal Jurisprudence* I posed the question: would God, qua *être infiniment parfait*, create in time, from a charitable and benevolent motive, a world which is (at best) “best” (but not good), rather than contemplate his own perfection *ad infinitum* (in the manner of Aristotle’s gods at *Ethics* 1178b)? And (to return to the problem of freedom) can finite beings in the “human forum” actually act with greater charity and benevolence, given crucial notions which Leibniz could not (or would not) abandon—the *inesse* or “complete concept” theory, divine “pre-determination,” “pre-established” harmony, etc.? Could Judas Iscariot or Pontius Pilate or Sextus Tarquinius have been more charitable and benevolent in the actual world they inhabited—even if “Judas betrays Christ” is indeed “contingent” rather than geometrically “necessary”? In *Leibniz’ Universal Jurisprudence*, Ch. 2, I suggested that

In the end it is harsh but not unjust to say that Leibniz seems not to manage to “save” the freedom which would make it possible for rational substances (such as human beings) to act with greater wise charity or universal benevolence—mainly because he also wants to save other things (God, “certainty,” preestablished harmony) which are incongruent with full self-determination....

What Leibniz ought to have, given his stress on good will and charity (or rather his fusion of these in the formula *justitia est caritas sapientis seu benevolentia universalis*), is not “preestablished” but “postestablished” harmony: a social harmony brought about by the spontaneous charitable strivings of self-determining agents. And sometimes he does have this, or at least tries to (“less knowledge suffices with more good will”). But when one asks, How is this striving possible for us?, the notorious problems of Leibniz’ monadology immediately reappear. If our “predicates” do not include that charitable striving, and if all that we do is certain and determined (though admittedly not “metaphysically” necessary), then our view of “ought” does not occasion a new, spontaneous moral sequence issuing freely from us, *de novo*, in the

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manner of Kant. What is needed, as Stuart Hampshire urges, is the “actual” possibility of acting well in the historical world we inhabit, not just “the mere logical possibility of the alternative.” And Leibniz himself seems to have felt the force of such an objection, since he grants in the *Theodicy* that “there is no obligation to do that which is impossible for us in our existing state.”

To be sure, I acknowledge that Leibniz could not really have been Kant or Pelagius; and I say in my “Conclusion” (pp. 265-266) that “it may well be the case that Leibniz could not have done better in the construction of his ‘universal jurisprudence,’ given the components of Christian orthodoxy which he felt constrained to retain If one does not wish to vibrate between Pelagianism and Calvinism . . . the Leibnizian solution recommends itself.” Still, Professor Rutherford is right to say that I offer an “external” and (finally) “Kantian” critique of Leibnizian freedom.

As against my “external” critique, Professor Rutherford urges the merits of Leibniz’ defense of freedom in section 45 of the *Theodicée*: “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.”

In this very vein, as it happens, I quoted (at length) Leibniz’ 1689 letter to Alberti, which foreshadows *Theodicée* #45:

Nothing happens without some reason.... It seems to me that one must not except liberty from this.... All those who reason about morality and politics in order to divine something about human actions tacitly use this same principle, that there is always a reason or cause which inclines the will....

And to explain myself more distinctly I say that Adam sinned without necessity, though he who knew all things could know why he let himself go toward sin rather than maintain his innocence.... It seems that the soul never finds itself in a state of pure indifference where everything is equal, within as much as without. There is always a reason, that is to say, a greater inclination [*penchant*] toward that which is actually chosen, which can come not only from good or bad arguments, but also from passions, customs, dispositions, bodily organs, and from the mind, external impression, more or less attention, etc. However, this tendency does not force liberty, although it inclines it. There is a great difference between a necessary cause and a concomitant which is certain.

And in *Leibniz’ Universal Jurisprudence* I said of this 1689 letter to Alberti I

what I would also say (more or less) of *Theodicee* #45:

Though at the end Leibniz falls back on his usual distinction between “necessity” and mere “certainty,” he earlier says that “good and bad arguments” may bear on choice—such as arguments urging (perhaps) that one ought to be “wisely charitable.” But it cannot be his view that a person enjoying “Pelagian” absolute freedom weighs “arguments” and then determines himself to action with perfect “Kantian” spontaneity—except insofar as that argument weighing is *already* contained in the “complete concept” of that deliberating person. A moralist needs to be able to say that “arguments” and “reasons,” once weighed, can then serve as the actual motive of self-determined conduct; Kant can certainly say this, but it is not clear that Leibniz can. Indeed, his phrase, “there is always a reason or cause which inclines the will,” is evasive—for while “reasons” may well “incline” the will, “causes” simply *determine* effects. Despite some hints of “compatibilism,” then, Leibniz himself finally rests his case on the notion that the “certain” is not (metaphysically) “necessary.” The problem of being able to do what one ought to do—act with wise charity—remains; the possibility of justice is jeopardized.

Indeed (to stick now to the *Theodicee* alone) I cannot see how Sextus Tarquinius, with whose story Leibniz ends his “justification of God,” can take “prevailing reasons” or “good arguments” (which “incline without necessitating”) as the motive of his self-determined conduct—if he is (in Leibniz’ memorable phrase) “wicked from all eternity.” The notion of “prevailing reasons” which “incline without necessitating” is coherent in itself, may even be simultaneously “Platonic,” “Aristotelian” and “Augustinian”; but internal coherence does not guarantee *congruence* with other crucial elements of Leibniz’ thought. And even if Leibniz insists that predetermination is “Thomist,” that appeal to authority will not necessarily count as a sufficient reason.

At the end of the *Theodicee*, the Roman king Sextus Tarquinius—the violator of Lucretia and destroyer of the Roman monarchy—consults the Oracle at Delphi (Apollo) to discover his fate. When told that he will be a rapist and an outcast, he complains of a freedom-destroying fatalism which absolves him from responsibility. Apollo replies that oracular foreknowledge of the future does not cause that future, and sends Sextus Tarquinius off to complain to Jupiter, who has actually translated the world into real existence.

It is at this point that Leibniz’ moral-political Roman story becomes problematical, because at first Jupiter tells Sextus that if he will “renounce” Rome and kingship, the Fates will spin a quite different destiny for him:

Sextus [Tarquinius], quitting Apollo and Delphi, seeks out Jupiter at Dodona....

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Why have you condemned me, O great God, to be wicked and unhappy? Change my lot and my heart, or acknowledge your error. Jupiter answers him: If you will renounce Rome, the Fates shall spin for you different fates, you shall become wise, you shall be happy. . .Sextus, not being able to resolve upon so great a sacrifice, went forth from the temple, and abandoned himself to his fate.... Theodorus, the High Priest . . . addressed these words to Jupiter: You have convinced this man of his error; he must henceforth impute his unhappiness to his evil will. But your faithful worshippers are astonished; they would fain wonder at your goodness as well as at your greatness: for it rested with you to give him a different will.

Up until that last phrase (“it rested with you to give him a different will”), Sextus seems, in sufficient measure, to be the master of his own destiny: *if* he will renounce Rome—perhaps even from a motive of charity or benevolence—he will be “wise” and “happy.” In this early part of the story Sextus cannot bring himself to renounce Roman kingship; but in the sentence, “it rested with you [Jupiter] to give him a different will,” one begins to see that Sextus “could” have acted differently (and better) only if his “concept” (from eternity) had included the predicate of “not raping Lucretia, “only if he had been given “a different will”—since, after all, *caritas sapientis* is universal good-willing. At first it seems that Jupiter gives a well-meaning command (“renounce Rome”) that Sextus could obey, but willfully spurns; in part 416, however, which terminates the *Theodicee*, Leibniz’ strong notion (originally from the “Discourse on Metaphysics”) that every action of a substance is “certain” and “determined” turns out to be decisive: for Sextus was wicked “from all eternity.”

It is Theodorus the high priest who learns of Sextus’ “eternal” wickedness when he enters the vast edifice which represents the best of all possible worlds:

We are in the real, true world (said the Goddess) and you are at the source of happiness. Behold what Jupiter makes ready....Here is Sextus [Tarquinius] as he is, and as he will be in reality....You see him going to Rome, bringing confusion everywhere, violating the wife of his friend....You see that my father Jupiter did not make Sextus wicked; he was so from all eternity. My father only granted him the existence which his wisdom could not refuse to the world where he is included: he made him pass from the region of the possible to that of the actual beings.

In the last sentence—“my father only granted [Sextus] the existence which his wisdom could not refuse to the world where he is included”—the word “only” is made to bear an unbearable weight: for had Jupiter “only” refrained (out of wise charity) from creating a merely best world which “includes” Sextus, then Sextus

would not have been sacrificed for the good (or rather bestness) of that world. But, as the Goddess makes clear, Sextus is (in effect) sacrificed to the world: “The crime of Sextus serves for great things: it renders Rome free; hence will arise a great empire, which will show noble examples to mankind.” Here, however, Rome’s “freedom” is bought at the cost of Sextus’: he will never be able to show a “noble example”—for how can an “eternally” wicked person take “prevailing reasons” as his motive and be “inclined” by them? How can he strive to be benevolent if he is “eternally” malevolent? What good will be done him by the fact that the proposition, “Sextus rapes Lucretia,” is contingent rather than necessary? (One is tempted to say that, since Leibniz insists that “God is not only charitable, but charity itself,” the Leibnizian God should create a world in which all can be charitable, or create no world at all; then Sextus’ essential wickedness would never become existential wickedness. Alternatively, if St. Paul’s “the greatest of these is charity” is problematical for God, he could incline toward Platonic “wisdom” and subordinate mere “genesis” to eternal “essence,” as in *Republic* 526b. By wisely combining non-genesis and full charity, Sextus’ eternal wickedness would remain a mere unrealized possibility.)

But at the end of the *Theodicee*, when Sextus is made to “pass from the region of the possible to that of the actual beings,” there is a tension between Leibniz’ notion of rational substances as individual and autonomous—as independent “minds” which represent the universe from a unique perspective, as distinct monads that are individually morally responsible under universal jurisprudence—and the world as a harmonious whole in which the parts are sometimes sacrificed to what is best overall (so that Sextus “serves” for great things in the universal plan). And when Leibniz says that “sins themselves are only evils for those who sin,” one once again finds an unbearable weight on the word *only*—for that only is in tension with the claim of the great *Radical Origination of Things* (1697) that “the very law of justice ... wills that each one participate in the perfection of the universe and in a happiness of his own proportioned to his own virtue and to the good will he entertains toward the common good, by which that which we call charity and the love of God is fulfilled.” If Sextus’ “eternal” wickedness incapacitated him for charity and good will, how could he have “participated in the perfection of the universe” as “the very law of justice” wills? How can Sextus’ “sin” be evil “only” for him, if it keeps him from striving (benevolently) to advance “wise charity” in the world, as a matter of “moral necessity”?

Even if the year 509 B.C.—the year of Sextus Tarquinius’ overthrow—gives us the virtuous, republic-founding Brutus in exchange for the “wicked” Sextus, which is a political and moral advance, does Leibniz want to be (in effect) a “philosopher

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of history” for whom the general (and generally good) outcome justifies the ruin of individuals? That is painfully close to Machiavellism; and it was Machiavelli who urged that the pursuit of historical greatness warrants acting “against charity.” If Sextus is the instrument who “serves” final universal harmony, if he was “wicked from all eternity,” in what sense could he (as an individual) have been more wisely charitable—by following Jupiter’s advice and sparing Lucretia? (The irony is that “monadology” is supposed to defend true individuality against a Spinozism in which finite beings are mere modes of a single universal substance.)

If Sextus was insufficiently charitable because “the causes of understanding were lacking,” if he was wicked “from all eternity,” then having a good will was not “in his power.” If we cannot, in the “best” world, have a better will (given our “certain” predicates), then we cannot say, with Augustine in *De Libero Arbitrio*, “What is more in the power of the will than the will itself?” If this difficulty is not resolved by Leibniz’ distinction between moral and metaphysical necessity—and it is not, since Sextus’ malevolence is certain and determined in the best world—then it is fatal for the claim that *caritas sapientis* is to be equated with universal goodwill. “Our” moral perfection will not be ours except in the sense that “our” predicates are unfolding in time—what Kant uncharitably called “the freedom of a turnspit.”

Leibniz, to be sure, was perfectly aware that such objections might be made, that someone might argue that “he who gives to some, but not to all, the means which produce in them effectively a good will ... has not sufficient goodness” (*Theodicée*, Summary, Objection VII). But to such a charge Leibniz can only respond with his usual defense of God’s justice:

It would not have been in order always to act in an extraordinary manner, and to reverse the connection of things. The reasons of this connection, by which one is placed in more favorable circumstances than another, are hidden in the depths of the wisdom of God; they depend upon the universal harmony. The best plan of the universe, which God could not fail to choose, made it so. We judge from the event itself, since God has made it, that it was not possible to do better.

But then for Sextus too “it was not possible to do better”; both he and God seem to escape the grasp of wise charity. That a somewhat different Sextus “could have” acted better has no bearing on the earthly conduct of the historically actual Sextus. Universal “harmony” and “the best plan” make Sextus “serve” by rape and treachery; once again the tension between the moral autonomy of individual monads (striving to “incline” toward “prevailing reasons”) and the general requirements of “the plan” is strongly in evidence. To be sure, Leibniz argues that “there

is nothing to prevent the connection of a certain evil with what is best on the whole.” But if “a certain evil” (such as the crime of Sextus) is made acceptable by “what is best on the whole,” then Sextus will discover not ultimate enlightenment (“prevailing reasons”) but simply eternal damnation “in the life to come.” Since he was evil “from all eternity,” he will be condemned for all eternity. But if justice is *caritas sapientis*, and wise charity is equivalent to *benevolentia universalis*, and “good willing” is not in the power of the actual Sextus who exists in history, then the justice of both finite and infinite beings in the “best” world is a grave problem.

My final view, then, is that there is a large gap between Leibniz’ noble and generous ideal of “wise charity” or “universal benevolence,” and the possibility of *realizing* that “morally necessary” ideal. And my stronger view, which I can merely state dogmatically for the moment, is that there is no way of reconciling divine determination and human freedom: hence my preference for Kant’s minimalist theology, in which God is merely “postulated” as a being who, if he turns out to exist, performs only the moral function of crowning virtuous people with deserved happiness (the *summum bonum*) in a conceivable afterlife. On this view God is not (knowably) “creator” or “cause” (since causality is only a “category of understanding”); his perfect goodness over-rides an (unknowable) omnipotence. Pure justice replaces Hobbesian “irresistible power.” But it goes without saying that Leibniz would never have countenanced such a view, even if it makes human freedom less problematical. Even if he anticipated “religion within the limits of reason alone,” he could not abandon Creation and divine determination -- much as he fulminated against the radically voluntarist Cartesian notion that God creates truth in time.

There is no remaining space to respond adequately to Professor Rutherford’s correct observation that I slighted Leibniz’ “Stoicism” in favor of his Christian Platonism. So I shall simply plead guilty on that count, and console myself with the thought that, in stressing Leibniz’ profound devotion to Roman jurisprudence (especially *honeste vivere*, “to live honorably”), I (in effect) acknowledged his Stoicism obliquely; for Professor Rutherford is wholly right to point out that the “inspiration” of Roman jurisprudence is Stoic, as one can see from reading Cicero’s *De Legibus* and *De Officiis*.

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