

PART I. ON JUSTICE AND NATURAL LAW

I. Meditation on the Common Concept of Justice (c. 1702–3)

The *Meditation*, together with the *Opinion on the Principles of Pufendorf*, is the most important large-scale writing about justice which Leibniz produced. Though it is unfinished, and though the argument somehow never becomes quite as strong as it threatens to do from time to time, it still contains a good statement of his conviction that principles of right must be of the same kind as the ‘eternal truths’ of mathematics and logic, that there is a *continuum* between abstaining from evil and doing good, that divine justice must be of the same kind as human justice (differing only in the degree of its perfection), that communal property is desirable but unattainable etc. There are, in addition, passages commenting on Aristotle, Filmer, Hobbes, and others, which are of some interest; and the rejection of arguments in defense of slavery was liberal for its day. The *Meditation* must have been written, to judge from internal evidence, in c. 1703. (The original text is to be found in Mollat’s *Rechtsphilosophisches aus Leibnizens ungedruckten Schriften*; this version omits the word ‘I’ [je] which comes at the end of the ms. in the Hanover library, and which would have led into a longer conclusion which, for some reason, Leibniz did not write.)

I

It is agreed that whatever God wills is good and just. But there remains the question whether it is good and just because God wills it or whether God wills it because it is good and just:¹ in other words, whether justice and goodness are arbitrary or whether they belong to the necessary and eternal truths about the nature of things, as do numbers and proportions. The former opinion has been followed by some philosophers² and by

¹ Leibniz’ radical formulation of this question follows Plato’s *Euthyphro* (9E–10E) almost literally, though Plato was dealing with ‘holiness’ rather than justice.

² To judge from his favorite targets, Leibniz probably had Descartes, Pufendorf and (perhaps) Bossuet in mind.

some Roman [Catholic] and Reformed theologians: but present-day Reformed [theologians] usually reject this doctrine, as do all of our theologians and most of those of the Roman Church.

Indeed it [this view] would destroy the justice of God. For why praise him because he acts according to justice, if the notion of justice, in his case, adds nothing to that of action? And to say *stat pro ratione voluntas*,¹ my will takes the place of reason, is properly the motto of a tyrant. Moreover this opinion would not sufficiently distinguish God from the devil. For if the devil, that is to say an intelligent, invisible, very great and very evil power, were the master of the world, this devil or this God would still be evil, even if it were necessary to honor him by force, as some peoples honor such imaginary gods in the hope of bringing them thereby to do less evil.

This is why certain persons, too devoted to the absolute right of God, who have believed that he could justly condemn innocent people and even that this might actually happen, have done wrong to the attributes which make God lovable, and, having destroyed the love of God, they have left only fear [behind]. Indeed those who believe (for example) that infants who die without baptism are plunged into eternal flames, must have a very weak idea of the goodness and of the justice of God, and injure thoughtlessly what is most essential to religion.

The sacred scriptures also give us an altogether different idea of this sovereign substance, in speaking so often and so clearly of the goodness of God, and presenting him as a person who justifies himself against complaints.² And in the story of the creation of the world the scripture says that God considered what he had done, and found it good.³ That is to say, he was content with his work, and had reason to be. This is a human way of speaking which seems to be used explicitly to show that the goodness of the actions and productions of God do not depend on his will, but on their nature: otherwise he would only have to see what he wills and does, to find out whether it were good, and to justify himself to himself as a wise sovereign. Thus all our theologians and most of those of the Roman Church, and also most of the ancient Church Fathers and the wisest and most esteemed philosophers, have been for the second view, which holds that goodness and justice have grounds [*ont leurs raisons*] independent of will and of force.

Plato in his dialogues introduces and refutes a certain Thrasymachus, who, wishing to explain what justice is, gives a definition which would strongly recommend the position which we are combating, if it were

¹ Adapted from Juvenal, *Satirae* VI, 223.

² Job 34, 6.

³ Genesis I, 31.

acceptable: for that is just (says he) which is agreeable or pleasant to the most powerful.¹ If that were true, there would never be a sentence of a sovereign court, nor of a supreme judge, which would be unjust, nor would an evil but powerful man ever be blameworthy. And what is more, the same action could be just or unjust, depending on the judges who decide, which is ridiculous. It is one thing to be just and another to pass for it, and to take the place of justice.

A celebrated English philosopher named Hobbes, who is noted for his paradoxes, has wished to uphold almost the same thing as Thrasymachus: for he wants God to have the right to do everything, because he is all-powerful.² This is a failure to distinguish between right and fact. For what one can do is one thing, what one should do, another. It is this same Hobbes who believes (and almost for the same reason) that the true religion is that of the state and that, as a consequence, if the Emperor Claudius, who decreed in an edict that *in libera republica crepitus atque ructus liberos esse debere*, had placed the god Crepitus among the authorized gods, he would have been a real God, and worthy of worship.³

This is to say, in covert terms, that there is no true religion, and that it is nothing but an invention of men. Similarly, to say that 'just' is whatever pleases the most powerful is nothing else than saying that there is no certain and determined justice which keeps one from doing whatever he wants to do and can do with impunity, however evil it may be. Thus treason, assassinations, poisonings, torture of the innocent, all will be just, if they succeed. This is, indeed, to change the nature of terms and to speak a language different from that of other men; until now one has understood by justice something different than that which happens every day. It is believed that a happy man can be evil, and that an unpunished action can nevertheless be unjust; that is, that it may deserve to be punished: such that it is only a question of knowing why it deserves it, without raising the question whether the pain will actually follow or not, or whether some judge will impose it.

There were [once] two tyrants in Sicily named Denis, father and son; the father was more evil than the son, [since] he had established his tyranny by the destruction of many honest men; his son was less cruel, but more given to disorders and to luxuries: the father was happy, and maintained

¹ Plato, *Republic* I 338c ff.

² Reference to Hobbes' *De Cive* xv, 5: 'God in his natural kingdom hath a right to rule, and to punish those who break his laws, from his sole irresistible power.'

³ From Suetonius, *Vita Claudii*, ch. 32: 'In a free state the passing of wind and belching should be free.'

himself [in power], and the son was overthrown, and finally made himself schoolmaster at Corinth, to have the pleasure of always ruling and of carrying a sort of scepter, by wielding the switches with which the children were punished. Will it be said that the actions of the first [father] were more just than those of the second, because he was happy and unpunished? And will it not be permitted at all that history condemn a happy tyrant?

One sees too every day that men, whether interested or disinterested, complain about the actions of certain powerful people, and find them unjust: thus the question is solely whether they complain with reason; and whether history can condemn with justice the inclinations and actions of a prince. This being granted one must acknowledge that men understand by justice, and by right, something else than that which pleases the powerful, and which remains unpunished if there is no judge capable of redressing [the evil].

It is true that in the entire universe or in the government of the world it happens, happily, that he who is the most powerful is just at the same time, and does nothing which one has a right to complain of: and it is necessary to hold as certain that one would find, if one understood the universal order, that it is impossible to do anything better than he does it; but power is not the formal reason which makes it just. Otherwise, if power were the formal reason of justice, all powerful persons would be just, each in proportion to his power; which is contrary to experience.

It is thus a question of finding this formal reason, that is to say, the *why* of this attribute, or this concept which should teach us what justice is, and what men mean in calling an action just or unjust. And this formal reason must be common to God and to man; otherwise one would be wrong in wanting to attribute, without equivocation, the same attribute to both: these are fundamental rules of reasoning and of discourse.¹

I grant readily that there is a great difference between the way in which men are just and [the way] in which God is: but this difference is only one of degree. For God is perfectly and entirely just, and the justice of men is mixed with injustice, with faults and with sins, because of the imperfection of human nature. The perfections of God are infinite, and ours are limited. Thus if someone wishes to maintain that the justice and the goodness of God have entirely different rules than those of men, he must recognize at the same time that these are two different notions, and that it is either voluntary equivocation or gross self-deception to attribute justice to both. Choosing, then, which of the two notions must be taken for that of justice, it will follow that either there is no true justice in God

¹ Cf. *Theodicy*, preliminary dissertation, pts. 4 and 35.

or that there is none in men, or perhaps that there is none in either, and that in the end one doesn't know what he is saying when speaking of justice – but this would destroy it, in fact, and leave nothing but the name. As do those also who make it arbitrary and dependent on the good pleasure of a judge or of a powerful person, since the same action will appear to be just or unjust to different judges.

This is also somewhat as if someone wanted to maintain that our science, for example that of numbers, which is called arithmetic, does not agree with that of God or of the angels, or perhaps that all truth is arbitrary and depends on whim. For example 1, 4, 9, 16, 25 etc. are square numbers, that is, which are produced by multiplying 1, 2, 3, 4, 5 etc. by themselves, while saying 1 times 1 is 1, 2 times 2 is 4, 3 times 3 is 9 etc. It is discovered that the successive odd numbers are the differences between successive square numbers. For the difference between 1 and 4 is 3, the difference between 4 and 9 is 5, between 9 and 16 is 7, and so forth. This is also apparent in the cells of the square numbers noted in the margin [below], for with the exception of one square foot, the space taken up by two square feet (that is to say the space of four times one square foot) has three more cells; and the space taken up by three square feet (that is to say the space of nine times one square foot) has five cells more than the preceding one, and so forth. Now, would one have any reason to maintain that it is not thus for God and for the angels, and that they see or find in numbers the contrary of what we find? Would one not have reason to laugh at a man who maintained this, and who did not know about the difference which there is between necessary and eternal truths which must be the same everywhere, and that which is contingent and changeable or arbitrary?

1	1	1	1	
3	2	2	2	0 1 4 9 16 25 etc.
5	4	3	3	1 3 5 7 9 etc.
7	6	5	4	

[This diagram (referred to above) was printed in the margin of the original text.]

The same is true of justice. If it is a fixed term which has some determined meaning; if, in a word, it is not a simple sound, without sense, like *blitiri*;¹ this term, or this word, justice, will have some definition or some intelligible notion: and from every definition one can draw certain conse-

¹ From Greek, βηίτυρι: nullity, nothingness.

quences, by using the incontestable rules of logic; and this is precisely what one does in building the necessary and demonstrative sciences which depend not at all on facts, but solely on reason, such as logic, metaphysics, arithmetic, geometry, the science of motion, and the science of right as well; which are not at all founded on experiences and facts, and serve rather to give reasons for facts and to control them in advance; which would [also] happen with respect to right, if there were no law in the world. The error of those who have made justice dependent on power comes in part from confounding right and law. Right cannot be unjust, it is a contradiction; but law can be. For it is power which gives and maintains law; and if this power lacks wisdom or good will, it can give and maintain quite evil laws: but happily for the universe, the laws of God are always just, and he is in a position to maintain them, as he does without doubt, although this has not always been done visibly and at once, for which he has, no doubt, good reasons.

[...]

2. *Opinion on the Principles of Pufendorf* (1706)

This work, originally written in the form of a letter (see n. 1) became fairly well known in the early eighteenth century because Barbeyrac translated most of it and appended it to his translation of Pufendorf's *De Officio Hominis*; he also provided an able defense of Pufendorf, and castigated Leibniz for not writing

¹ At this point Leibniz' manuscript becomes illegible, owing to the fact that the present passage is a marginal addition whose paper has crumbled away. I have added the single word 'unless', which makes the passage intelligible; there may have been a longer phrase here.

² The last leaf of the manuscript says only 'I' ['Je'], then leaves the rest of the sheet blank. What Leibniz would have gone on to say is not clear; the *Meditation*, in any case, ends rather lamely.

the definitive book on natural law which he (Leibniz) criticized Pufendorf for not writing. Though the argument in this piece is similar to that found in the *Meditation on the Common Concept of Justice*, pt. iv, particularly, is more rigorous than anything that Leibniz wrote on natural law, and the references to Descartes are of particular interest. Throughout the *Opinion* it is evident that Leibniz is really attacking Hobbes, or rather all legal positivists, as much as he is criticizing Pufendorf. (The original Latin text is to be found in vol. iv of Dutens' edition; the Barbeyrac translation is appended to the French version of Pufendorf published at Amsterdam in 1718.)

I

You have asked me on behalf of a friend, most eminent man,¹ whether in my opinion the book entitled *De Officio Hominis et Civis*, [written] by a man long renowned for his merit, Samuel Pufendorf,² is suitable as a topic of instruction for the young. I have re-examined this work, which I had not consulted for a long time, and I have ascertained that its principles suffer from no small weaknesses. However, since the greater part of the thoughts expounded in the course of the work are not consistent with the principles, and are not logically deduced from them, but rather are borrowed elsewhere, from good authors, nothing keeps this little book from containing many good things, and from serving usefully as a compendium of natural law for those who are satisfied with a superficial smattering (as are the majority of readers), without looking for sound learning. I could wish, nonetheless, that something more solid and effective existed, which would give clear and fruitful definitions, which would draw its conclusions from correct principles as if by a thread [of logic], which would establish in order the fundamental principles of all actions and exceptions valid by nature, which would, finally, afford students of the science [of natural law] a sure way to supply for themselves that which is left out, and to decide the questions which are submitted to them on their own by a fixed method. ...

¹ The 'most eminent man', Leibniz' friend Gerhardt Walter van den Muelen (or Molanus, 1633–1722), Abbot of Loccum, requested Leibniz' opinion of Pufendorf's *De Officio Hominis* on behalf of his relative, J. Christoph Boehmer, a professor at Helmstadt.

² Samuel Freiherr von Pufendorf (1632–94), German jurist and historian, author of *De Officio Hominis et Civis juxta Legem Naturalem* (1673), translated by F. G. Moore, Oxford University Press, New York, 1927. (Leibniz' long citation of Pufendorf's text in part v of the *Opinion* is given here in the Moore translation.)

IV

So much for what regards the end and the object [of natural law]; it remains now to treat the efficient cause of this law, which our author does not correctly establish. He, indeed, does not find it in the nature of things and in the precepts of right reason which conform to it, which emanate from the divine understanding, but (what will appear to be strange and contradictory) in the command of a superior. Indeed, Book I, chapter I, part 1, defines duty as 'the human action exactly conforming to the prescriptions of the laws in virtue of an obligation'. And soon chapter II, part 2, defines law as 'a command by which the superior obliges the subject to conform his actions to what the law itself prescribes'. If we admit this, no one will do his duty spontaneously; also, there will be no duty when there is no superior to compel its observance; nor will there be any duties for those who do not have a superior. And since, according to the author, duty and acts prescribed by justice coincide (because his whole natural jurisprudence is contained in the doctrine of duty), it follows that all law is prescribed by a superior. This paradox, brought out by Hobbes above all, who seemed to deny to the state of nature, that is [a condition] in which there are no superiors, all binding justice whatsoever (although even he is inconsistent), is a view to which I am astonished that anyone could have adhered. Now, then, will he who is invested with the supreme power do nothing against justice if he proceeds tyrannically against his subjects; who arbitrarily despoils his subjects, torments them, and kills them under torture; who makes war on others without cause? On the basis of this principle several learned followers of our author do not allow any voluntary law of nations whatever, for the reason, among others, that peoples cannot bring about a law by reciprocal pacts, not having the obligation rendered valid by any superior. With this argument too much is proved, namely that men cannot set up any superior for themselves by consent and agreement: which is contrary to what [even] Hobbes admits. It is true that it seems that one can give some remedy for this doctrine by considering God as the superior of all, which is precisely what our author does afterwards. Indeed, someone will say, this proposition [of Pufendorf's] is only apparently scandalous, but that, if one looks at it thoroughly, one can perceive nothing reprehensible in it, since it corrects itself and carries its own remedy with it. In truth, a condition of existence without any

superiors can be imagined by somebody for a didactic purpose, but cannot really exist, everybody being by nature subordinated to God. Thus agreements among men, as much as international treaties, establish a law, whose validity God will assure. It is without doubt most true, that God is by nature superior to all; all the same the doctrine itself, which makes all law derivative from the command of a superior, is not freed of scandal and errors, however one justifies it. Indeed, not to mention that which Grotius justly observed, namely that there would be a natural obligation even on the hypothesis – which is impossible – that God does not exist,¹ or if one but left the divine existence out of consideration; since care for one's own preservation and well-being certainly lays on men many requirements about taking care of others, as even Hobbes perceives in part (and this obligatory tie bands of brigands confirm by their example, who, while they are enemies of others, are obliged to respect certain duties among themselves² – although, as I have observed, a natural law based on this source alone would be very imperfect); to pass over all this, one must pay attention to this fact: that God is praised because he is just. There must be, then, a certain justice – or rather a supreme justice – in God, even though no one is superior to him, and he, by the spontaneity of his excellent nature, accomplishes all things well, such that no one can reasonably complain of him. Neither the norm of conduct itself, nor the essence of the just, depends on his free decision, but rather on eternal truths, objects of the divine intellect, which constitute, so to speak, the essence of divinity itself; and it is right that our author is reproached by theologians when he maintains the contrary; because, I believe, he had not seen the wicked consequences which arise from it. Justice, indeed, would not be an essential attribute of God, if he himself established justice and law by his free will. And, indeed, justice follows certain rules of equality and of proportion [which are] no less founded in the immutable nature of things, and in the divine ideas, than are the principles of arithmetic and of geometry. So that no one will maintain that justice and goodness originate in the divine will, without at the same time maintaining that truth originates in it as well: an unheard-of paradox by which Descartes showed how great can be the errors of great men;³ as if the reason that a triangle has three

¹ Grotius, *De Jure Belli ac Pacis*, Prolegomena, section 11.

² Cf. Plato, *Republic* 1 (351c–d).

³ Descartes, *Reply to the Six Objections*, pt. 6. In this work, Descartes urges that 'it is self-contradictory that the will of God should not have been from eternity indifferent to all that has come to pass or that will ever occur, because we can form no conception of anything good or true, or anything to be believed or to be performed or to be omitted, the idea of which existed in the divine understanding before God's will determined him so to act as to bring it to

sides, or that two contrary propositions are incompatible, or that God himself exists, is that God has willed it so. It would follow from this, too, that which some people have imprudently said, that God could with justice condemn an innocent person, since he could make it such that precisely this would constitute justice. Doubtless those who attain to such aberrations do not distinguish justice from unaccountability [ἀνιπευθυνία]. God, because of his supreme power over all things, cannot be made to submit his accounts [ἀνυπεύθυνος], inasmuch as he can be neither constrained nor punished, nor is he required to give reasons to anyone whomsoever; but, because of his justice, he accomplishes all things in a way which satisfies every wise man, and above all himself. This has also not a little relevance for the practice of true piety: it is not enough, indeed, that we be subject to God just as we would obey a tyrant; nor must he be only feared because of his greatness, but also loved because of his goodness: which right reason teaches, no less than the Scriptures. To this lead the best principles of universal jurisprudence, which collaborate also with wise theology and bring about true virtue. Thus he who acts well, not out of hope or fear, but by an inclination of his soul, is so far from not behaving justly that, on the contrary, he acts more justly than all others, imitating, in a certain way, as a man, divine justice. Whoever, indeed, does good out of love for God or of his neighbor, takes pleasure precisely in the action itself (such being the nature of love) and does not need any other incitement, or the command of a superior; for that man the saying that the law is not made for the just is valid.¹ To such a degree is it repugnant to reason to say that only the law or constraint make a man just; although it must be conceded that those who have not reached this point of spiritual perfection are only susceptible of obligation by hope or by fear; and that the prospect of divine vengeance, which one cannot escape even by death,

pass. . . Thus, to illustrate, God did not will. . . the three angles of a triangle to be equal to two right angles because he knew that they could not be otherwise. On the contrary, . . . it is because he willed the three angles of a triangle to be necessarily equal to two right angles that this is true and cannot be otherwise. . . To one who pays attention to God's immensity, it is clear that nothing at all can exist which does not depend on him. This is true not only of everything that subsists, but of all order, of every law, and of every reason of truth and goodness. . . For if any reason for what is good had preceded his pre-ordination, it would have determined him towards that which it was best to bring about; but on the contrary because he determined himself towards these things which ought to be accomplished, for that reason, as it stands in Genesis, they are very good; that is to say, the reason for their goodness is the fact that he wished to create them so.' (English edition of R. M. Eaton, Charles Scribner's Sons, New York, 1927, pp. 264-6.)

¹ I Timothy 1. 9; also in St Thomas Aquinas, *Summa Theologica* II, 1, Q96, art. 5.

can better than anything else make apparent to them the absolute and universal necessity to respect law and justice [*juris et aequi*].

V

From this one can infer of how much interest it is to youth, and much more to the state, that better principles of juridical science be established. Nor is chapter II, part 4, correct in saying that he who recognizes no superior cannot be constrained by necessity: as if the very nature of things and care for one's own happiness and safety did not have their own requirements; and many things which are ordained by reason itself in order that, following the guidance of our best nature, we will not attract evil to ourselves, or come to lose the good. This precept of reason, since it considers others as well, to whose advantage it is, is a part of justice. And, in truth, however much some people understand duty in a broader sense, extending it to every act required by virtue, even when others are not concerned by it, or the interest of others is not taken into consideration (and in this sense it can be said that our duties include even courage and temperance, or, for example, the matter of caring for our health, in as much as, if people do not do it, a fault is imputed to them), nonetheless I do not reject the use which our author makes of this word, restricting duty to that which is prescribed by law. But my analysis of this is scarcely recognized by our author, [namely] that in a universal society governed by God every virtue, as has already been said many times, is comprehended among the obligations of universal justice; and not only external acts, but also all of our sentiments are regulated by a certain rule of law; thus those who are worthy of being philosophers of law [must] consider not only concord among men [*humanae tranquillitatis*], but also friendship with God, the possession of which assures us of an enduring felicity. We are not born for ourselves alone, but a part of us is claimed by our neighbors, and by God the whole. Nor do I see how the author, acute as he is, could easily be absolved of the contradiction into which he falls, when he makes all juridical obligations derivative from the command of a superior (which we have shown through citations of him), while afterwards in Book I, chapter II, part 5, he states that in order that one have a superior it is necessary that they [superiors] possess not only the force [necessary] to exercise coercion, but also that they have a just cause to justify their power over my person. Consequently the justice of the cause is antecedent to this same superior, contrary to what had been asserted. Well, then, if the source of law is the will of a superior and, inversely, a justifying cause of law is necessary in order to have a superior, a circle is created, than which none was ever

more manifest. From what will the justice of the cause derive, if there is not yet a superior, from whom, supposedly, the law may emanate? And it would be strange that so acute a person could take such measures against himself, if we did not know that to those who undertake to maintain paradoxes it happens easily that, when good sense prevails in them, they forget their own doctrines. It is useful to record the words of the author himself, so that it will not be thought that we are falsifying the sense of them:

Obligation is properly introduced into the mind of a man by a superior, that is, a person who has not only the power to bring harm at once upon those who resist, but also just grounds for his claim that the freedom of our will should be limited at his discretion. For when these conditions are found in anyone, he has only to intimate his wish, and there must arise in men's minds a fear that is tempered with respect. . . for whoever is unable to assign any other reason why he wishes to impose an obligation upon me against my will, except mere power, can indeed frighten me into thinking it better for a time to obey him, to avoid a greater evil; but, once that fear is removed, nothing further remains to prevent my acting according to my will rather than his. Conversely, if he has indeed the reasons which make it my duty to obey him, but lacks the power of inflicting any harm on me, I may with impunity neglect his commands, unless a more powerful person comes to assert the authority upon which I have trampled. Now the reasons why one may rightly demand that another obey him are: in case some conspicuous benefits have come to the latter from the former; or if it be proved that he wishes the other well, and is also better able than the man himself to provide for him, and at the same time actually claims control over the other; and finally, if a man has willingly subjected himself to another and agreed to his control.

These are the author's words.

But whoever examines carefully what he says, will not fail to notice that he is neither consistent, nor resolves the difficulty. Indeed, if neither coercion without reasons, nor the latter without force is sufficient, why – I ask – when force ceases and reason alone remains, shall I not return to that liberty which it is said I had when, before the application of force, reason alone was present? What the author says, in fact – that, failing fear, no one can stop me from behaving according to my own will rather than according to someone else's – would be valid even if reasons existed. On the other hand, if reasons restrain even by themselves, why did they not already restrain by themselves, before fear arose? And what force, I pray you, can fear give to reasons, except itself – which it would not itself provide even without reasons? Or will this not very durable sentiment impress some indelible character on unwilling minds? Suppose that a man who owes obedience to another solely in virtue of reasons, is afterwards also constrained by force on the part of the other, and that he

persists nonetheless in his soul's original disposition, by which he does not want to obey any more than he is constrained [to do]; I do not see why, once constrained, he ought to remain in submission in perpetuity. Supposing, for example, that a Christian who is ill falls into the power of a Turkish doctor, by whom he is made to practice hygienic precepts that he already knew [to be efficacious] for some time, but which are now imposed on him coercively; when, afterwards, he is offered an occasion to escape, would he be obliged to [observe] temperance more than he had before his imprisonment? One or the other, then: either reasons oblige prior to force, or they do not oblige any longer when force fails.

The things [which I have indicated] show sufficiently that the author is lacking sound principles on which to found the true reasons for laws, about which he himself has arbitrarily supposed principles which cannot be maintained. For the rest, the foundations of jurisprudence, whether common to all law (even to that which is derived solely from equity),¹ or proper to law in a narrow sense (which involves a superior), have been indicated by us elsewhere. To summarize, we shall say in general that: the end of natural law is the good of those who observe it; its object, all that which concerns others and is in our power; finally, its efficient cause in us is the light of eternal reason, kindled in our minds by the divinity. These principles, so plain and simple, have, I believe, appeared too obvious to certain acute men, and for this reason they have thought up others which are more paradoxical, capable of attracting [attention] by the appearance of novelty, because neither the fruitfulness of the former [plain and simple principles] nor the imperfection of the latter [paradoxical and novel principles] has been adequately recognized.

This, most eminent man, I have believed worth writing to you, so that it will be clear that Pufendorf's work, although it is not to be despised, has nonetheless need of many corrections in its very principles. For the rest, there is no time to go into particulars.

¹ Cf. Aristotle, *Nicomachean Ethics* 1137a, for the idea that equity is more comprehensive than merely legal justice.