

Harmonizing the Poles: A Note on Leibniz's Notion of Justice

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Abstract Developing his new definition of justice in the six drafts of the *Elements of Natural Law* (1670–1671), Leibniz endeavors to settle two seemingly excluding assumptions underlying his preconception of justice. The first is that justice demands an active concern for the good of others. To be just, Leibniz insists, one must seek the good of others for its own sake, considering it an independent end and not only a means to one's own benefit. The second assumption is that “there is no one who deliberately does anything except for the sake of his own good.” Adhering to the egoistic psychology of Hobbes and Carneades, Leibniz holds that “we seek the good also of those whom we love for the sake of the pleasure which we ourselves get from their happiness.” In the fourth draft, Leibniz appears to find the key to the solution of his problem. “The answer,” he writes, “certainly depends upon the nature of love.” “To love,” as he states earlier in this essay, “is to find pleasure in the happiness of another.” In this chapter I attempt to analyze the solution that Leibniz offers in this early essay and to question its coherency. I will argue further that an interesting hint of a possible solution to the problem may be drawn from his later writings on justice, where his notion of disinterested love becomes more explicit.

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In the introduction to his recent book, *G.W. Leibniz: The Art of Controversies*, Marcelo Dascal discusses the sense of Leibniz's "eclecticism" and writes:

It does not consist in the juxtaposition of apparently reconcilable theses belonging to opposed systems, without modifying such theses – as the Calixtines and others thought to be possible. Nor does it consist in the integration of diverse materials into a synoptic-syncretistic vision – in the Ciceronian way. It consists rather in developing a 'higher' viewpoint, wherein the theses in confrontation are inscribed in a more comprehensive order which grants them a new meaning within an harmonious framework. (Dascal et al. 2008: 1)

Many examples of this dialectic method, which features prominently in Leibnizian thinking as a whole, may be found in Dascal's valuable studies on Leibniz's theory of controversies. My concern here is to exemplify this crucial aspect of Leibniz's thinking by using it as an interpretive tool. I will analyze Leibniz's early attempt to reconcile two assumptions associated with his notion of justice that, ostensibly, are mutually exclusive. I will then suggest that applying his dialectic method to his proposed solution could prove significant in settling these apparent inconsistencies.¹

In the six drafts of the *Elements of Natural Law* (*Elementa juris naturalis*, A.VI.1: 459–465) written in Mainz during the years 1670–1671, Leibniz develops his new definition of justice which he eventually characterizes, in the fourth draft, as "the habit of loving others . . . as long as this can be done prudently" (A.VI.1: 465/L137).² This notion is rather close, though not identical, to Leibniz's mature definition of justice as the charity of the wise, or "wise charity" (*caritas sapientis*), which I touch upon briefly later.³

Attempting to reconcile an egoistic psychology with the possibility of human justice, Leibniz seeks to make two of his fundamental and seemingly exclusive assumptions compatible. The first assumption is that justice demands an active concern for the good of others. Leibniz insists that, to be just, one must seek the good of others for its own sake (*propter se*), considering it an independent end and not only a means to one's own benefit. The second assumption is that "there is no one who deliberately does anything except for the sake of his own good" (A.VI.1: 461/L134). Adhering to the egoistic psychology of Hobbes and Carneades, Leibniz claims that "we seek the good also of those whom we love for the sake of the pleasure which we ourselves get from their happiness" (A.VI.1: 461/L134). Taken together, these assumptions imply that the virtuous person must act on two different, apparently conflicting motives: an egoistic concern for oneself and a

¹In this short lecture I discuss quite concisely Leibniz's early definition of justice and his dialectical method. Obviously, there is much to be said about both issues, and a more developed analysis will have to wait for another article now in the works.

²I am indebted to Ursula Goldenbaum for introducing me to this important issue a long time ago and for providing me with her scholarly studies on the topic (see her 2002: 209–231, 2003). For further various perspectives of the issue, see, for instance, Mulvaney (1968: 60ff.), Hostler (1975: 47–54, 57–59), Dascal (1993: 394–396, 1994: 113–115), Brown (1995: 411–441, esp. pp. 416–417, 425–426, 2011: 265–303), Riley (1996: 144–152), Piro (1999), and Naaman-Zauderer (2006).

³According to Grua, Leibniz's mature definition of justice as *caritas sapientis* occurred not before 1677 (Grua 1953: 2–3). See also Mulvaney (1968: 60, 72) and Riley (1996: 145).

genuine concern for others, neither of which is a mere means to the other. Leibniz explicitly states that, to meet the conditions of justice, these two motives for human action must not relate to each other as a means to an end: "There is in justice a certain respect for the good of others, and also for our own, *but not in the sense that one is the end of the other*" [*Est in Iustitia respectus aliquis boni alieni, est et nostri, non is tamen ut alterum alteri finis sit*] (A.VI.1:463/L136; my emphasis). Otherwise, as Leibniz explains, a person could have been considered just albeit acting on mere mercenary motives:

Otherwise it may follow that it will be just to abandon some wretched person in his agony, though it is in our power to deliver him from it without very much difficulty, merely because we are sure that there will be no reward for helping him. Yet everybody abominates this as criminal, even those who find no reason for a future life; not to mention the sound sense of all good people which spurns so mercenary a reason for justice [*alias sequetur iure miserum aliquem in exitio relinqui, unde eum pene nullo negotio eripere in nostra potestate est, cum certum est praemium auxilii abfore. Qvod tamen omnes etiam qui nullam futurae vitae rationem habent ut sceleratum execrantur. Ut taceam respuere omnium bonorum sensum hanc mercenariam justitiae rationem*]. (A.VI.1: 463/L136)

The problem that Leibniz confronts in this essay may be formulated as follows: insofar as we never deliberately do anything except for the sake of our own good, how can we seek the good of others in itself (*per se*) rather than to further our own?

In the fourth draft, Leibniz appears to find the key to the solution of his problem. He writes that the answer "certainly depends upon the nature of love" (A.VI.1: 464/L136). To love, according to Leibniz, is "to find pleasure in the happiness of another" (A.VI.1: 461/L134) or, in another version, to convert the happiness of another onto one's own.⁴ And justice, as he asserts in this draft, is "the habit of loving others (or of seeking the good of others in itself and of taking delight in the good of others), as long as this can be done prudently" (A.VI.1: 464-465/L137), namely, in accordance with the dictates of reason.

At first glance, Leibniz's notion of love would appear to allow him to reconcile his two seemingly conflicting assumptions. The natural affection of love, thus understood, appears to satisfy both opposing interests: the self-oriented interest of increasing one's own pleasure and the altruistic interest of intensifying the happiness of one's beloved. Leibniz holds, moreover, that in increasing the happiness or the perfection of others we rejoin their happiness and thus *intensify* our own. In November 1671 he writes to Arnauld:

[B]enefiting others proceeds at the rate, not of addition but of multiplication. ... This difference between addition and multiplication has important applications in the doctrine of justice. For to benefit is to multiply, to harm is to divide, for the reason that the person benefited is a mind, and mind can apply each thing in using it to everything, and this is in itself to expand or to multiply it. (A.II.1:173-174/L150)

⁴In the Preface to the *Codex Iuris Gentium* of 1693, Leibniz writes that love "signifies rejoicing in the happiness of another, or, what is the same thing, converting the happiness of another into one's own" (D IV, 295/ R 171). And he sometimes formulates his definition of love in terms of perfection, stating that "to love is to find pleasure in the perfection of another" (e.g., R 83).

The happiness of others, when regarded as an end, serves for us as a sort of reflector or mirror that multiplies our own. Although we may obtain a certain amount of pleasure while seeking our own good as an end, the kind of pleasure we can thereby attain is dull and limited by comparison with the pleasure we may obtain from seeking the good of others as such.

It is now clear why Leibniz considers his notion of love the key to the solution of his problem and why he thinks that “love is of the nature of justice” (A.VI.1: 465/L137). Leibniz’s notion of love indicates that the good of others may be sought as an end and yet (or, rather, thereby) constitutes a source of our own pleasure. This notion does allow him to explain how both opposing interests *may be satisfied*: the increased pleasure one gains from striving for the other’s happiness emerges as a *natural consequence* of one’s “altruistic” other-oriented approach.

But to comply with the demands of justice as defined by Leibniz, I argue, it is not enough that *both interests be satisfied*. One must also act on two opposing motives, with two separate objectives in mind, each regarded as an end: to benefit one’s neighbor and to benefit oneself. What determines the moral value of our actions, in Leibniz’s perspective, is the kind of *motives* that actually induce us to act, not the consequences of our actions. And once we take this consideration into account, Leibniz’s presumed solution appears debatable. The question that Leibniz’s solution invites may be formulated as follows: what exactly does the virtuous person strive for whenever she or he desires the good of others for its own sake and, at the same time, finds pleasure in their happiness? If the greater pleasure one expects to attain by benefiting others is the genuine end, it would mean that one regards the good of others as a means to this end, as opposed to what justice demands. In this case, one will neither be considered “just” (or virtuous) nor be able to experience this intensified pleasure. If, on the other hand, it is the good of others that constitutes the virtuous agent’s genuine end, it could prove challenging for Leibniz to explain what induces one to act, given that we never deliberately do anything except for our own benefit.

A possible reply is that, for Leibniz, the altruistic component of justice allows the good of others to serve *both* as a means for one’s own benefit and as an end. Some support for this reading may be found in the following passage from the same fourth draft of the *Elements of Natural Law*:

But, you ask, how is it possible that the good of others should be the same as our own and yet sought for its own sake? For otherwise the good of others can be our own good only as a means, not as end. I reply on the contrary that it is also an end, something sought for its own sake, when it is pleasant. (A.VI.1: 464/L136)

This line of thought, however, is not too helpful either. Individuals motivated by the aspiration to attain their own good may draw some extra pleasure from the knowledge that their actions are also beneficial to others. Similarly, one driven by purely altruistic motives may be pleased to find that her action is also advantageous to herself. Yet it seems implausible that one will be consciously and simultaneously motivated by a desire to attain two opposing ends, each one pursued for its own sake. For this situation to occur, both motives must be exactly equal in strength, driving

the agent to act with equal intensiveness. Otherwise, the more forceful or dominant of them will be the sole and exclusive end toward which one genuinely strives, while the other will serve as its mere appendage. Besides being phenomenologically implausible, such an "equilibrium" is by no means possible in Leibniz's framework, as it is ruled out by his "principle of sufficient reason."

Working on this issue several years ago, I thought we should read into Leibniz's alleged solution a distinction that he himself draws, in various contexts, between conscious and nonconscious motives for action. While it is unclear how the virtuous person might consciously and deliberately be acting on two conflicting motives, this view may be rendered plausible when we take this distinction into account. Leibniz alludes to the distinction in this early essay⁵ and also in a letter to Arnauld from the same year (1671), where he describes the just person's inclination to love and benefit others as a persistent *conatus*, constantly driving him to increase his perfection, even when it cannot be fulfilled:

The just man, the man who loves all, necessarily strives to please all, even when he cannot do so, much as a stone strives to fall even when it is suspended. I show that all obligation is fulfilled by the supreme conatus. (A.II.1: 173-174/L150)

In the later *New Essays*, Leibniz speaks of "the *instinct* which leads one human being to love another" (NE, I, ii, 2), determining us to act prior to any rational thinking. As we walk in conformity with the laws of mechanics without thinking about them, he explains, "God has given to man instincts which lead, straight away and without reasoning, to part of what reason commends" (NE I, ii, 9). A similar idea inheres in the preface to the *Mantissa Codicis Juris Gentium* (1700), where Leibniz insists that "the impulse to action arises from a striving toward perfection, the sense of which is pleasure," and that "there is no action or will on any other basis" (L 424).⁶

⁵"All people sense this, whatever they may say; or at least they act according to it, whatever they may believe" (A.VI.1: 464/ L136). As Christia Mercer has shown, moreover, the reflective nature of the mind and the image of the mind as a mirror, which Leibniz first develops between late 1669 and 1671 in the *Elements of Natural Law*, bears significant ethical implications for the increase in the goodness of other minds. See Mercer (2001: 219). The relevant passage which she addresses from the *Elements of Natural Law* is the following: "Pleasure, however, is doubled by reflection, whenever we contemplate the beauty within ourselves which our conscience make, not to speak of our virtue. But as a double refraction can occur in vision, once in the lens of the eye and once in the lens of a tube, the latter increasing the vision of the former, so there is a double reflection in thinking. For every mind is something like a mirror, and one mirror is in our mind, another in the mind of someone else. So if there are many mirrors, that is, many minds recognizing our good, there will be a greater light, the mirrors blending the light not only in the eye but also among each other" (A.VI.1: 464/L137). For the manner in which "Reflective Harmony," in Mercer's wording, enhances goodness of other minds, see Mercer (2001, ch. 6, 214–220).

⁶Gregory Brown has recently objected to this interpretation, for various reasons, and has offered a different account of the dilemma that Leibniz attempts to resolve in this essay and of how this can be done (2011). Discussing his arguments would require me to exceed the scope of this paper and is left for a future article on the topic.

Leaving aside the aptness of this distinction for resolving the dilemma, I suggest that an interesting solution may emerge from the application of Leibniz's dialectic method, with which I opened this chapter, to his later writings on justice.

In accordance with his principle of continuum, Leibniz believes that divine and human justice differ only in degree. This implies that, to draw nearer to God's overall perspective and to acquire a higher stance in the hierarchy of perfections, each individual must strive to transcend her own point of view and broaden it as far as possible. Among the heuristic devices that Leibniz offers to this end, he suggests the so-called other's place principle.

In a short essay dated around 1679, Leibniz elaborates on the moral precept of putting oneself in the other's place, originating in the traditional directive known as the Golden Rule: "What you do not wish to have done to you, do not do to others." As Dascal has shown (1994: 111–115; Dascal et al. 2008: 163–166), Leibniz develops this precept into a wide-ranging heuristic principle he applies to a variety of practical and theoretical issues, including ethics, politics, argumentation, negotiation, jurisprudence, and legislation. When applied to ethical contexts, this principle is designed to help us measure our duty with respect to the other and act on the other's behalf. "Put yourself in the place of another," Leibniz states, "and you will have the true point of view for judging what is just or not" (*Meditation on the Common Concept of Justice*, R 56).

But what kind of participation does Leibniz envisage when instructing the virtuous person to locate himself in the other's place? And how may this relate to Leibniz's notion of love as the conversion of the other's happiness or perfection into one's own (L137, DM 1)? Discussing our love of God, which Leibniz regards as a kind of ideal model for our intersubjective relations, he states that "one cannot know God as one ought without loving him above all things, and [that] one cannot love him thus without willing what he wills" (R 59). As I have shown elsewhere (Naaman-Zauderer 2008), when applying this rationale to human relationships, Leibniz seems to hold that one cannot be fully acquainted with one's neighbor, all the more so to will what she wills, to wish what she wishes, through mere "intellectual" means. One must also imagine himself in his neighbor's concrete standpoint. Only then will we be able to transcend our own self-centered perspective and, as it were, capture the idiosyncratic perspective of the others. "To will what he wills" – the phrase that Leibniz uses in relation to our true love of God – is, in my view, the most accurate expression of the feeling of empathy that the virtuous person should experience for his neighbor. But this feeling of empathy should not be conflated with a full identification with the other that dismisses one's self-oriented interests.

In Leibniz's later definition of justice, the emotive and cognitive components of justice – charity (or the habit of loving others) and wisdom (or prudence) – are interdependent. The subordination of charity to wisdom means, among other things, that our feeling of empathy for the other should not imply a boundless altruism involving a complete assimilation into the other's standpoint. Leibniz insists that whoever is sure "that justice commands us to consider the interests of others while

we neglect our own, is born of ignorance of the definition of justice" (R 171). "The zeal of charity," he writes, "must be directed by knowledge . . ." (*De Justitia et Novo Codice*, GR II 621–622).

Underlying this approach is the idea that to ascend in the hierarchy of perfection and elevate ourselves morally and intellectually, we must transcend and expand our own point of view rather than simply replace one perspective with another.

The feeling of empathy for the other thus requires one to be simultaneously present in the other's concrete place while remaining firmly in one's own, thereby enabling an "outside" perspective on oneself.

It is here that we should invoke the Leibnizian dialectic method to account for the virtuous agent being moved by self-centered interest as well as other-oriented concern. These two interests are not simply conjoined but rather synthesized into a higher level that, to use Dascal's wording, "grants them a new meaning within a harmonious framework." At this higher level, the two synthesized interests emerge as mutually dependent. Our ability to experience empathy for the other is not only compatible with but also conditional on our self-oriented attitude. By the same token, openness to the other through the feeling of empathy allows one to contain an inner distance that enables the self-clarification required to broaden one's original perspective.

In his later essay on the others' place, Leibniz does not discuss directly the problem he addresses in the earlier *Elements of Natural Law*. Yet I believe that the interpretation I suggested here does justice to the main tenets of his view. Leibniz's deliberate eclecticism in a way invites this kind of active interpretive "intervention," so to speak, as evidenced in the following comment by Fontenelle:

He didn't publish any body of mathematical works, but only a quantity of detached pieces, of which he could have made books, if he had wanted . . . He said that he liked to see the plants for which he had furnished the seeds growing in other people's gardens. These seeds are often more important than the plants themselves . . .⁷

Abbreviations

- A** Leibniz, Gottfried Wilhelm, 1923–, *Sämtliche Schriften und Briefe*, Deutsche Akademie der Wissenschaften zu Berlin (eds.), Berlin: Akademie Verlag. References include series, volume, and page.
- D** Leibniz, Gottfried Wilhelm, 1768, *Opera Omnia*, L. Dutens (ed.), de Tournes, Geneva.
- DM** Leibniz, Gottfried Wilhelm, *Discourse on Metaphysics*. References include section.

⁷Fontenelle (1740: 448–449), cited in Garber (2009: xvi).

- G** Leibniz, Gottfried Wilhelm, 1875–1890, *Die philosophischen Schriften*, C.I. Gerhardt (ed.), 7 vols., Berlin: Weidmann. References include volume and page.
- GR** Leibniz, Gottfried Wilhelm, 1948, *Textes inédits*, G. Grua (ed.), Paris: Presses Universitaires de France.
- L** Leibniz, Gottfried Wilhelm, 1969, *Philosophical Papers and Letters*, L. E. Loemker (trans. and ed.), 2nd edn, Dordrecht: Reidel.
- NE** Leibniz, Gottfried Wilhelm, *New Essays Concerning Human Understanding*. References include book, chapter, and section.
- R** Leibniz, Gottfried Wilhelm, 1988, *Political Writings*, P. Riley (Trans. and ed.), 2nd edn, New York: Cambridge University Press.

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