

## The method suggested by Leibniz for the science of Law, its sources and the fate of his legal work

Renato Eugenio de Freitas Peres

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Pontifical Catholic University of São Paulo, Brazil

The author approaches from the perspective of the history of science the legal work by Wilhelm Gottfried Leibniz (1646-1716), who although currently mostly known for his philosophical ideas was also a lawyer.

The same applies to his legal writings regarding the philosophical ones, but perhaps this was not so in his time. If so, then, what could the reasons have been for this side of Leibniz's scholarship to fall into virtual oblivion?

In order to answer to these questions, it was approached Leibniz's *Nova Methodus discendae docendaeque jurisprudentia* (New Method of Teaching and Learning Law), published in 1667. This book, written when the author was still a youth, can be considered representative of Leibniz's approach since besides quoting a wealth of sources and ideas, it synthesizes a significant part of his thought in Law as well as in many areas of human knowledge. For this reason, it becomes a fitting object for a study in the history of science.

Indeed, the study showed that *Methodus* draws a true map of knowledge in the 18<sup>th</sup> century together with the initial development of Leibniz's thought. The number of sources quoted by Leibniz is impressive, which allows describing *Methodus* as a true encyclopedic book. On the other hand, this made impossible to approach each and every source in-depth: although all of them are listed, only a few among them were approached, in order to have a wider understanding of Leibniz's ideas, such as Francis Bacon, Thomas Hobbes, Jesuits, Pierre de la Ramée (Ramus), Ramon Llull (Llullius), among others.

This goal also required a thorough study of the general historical context in Leibniz's times, particularly the political and religious conflict due to his involvement with both Reformation and Counter-Reformation proponents as well as with partisans of a middle way known as Eirenism. From a stricter scientific historical standpoint, it was approached Leibniz's connections with Encyclopedism as well as his engagement in ancient traditions of knowledge.

The outcome of such combination of factors and sources has a heavy influence in *Methodus* and opens the modern scholar a window to the contemporary perception of science, when there still was no specialization but the subject matters of a field such as Law, e.g. were inextricably linked with a wide scope of disparate areas of knowledge. This reflects the ongoing tenet stating that a lawyer had to be first a learned man. On the other hand, the inclusion of subjects as diverse as philology, rhetoric, logic, among many others might have compromised the reputation of Leibniz and this book within the field of Law.

It is well known how the lion's share of Newton's work remained hidden in a desk for centuries. The same can be said perhaps of Leibniz: the part of his thought contained in *Methodus* was ignored although it was not hidden from sight. And the reason of this omission might have precisely be the sources and ideas in contains.

Scholars linked to Center Simão Mathias of Studies in History of Science (CESIMA) have once and again stated that the work of scholars from the early modern period needs to be approached in a wholesome manner. This dissertation sought precisely to look at Leibniz from such perspective.

Since there is no translation of *Methodus* into any modern language, a full translation into Portuguese was carried out and it is included in the dissertation.

### Keywords

History of science; 18<sup>th</sup> century; History of Law; Leibniz