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Justice and the Eclecticism of Protestant Ethics, 1580-1610*

Von

ANDREAS BLANK (PADERBORN)

Zusammenfassung

Theorien von Gerechtigkeit als einer ethischen Tugend spielen eine große Rolle in der protestantischen Ethik vor dem Dreißigjährigen Krieg. Eines der hervorstechenden Merkmale dieser Theorien ist ihr eklektischer Charakter: Sie verbinden Elemente aus verschiedenen Traditionen der antiken Tugendethik, vor allem der platonischen, aristotelischen und stoischen. Die Gerechtigkeitstheorien von protestantischen Philosophen wie Rudolph Goclenius, Clemens Timpler und Bartholomäus Keckermann illustrieren gut dokumentierte Merkmale des frühneuzeitlichen Eklektizismus wie die Rolle der Reinterpretation von ausgewählten Lehrstücken und die konziliatorische Strategie, scheinbare Widersprüche zwischen verschiedenen Traditionen aufzulösen. Darüber hinaus illustrieren sie aber auch ein weniger gut dokumentiertes Merkmal des frühneuzeitlichen Eklektizismus, nämlich seine Funktion als philosophische Problemlösungsstrategie. Dieser Artikel versucht zu zeigen, wie Goclenius, Timpler und Keckermann einerseits Elemente aus den platonischen (und stoischen) Traditionen nutzen, um diagnostizierte Probleme in der aristotelischen Tradition zu beheben und andererseits Elemente aus der aristotelischen Tradition verwenden, um Probleme in der platonischen Tradition zu lösen.

1. Introduction

As Howard Hotson has pointed out, some of the leading Protestant philosophers in early 17th century Germany form a tidy biographical group. The three members of this group who are most interesting for present concerns, are Rudolph Goclenius (1547-1628), Clemens Timpler (1563/64-1624), and Bartholomäus Keckermann (1571-1609). Goclenius held an influential chair in philosophy at the University of Marburg, where his Reformed leanings allowed him to stay in office after the expulsion of Lutherans from the university in 1605. Timpler studied with Goclenius, presided over Keckermann's doctoral disputation, and later became a close friend of Keckermann's¹. It is not surprising, then, that the

* Earlier versions of this essay were presented at a Radcliffe Exploratory Seminar on "The Encyclopedic Impulse in Early Modern Europe" at Harvard University in June 2009 and at the Gottfried-Wilhelm-Leibniz-Gesellschaft in Hannover in October 2009. I would like to express heartfelt thanks to Christopher Johnson and Herbert Breger for their kind invitations, and to those present at both occasions for their perceptive comments.

1 Other prominent members of this group include Otto Casmann (1562-1607) and Johann Heinrich Alsted (1588-1638). On the personal relations between the members of this group, see H. Hotson: *Commonplace Learning: Ramism and its German Ramifications, 1543-1630*, Oxford – New York 2007 (= *Oxford – Warburg Studies*), pp. 130-131, notes 17-19. On Keckermann's biography, see W. H. van Zuylem: *Bartholomäus Keckermann. Sein Leben und Wirken*, Borna – Leipzig 1934. For bio-bibliographic informations on Keckermann, see C. H. Lohr: *Latin Aristotle Commentaries: II. Renaissance Authors*, Florence 1988, pp. 209-210;

works of these three philosophers show significant similarities in method. Hotson emphasizes the prominence of commonplaces in their writings: Their method consists in “assembling a wide range of authorities within a systematically arranged structure of commonplaces”². Hotson also connects the role of commonplaces with another methodological feature of the works of Goclenius, Timpler, and Keckermann, namely, “their peculiarly extreme form of eclecticism”³. Obviously, such a form of eclecticism is threatened by inconsistency if the range of authorities chosen represents diverging philosophical traditions. According to Hotson, “one could proceed to resolve their discrepancies in one of three general ways: by reduction to an Aristotelian norm; by rigorous individual analysis, self-consciously independent of any established philosophical tradition; or by mutual reconciliation”⁴. He concedes that such abstract categories cannot fully circumscribe the method of any historical figure but maintains that “these three approaches are broadly characteristic of [...] Bartholomäus Keckermann, Clemens Timpler, and Rudolph Goclenius”⁵.

In what follows, I will examine how the methodological issue of eclecticism in these three philosophers relates to their theories of justice as virtue. While I believe that their respective methods differ significantly in other philosophical areas, their theories of justice rather exemplify different versions of a conciliatory brand of eclecticism. Conciliatory versions of eclecticism are fundamental for early modern German philosophy at large. Ulrich Johannes Schneider brings out some central characteristics of the program of “eclectic philosophy” in late seventeenth- and early eighteenth-century Germany: (1) philosophical eclecticism organizes traditional material anew; (2) in order to do so, it reinterprets much of the historical material selected; (3) once the material is reinterpreted, it seeks to reconcile seemingly contradictory propositions⁶. As Schneider notes, “[m]edia-

J. S. Freedman: “The Career and Writings of Bartholomew Keckermann”, in: *Proceedings of the American Philosophical Society* 141 (1997), pp. 305-364; and *The Cambridge History of Seventeenth-Century Philosophy*. Edited by Daniel Garber and Michael Ayers, Cambridge 1998, pp. 1439-1440.

2 Hotson: *Commonplace Learning*, p. 225.

3 Ibid.

4 Ibid.

5 Ibid.

6 U. J. Schneider: “Eclecticism and the History of Philosophy”, in: *History and the Disciplines. The Reclassification of Knowledge in Early Modern Europe*. Edited by Donald R. Kelley, Rochester 1997, pp. 83-102, especially pp. 90-93. On the role of eclecticism in modern German philosophy, see H. Holzhey: “Philosophie als Eklektik”, in: *Studia Leibnitiana* 15 (1983), pp. 19-29; W. Schneiders: “Vernünftiger Zweifel und wahre Eklektik. Zur Entstehung des modernen Kritikbegriffes”, in: *Studia Leibnitiana* 17 (1985), pp. 143-161; H. Dreitzel: “Zur Entwicklung und Eigenart der ‘eklektischen Philosophie’”, in: *Zeitschrift für historische Forschung* 18 (1991), pp. 281-343; M. Mulsow: “Eclecticism or Scepticism? A Problem of the Early Enlightenment”, in: *Journal of the History of Ideas* 58 (1997), pp. 465-477. On early modern eclecticism in general, see D. R. Kelley: “Eclecticism and the History of Ideas”, in: *Journal of the History of Ideas* 62 (2001), pp. 577-592. By contrast, Michael Albrecht claims that, while many early modern thinkers entertained the concept of eclecticism, “practically no author embracing eclecticism [...] has made the idea work” (*Eklektik*).

tion presupposes a recognition of diversity and devotes itself to searching for a ‘third term’ to enable the opposing nature of the differences to be relativized”⁷. These characteristics are not only central to the work of philosophers such as Christoph Sturm and Christian Thomasius but also have much earlier counterparts in the eclecticism of Goclenius, Timpler, and Keckermann. While I find both Hotson’s and Schneider’s characterizations of eclecticism helpful, I would like to suggest further that there is another much neglected characteristic of eclecticism in the work of Goclenius, Timpler, and Keckermann: There, eclecticism is used as a method for filling what were perceived to be gaps in the arguments of one philosophical tradition with elements drawn from another philosophical tradition. In this sense, a conciliatory version of eclecticism was used as a method for philosophical problem-solving. And this, it seems, explains much of what is going on in their accounts of justice as virtue.

2. Justice as Virtue: Some Problems

If eclecticism is to be understood as a strategy for philosophical problem-solving, the first step towards analysis is to identify the problems that the strategy was intended to solve. So, what are problems that the Protestant moral philosophers tried to solve with their eclectic accounts of justice? A helpful guide to some of the problems (as well as to an overall strategy for solving them) can be found in the *Universa philosophia de moribus* (1583) by the Paduan philosopher Francesco Piccolomini (1520-1604). From the time of its publication, this work functioned as a constant point of reference for Protestant thinkers. Its popularity explains why Goclenius undertook to publish a new edition of the work (alongside one of Piccolomini’s books on political philosophy) in 1601 – an edition that was reprinted in 1611. In fact, some of the problems discussed in Protestant ethics are framed in a way strikingly similar to the way they are framed by Piccolomini⁸.

A first category of problems could be dubbed ‘consistency problems’: problems concerning the question of whether the position of a historical figure such

Eine Begriffsgeschichte mit Hinweisen auf die Philosophie- und Wissenschaftsgeschichte, Stuttgart – Bad Canstatt 1994, p. 382, see p. 457). On Albrecht’s book, see Johannes Ulrich Schneider’s review essay, “Eclecticism Rediscovered”, in: *Journal of the History of Ideas* 59 (1998), pp. 173-182.

7 Schneider: “Eclecticism and the History of Philosophy”, p. 92. For a characterization of “conciliatory eclecticism” tailored specifically to Leibniz’s early philosophy, see C. Mercer: *Leibniz’s Metaphysics. Its Origins and Development*, Cambridge 2001, pp. 41-59.

8 Not only Piccolomini’s ethics but also his methodology was influential in Protestant philosophy. On Piccolomini’s methodological views, see N. Jardine: “Keeping Order in the School of Padua: Jacopo Zabarella and Francesco Piccolomini on the Offices of Philosophy”, in: *Method and Order in Renaissance Philosophy of Nature: The Aristotle Commentary Tradition*. Edited by Daniel A. Di Liscia, Eckhard Keßler and Charlotte Methuen, Aldershot 1997, pp. 183-209. On Keckermann’s adaptation of the concept of analytic method developed by Zabarella and Piccolomini, see C. Vasoli: “Bartholomaeus Keckermann e la storia della logica”, in: N. Badaloni and E. Garin (eds.): *La storia della filosofia come sapere critico*:

as Plato or Aristotle is internally consistent. For example, Piccolomini notes that Plato in his manner does not seem to affirm anything determinate: for in the *Meno* he first shows that virtue is a kind of prudence; from which he infers that we do not possess virtue by nature, for we are not prudent by nature⁹. Subsequently, he shows that virtue cannot be taught because there are no teachers who give lessons in it¹⁰; and hence, he seems to conclude that we possess it neither by doctrine nor by nature but by divine fate¹¹. By contrast, he shows in the person of Protagoras in much detail that it can be taught and acquired by our care and discipline and does not pertain to us by nature, otherwise virtues and vices would not deserve praise and blame¹². And finally, although Socrates at first denies that virtue can be taught, he shows by a fairly solid argument that it can arise out of doctrine and discipline¹³: insofar as all virtue is some prudence, and all prudence depends on science, and all science by its nature is acquired by doctrine and discipline¹⁴.

As we will presently see, similar puzzles also occurred to Goclenius and other Protestant thinkers. But also Aristotle's theory of virtue is not free from consistency problems. While Aristotle believes that, in general, virtue is concerned with human affects such as pleasure and pain¹⁵, he makes an exception for the virtue of justice; according to his view, justice consists in a mean in the goods that can be exchanged or distributed in the interaction between human beings¹⁶. Famously, this problem is discussed a few years after the publication of the works that I'm

studi offerti a Mario Dal Pra, Milan 1984, pp. 240-259; C. Vasoli: "Logica ed 'encyclopedia' nella cultura tedesca del tardo Cinquecento e del primo Seicento: Bartholomaeus Keckermann", in: V. M. Abrusci / E. Casari / M. Mugnai (eds.): *Atti del convegno internazionale di storia della logica*, Bologna 1983, pp. 97-116; D. A. Lines: "Il metodo dell'etica nella scuola Padovana e la sua ricezione nei paesi d'oltralpe: M. Piccart e B. Keckermann", in: *La presenza dell'Aristotelismo Padovano nella filosofia della prima modernità. Atti del colloquio internazionale in memoria di Charles B. Schmitt (Padova, 4-6 settembre 2000)*. Edited by Gregorio Piaia, Rome – Padua 2002, pp. 311-338.

9 Plato: *Meno*, 87d-89c.

10 Ibid., 88d-96c.

11 Ibid., 99e.

12 Plato: *Protagoras*, 323a-328c.

13 Ibid., 356b-e.

14 F. Piccolomini: *Universa de moribus philosophia*. Edited by Rudolph Goclenius, Frankfurt 1601 [henceforth: *UMP*], pp. 299-300: "Plato suo more disputans, nil certe dicere videtur: nam in Menone primo ostendit, virtutem esse prudentiam quandam; ex quo infert virtutem non a natura nobis competere, non enim prudentes sumus natura [...]. Mox ostendit virtutem doceri non posse, quia non inveniuntur praeceptores, qui eam doceant: ideo colligi neque doctrina, neque natura nobis competere, sed divina sorte [...]. Ex adverso in persona Protagorae late ostendit doceri posse, & nostra cura, ac disciplina acquiri, non natura nobis competere, alioquin non commendatione, vel vituperio ob virtutes, & vitia digni essemus [...]. Et demum Socrates, cum primo negasset virtutem doceri posse, satis firma ratione patefacti eam ex doctrina, & disciplina ortum ducere: quatenus omnis virtus est quaedam prudentia, omnis prudentia pendet a scientia, omnis scientia est nata acquiri doctrina, & disciplina [...]."

15 Aristotle: *Eth. Nic.*, 1104b8-10.

16 Ibid., 1131a28-b13.

concerned with here, in Hugo Grotius' *De jure belli ac pacis* (1625). Grotius objects that in the case of justice Aristotle made an unwarranted transition from the idea of a mean in affects in the case of virtues other than justice to the idea of a mean in the objects with which justice is concerned¹⁷. Timpler makes the same problem explicit: if justice were concerned with external object it would seem as if it were not a virtue in the Aristotelian sense¹⁸. Piccolomini, Goclenius, and Keckermann seem to have been aware of the problem as well, since they are clear about the views of the historical Aristotle and at the same time offer an alternative account that regards a mean in affects as an essential aspect of justice.

Piccolomini and the Protestant thinkers considered here discuss also a problem that falls under a different category. It could be dubbed a 'circularity problem': a problem concerning whether the position of a historical figure, in this case Aristotle, is hampered by vicious circularity. Aristotle himself raises such a problem: if virtues are mental habits that are acquired through repeated actions that are morally good, it would seem as if we acquired the virtue of justice by repeatedly acting in a just way¹⁹. But obviously, if the causes of virtue are expressions of virtue themselves, the habituation theory of virtue is threatened by circularity: the acquisition of virtue would be explained by invoking actions that presuppose the possession of virtue²⁰. Piccolomini and the Protestant thinkers considered here try to solve this problem by characterizing actions that give rise to virtue as morally good in a sense other than being the expression of moral virtue.

Finally, a third kind of problems could be dubbed 'compatibility problems': problems concerning the question of whether the positions of historical figures such as Plato and Aristotle can be reconciled (or partly reconciled) with each other. Piccolomini assumes that Plato and Aristotle locate virtue in different faculties of the soul: Plato in the rational, Aristotle in the affective faculties. Moreover, Piccolomini notes that Plato holds that truths concerning justice are eternal and necessary, while Aristotle holds that such truths are relative to contingent systems of law. And finally, Piccolomini notes that Plato holds that moral truths are innate in the human mind and require only reminiscence to be understood while Aristotle believes that virtues are genuinely acquired through practice and instruction. In short, Plato and Aristotle seem to hold mutually exclusive views concerning the nature and causes of virtue²¹.

3. Piccolomini on Justice as Virtue

Piccolomini and the Protestant thinkers considered here were aware that it is difficult to be either a Platonist or an Aristotelian about justice as virtue in a

17 H. Grotius: *De jure belli ac pacis libri tres*, Paris 1625, "Prolegomena", sec. 44.

18 C. Timpler: *Philosophiae practicae systema methodicum [...], pars prima; complectens ethicam generalem [...]*, Hanau 1608 [henceforth: *PPSM*], p. 324.

19 Aristotle: *Eth. Nic.*, 1105a17-22.

20 See *UMP*, p. 161.

21 *UMP*, pp. 288-289.

consistent way, and that it is even more difficult to be a Platonist and an Aristotelian about justice as virtue at the same time. Nevertheless, their conciliatory approach aimed to show that both Plato and Aristotle, rightly understood, are internally consistent, mutually compatible, and used jointly provide the material for solving the circularity problem concerning the causes of virtue.

Piccolomini considers two arguments in favor of the view that the actions preceding the acquisition of virtue and the actions following the acquisition of virtue are of one and the same kind. First, both actions are the expression of good choices (*praelectiones*), and all that it takes for an action to be good is that it is the expression of good previous choices. Second, both actions have good goals, and the moral quality of an action depends on its goal²². Piccolomini, however, believes that these arguments fall short of bringing home the point they are supposed to support. He argues that if a human being acts once without a *habitus*, once with a *habitus*, the two acts differ with respect to their kind. This is so because the preceding actions take place without constancy and with an internal fight between emotions, the subsequent actions take place with constancy and without an internal fight between emotions. Moreover, the two actions differ with respect to their definition and, hence, to their species, since the first action occurs in the definition of the second, if virtue is defined as a *habitus* that is acquired through the repetition of good actions. This is why just actions can cause virtue without being themselves the expression of virtue²³.

Piccolomini suggests that virtue has three different kinds of causes: (1) We possess by nature some easiness (*facilitas*) or propensity (*propensio*) towards virtue and vice²⁴. As he makes clear, this natural propensity towards virtue or vice is not only founded in qualities of the mind but also in structural features of the human body – its ‘temperament’, i. e., the proportion between its elementary qualities²⁵. (2) Theoretical philosophy functions as a ‘distant’ principle of virtue since it guides prudence²⁶. As he explains, this function can be realized in a variety of ways, e. g., by withdrawing attention from the senses, by providing principles of practical reasoning, by explicating the nature of human minds, and by giving an account of freedom, necessity, and divine providence²⁷. (3) Piccolomini holds on to the Aristotelian insight that usage (*mos*) and habituation (*assuetudo*) are the ‘proximate’ causes of virtue²⁸.

Piccolomini believes that in virtue two issues have to be considered: one is the connection with prudence as well as the connection between prudence and science; the other is the habit itself, by means of which an affective confusion (*perturbatio*) is remedied²⁹. He holds that the Aristotelian view of the nature of

22 *UMP*, p. 161.

23 *UMP*, p. 162.

24 *UMP*, p. 301.

25 *UMP*, pp. 303-304.

26 *UMP*, p. 301.

27 *UMP*, pp. 301-302.

28 *UMP*, p. 301.

29 *UMP*, p. 302.

virtue is not as different from Plato's as it may appear on first sight. Piccolomini points out that Plato maintains that human beings can possess virtue in two ways: sometimes with a constant connection with its higher principles, namely, prudence and science, which is the case in the philosopher and the wise person, sometimes without this connection, which is the case when someone acts out of a right opinion (*recta opinio*³⁰). Accordingly, Piccolomini upholds a twofold conception of virtue: virtue is prudence when it is considered as a guiding principle and common form of virtues, and it is not prudence when it is taken for the habit itself that moderates confusion in the affects³¹. Likewise, he maintains that virtue is a science with respect to the principle from which it depends and is directed, but not a science when it is taken as an already formed habit in the affects³². Accordingly, virtue can be taught when it is understood as connected with prudence and science, but as a habit it cannot be taught in the proper sense but is acquired through habituation³³.

Two points deserve notice. First, Piccolomini develops a unified account of virtue. Like for other virtues, justice can only be attained once a remedy for the perturbations of the human soul has been found. For Piccolomini, moderating affects is an essential aspect of justice. Thereby, he brings the theory of justice in line with a broadly Aristotelian conception of virtue as a mean in affects. Interestingly, he uses such a unified account of virtue to argue for the compatibility of some aspects of Aristotle's and Plato's conceptions of justice. Piccolomini believes that a conception of justice as a mean in affects is implied in Plato's conception of justice as a harmony of the faculties of the soul, which is achieved when reason governs the affects³⁴. Second, Piccolomini adds that even in the case of acquisition of virtue through Aristotelian habituation, virtue pertains to us by means of "divine fate" (*divina sorte*). As he explains a little later, when he speaks of "divine fate", this can refer to various things, including right opinion and the kind of physiological constitution that inclines us towards virtue. Thus, the senses in which we are divinely endowed with virtue, for Piccolomini, includes senses that are not bound to a theory of innate knowledge and presumably are acceptable from a Platonic and an Aristotelian point of view alike³⁵. At the same time, he is clear that not all senses in which we are divinely endowed with virtue can be reconciled in this way. As he points out, there remains real disagreement: Plato believes that insight into moral ideas only requires reminiscence, while Aristotle denies such a view³⁶.

30 *UMP*, p. 303; see Plato: *Meno*, 97b-98c.

31 *UMP*, p. 303.

32 *Ibid.*

33 *Ibid.*

34 *UMP*, p. 304; see Plato: *Resp.*, 431e-432a.

35 *Ibid.*

36 *Ibid.*

4. Goclenius on Justice as Virtue

Goclenius' conciliatory strategy is not altogether different from Piccolomini's (which may also have been the reason why Goclenius took an interest in re-editing Piccolomini's work). In his *Exercitationes et disquisitiones ethicae & politicae*, originating in disputations at the University of Marburg in the 1580s and 1590s, Goclenius is clear that the historical Aristotle believes that particular justice has its own matter in which it is exercised, namely a civil good that is owed to someone by someone (*res civilis alteri ab altero debita*)³⁷. Goclenius is also clear that, for Aristotle, commutative justice is a virtue that preserves arithmetic equality in the exchange of goods, while distributive justice is a virtue that preserves geometric proportionality in the distribution of public and common goods³⁸. In his own account of virtue, Goclenius takes up the view that what is relevant for virtue in most cases is geometric equality, i. e., equality that takes into account what each person deserves according to her qualities and merits³⁹. Nevertheless, he subsumes this conception of virtue – a conception that obviously applies to distributive justice – under a general conception of virtue according to which virtue is “a mean in the mind that is induced by right reason by means of actions”⁴⁰. Hence, for Goclenius distributive justice, like any other virtue, is a mental state, not a distribution of goods.

Moreover, he is careful to distinguish this mental state from states of the rational faculty. Goclenius considers Plato's view that moral virtues are prudences and contrasts it with Aristotle's view that prudence is an intellectual virtue⁴¹. Goclenius' answer nicely exemplifies an argumentative strategy that he develops with respect to issues in theoretical philosophy in another work, the *Conciliator philosophicus* (1609)⁴². There, Goclenius collects a large number of seemingly contradictory claims from the philosophical tradition and then goes on to show that the contradiction between these different opinions is only apparent. Most frequently, he suggests that the opinions in question have to be relativized to certain aspects, such that the formal contradiction between them dissolves and both opinions contain some truth. Such an argumentative strategy allows Goclenius to integrate elements from different philosophical traditions into his own view. Likewise, in one of his short ethical disputations, he writes:

37 R. Goclenius: *Exercitationes et disquisitiones ethicae & politicae*, Marburg ⁵1607 [henceforth: *ED*], p. 167. On a quite different reception of Stoicism in Calvinist ethics of the last third of the sixteenth century in the work of Lambert Daneau, who understood Stoic asceticism as an *alternative* to Aristotelian moderation, see C. Strohm: “Ethics in Early Calvinism”, in: *Moral Philosophy on the Threshold of Modernity*. Edited by Jill Kraye and Risto Saarinen, Dordrecht 2005 (= *The New Synthese Historical Library* 57), pp. 255-281, especially pp. 272-274.

38 *ED*, p. 168; see Aristotle: *Eth. Nic.*, 1131a 19-24; 1131b32-1132a2.

39 *ED*, p. 314.

40 *Ibid.*: “[S]i naturam & essentiam eius spectes, virtus est mediocritas in animo, a recta ratione per actiones inducta”.

41 *ED*, p. 341; see Aristotle: *Eth. Nic.*, 1140a24-b21.

42 R. Goclenius: *Conciliator philosophicus*, Kassel 1609.

“Rightly understood, Plato did not affirm anything absurd. He says that virtues are prudences because moral virtues are directed by the norm of prudence, and are not acquired without prudence, much in the same way as Aristotle says that we cannot possess them without prudence in the sixth book of the *Nicomachean Ethics* [see 1144b13-26]. Hence, virtues are prudences with respect to dependence and acquisition because prudence is necessary for the acquisition of ethical virtue; likewise, with respect to connection and interaction, because no moral virtue can be separated from prudence”⁴³.

Thus, according to Goclenius’ reading of Plato and Aristotle, there is an essential connection between prudence and virtue but not a relation of identity. But then, Goclenius argues, there is no incompatibility between the Platonic and the Aristotelian conceptions of virtue, since Plato and Aristotle alike regard reason as a necessary condition of virtue⁴⁴.

Goclenius’ views as to the connection between prudence and justice are strikingly similar to Piccolomini’s. However, Goclenius differs significantly from Piccolomini as to the sense in which natural capacities belong to the causes of virtue. As we have seen, Piccolomini is ready to accept natural physiological propensities towards virtue and vice without, however, putting forth a theory of innate moral ideas. Goclenius takes a different approach to natural capacities. He notes that Callicles, the figure in Plato’s *Gorgias*, claims that what is just is determined by law and human convention but not by nature⁴⁵, and that one of the senses of “just” acknowledged by Aristotle is “acting according to the law”, where “law” is understood as the outcome of a purely conventional procedure of legislation⁴⁶. Goclenius’ response to both views is that honesty and justice have their origin in nature but are perfected by conventional laws. In Goclenius’ view, Callicles goes wrong because he understands things that are just different as contraries. According to Goclenius, law and nature are not contraries but rather subordinates (*res subordinatae*)⁴⁷. Goclenius believes that what is just is known by nature because the distinction between honest and dishonest is known by nature and contains the doctrine of justice as far as its general principles go. At the same time, he concedes that as far as conventions go, which have only a certain degree of probability, special laws are accommodated to the various circumstances of human life⁴⁸. Accordingly, he maintains that we can perform just actions, albeit imperfect ones, before we acquire virtue, out of two sources:

43 *ED*, p. 342: “Plato candide dextreque intellectus nihil statuit absurdi. Dicit virtutes esse prudentias, quia virtutes morales prudentiae norma diriguntur, nec sine prudentia acquiruntur, sicut ipse quoque Aristoteles non posse eas alicui sine prudentia inesse, in 6. *Ethic.* concludit. Virtutes igitur sunt prudentiae ratione dependentiae & acquisitionis, quia φρονησις necessaria est ad acquisitionem virtutis Ethicae: Item ratione connexionis, consensionis, & conspirationis, quia nulla virtus moris potest esse separata a prudenti”.

44 *Ibid.*

45 Plato: *Gorgias*, 483a-484c.

46 Aristotle: *Eth. Nic.*, 1129a31-b14.

47 *ED*, p. 310.

48 *ED*, pp. 310-311.

a disposition (*diathesis*) of the mind and principles (*principia*) of practical reason⁴⁹. In his *Lexicon philosophicum Graecum* (1615), he explains:

“*Diathesis* is an affection, i. e., a quality by means of which we are inclined to act or suffer. We gather from Scaliger’s *De causis linguae latinae* that it is a light motion of a soul or a body towards something. It stands for a disposition or order”⁵⁰.

Goclenius subsequently notes that according to the doctrine of categories, *diathesis* is distinguished from habit in the sense that it is an imperfect or beginning habit⁵¹. Thus, according to Goclenius actions can be just without being the expression of virtue because we possess innate cognitive capacities for distinguishing what is honest from what is dishonest. These capacities are not habits themselves but dispositional properties that make the acquisition of habits possible.

5. Timpler on Justice as Virtue

After having gone through the accounts of justice as virtue in Piccolomini and Goclenius, much of the theory of justice in Timpler’s *Philosophiae practicae systema methodicum* (1608) will not come as a surprise⁵². Timpler takes up central theoretical elements found in Piccolomini and Goclenius, such as the

49 *ED*, p. 319. The philosophical usage of the term “διαθεσις” at least goes back to Plato’s *Phaedrus* 236a4, where it signifies the process or state of arrangement. On Aristotle’s usage of the term, see R. Brague: “De la disposition. A propos de *diathesis* chez Aristote”, in: P. Aubenque (éd.): *Concepts et catégories dans la pensée antique*, Paris 1980 (= *Bibliothèque d’histoire de la philosophie*), pp. 285-307.

50 R. Goclenius: *Lexicon philosophicum Graecum*, Marburg 1615, p. 58: “Διαθεσις est affectio, i. e. qualitas, qua afficimur ad agendum vel patiendum. E Scaligeri *De causis linguae latinae libro* vel est levis commutatio animi vel corporis ad aliquam rem. Significat dispositionem seu ordinem”.

51 *Ibid.*: “[...] in doctrina Categoriarum distinguitur ab habitu ut sit imperfectus vel inchoatus habitus [...]”.

52 As Otto Ritschl has documented, Timpler and Keckermann took up a meaning from the theological tradition that understood a “system” as a “corpus integrum”, i. e., a collection of all truths relating to a particular field of knowledge. At the same time, the academic setting of the “systems” of Timpler and Keckermann adds a specific meaning to “corpus integrum”, namely, the complete curriculum relating to a given academic subject. See O. Ritschl: *System und systematische Methode in der Geschichte des wissenschaftlichen Sprachgebrauchs und der philosophischen Methodologie*, Bonn 1906, pp. 25-40. For an overview of Timpler’s ethics, see J. S. Freedman: *European Academic Philosophy in the Late Sixteenth and Early Seventeenth Centuries. The Life, Significance, and Philosophy of Clemens Timpler (1563/4-1624)*, 2 vols., Hildesheim 1988, pp. 326-350. For a short characterization of Timpler’s metaphysics, see S. Wollgast: *Philosophie in Deutschland zwischen Reformation und Aufklärung, 1550-1650*, Berlin 1988, pp. 154-155. On Timpler’s conception of the unity of science, see W. Schmidt-Biggemann: *Topica universalis. Eine Modellgeschichte humanistischer und barocker Wissenschaft*, Hamburg 1983 (= *Paradeigmata* 1), pp. 81-88. On the connection between Timpler’s metaphysics and his theory of knowledge, see C. H. Lohr: “Metaphysics”, in: *The Cambridge History of Renaissance Philosophy*. Edited by Charles B. Schmitt and Quentin Skinner, Cambridge 1988, pp. 537-638, especially pp. 635-638.

view that a mean in affects is essential for all forms of virtue and that “right reason” is how we can achieve such a mean⁵³. However, he develops their views further in some respects. For one, Timpler presents a more inclusive conception of particular justice than Piccolomini and Goclenius. Timpler notes that some philosophers claim that the objects of particular justice are “civil objects” (such as things, services, and jobs), insofar as they are owed to someone by someone; others say that it is persons and things insofar as they are considered as being in civil society; others say that it is civil laws; others say that it is appetites and aversions with respect to such good and evil, and the pleasure and pain that results from them⁵⁴. Although these options were regarded as mutually exclusive by some of his contemporaries, Timpler comments that this list comprises different but compatible conceptions of particular justice⁵⁵.

How does he argue for their compatibility? On first sight, claiming that justice is concerned with external goods (such as possessions and positions) and other persons even seems to face the question of whether justice is a virtue in the Aristotelian sense at all. Timpler poses the problem as follows: each kind of moral virtue moderates some internal affect, but through justice, no such affect is moderated; likewise, each kind of virtue is a characteristic of a good person; but justice is concerned with goods and the well-being of other persons⁵⁶. Timpler suggests the following solution: Particular justice moderates the appetite for external goods and the aversion against external evils as well as the pleasure and pain arising from them. Hence, with respect to possession, virtue is a characteristic of the good person. With respect to its application, however, it is exercised towards other persons and, in this sense, is a good for others. But, as Timpler is quick to point out, the same is the case for many other moral virtues as well⁵⁷.

Timpler also adds something to what is found in Piccolomini and Goclenius concerning the connection between prudence and virtue. Like Piccolomini and Goclenius, he believes that Plato and Aristotle agree that prudence is a necessary condition of virtue⁵⁸. However, he considers a set of possible objections against this view. Take the following two objections: (1) Common experience shows that many people are prudent, i. e., equipped with knowledge about things that they should seek or avoid, but nevertheless morally bad; and, conversely, that there are morally good persons that lack prudence, such as adolescents and many mentally impaired. (2) Moral virtue seems to be the guiding and moderating principle of prudence, insofar as it specifies morally good goals, such that

53 *PPSM*, pp. 73, 306.

54 *PPSM*, p. 330.

55 *Ibid.*

56 *PPSM*, p. 324.

57 *PPSM*, pp. 326-327: “Moderatur [...] iustitia particularis appetitum bonorum externorum, & aversionem malorum externorum, nec non voluptatem & dolorem inde orientem [...] iustitiam ratione [...] *possessionis*, esse proprium hominis bonum; ratione vero [...] *usus*, per quem exercetur erga alios, esse alienum bonum; non secus ac multas alias virtutes morales”.

58 *PPSM*, p. 37.

prudence can deliberate about the suitable means for achieving them⁵⁹. Timpler responds by accepting Goclenius' developmental perspective and taking it one step further. Timpler believes that Goclenius is right in saying that virtues can be said to be prudences first, with respect to dependence and acquisition, since moral virtue cannot be acquired without prudence, and second, with respect to connection and interaction, because no moral virtue can be separated from prudence⁶⁰. Prudence already involves a criterion for judging *rightly* about what is good and bad and therefore plays a role in the acquisition of virtue. At the same time, Timpler takes Goclenius' insight one step further: Once virtue is acquired, it not only always occurs in conjunction with prudence but also has a positive function in regulating prudence. According to Timpler, "once acquired, moral virtue can function as a guiding and moderating principle of prudence, insofar as it perfects it and preserves it from degeneration"⁶¹. In this way, virtue and prudence are mutually dependent on each other, however in a way that avoids vicious circularity through a built-in developmental perspective.

6. Keckermann on Justice as Virtue

The accounts of justice considered so far leave a crucial question unresolved, namely, in which sense could there be moral knowledge that is both natural and innate. As Piccolomini and Goclenius point out, neither the question of reminiscence nor the question of the divine origin of moral knowledge can be easily resolved in a way that is acceptable for a Platonic and an Aristotelian point of view at the same time. Piccolomini's natural physiological capacities towards virtue and vice are obviously not cognitive states themselves, while Goclenius' innate cognitive capacities still require an explanation that invokes neither a theory of reminiscence nor a theory of divine origin that would be unacceptable from an Aristotelian point of view. While Keckermann's account of justice bears close similarities to those of Piccolomini and Goclenius, he also goes beyond these accounts in explicating the sense in which moral knowledge is innate.

In the *Disputationes practicae*, based on his lectures for courses in the years 1606-1608⁶², Keckermann maintains that we can attribute justice to the sensual appetite insofar as the seeds of justice are active in children even before they acquire the use of reason and insofar as we can act justly according to the law that

59 *PPSM*, p. 38.

60 *PPSM*, p. 40.

61 *Ibid.*: "[...] prudentiam esse ducem & moderatricem virtutis moralis ab homine acquirendae. Sed hanc iam acquistam vicissim aliquo modo esse ducem & moderatricem ipsius prudentiae: quatenus eam perficit, & ne ad abusum flectat, aut in versutiam degenerare, prohibet [...]"

62 B. Keckermann: *Disputationes practicae, nempe ethicae, oeconomicae, politicae, in gymnasio Dantiscano intra biennium ad lectionum philosophicarum cursum habitae*, Hanau 1608 [henceforth: *DP*]. On Keckermann's view of the role of philosophy in relation to theology, see R. A. Muller: "Vera philosophia cum sacra theologia nusquam pugnat: Keckermann on Philosophy, Theology, and the Problem of Double Truth", in: *The Sixteenth Century Journal* 15 (1984), pp. 341-365.

nature has taught to all living beings⁶³. Keckermann explicitly follows the argument in Cicero's *De officiis*, according to which the primary function of justice is to be constitutive and conservative of human community⁶⁴. Keckermann maintains that justice arises out of the law of nature, according to which every being conserves itself and strives for immortality, and that in nature self-conservation often involves the striving for the conservation of a larger whole on which the conservation of an individual object depends. The connection between self-conservation and conservation of larger wholes, in Keckermann's view, explains why we observe motions of individual natural objects (say, compounds of one element) that are contrary to their own nature (say, motions towards the natural place of this element) but nevertheless are conservative of larger wholes (say, by avoiding a vacuum in nature). Likewise, human beings are naturally inclined to respect the private possessions of others because they know that following such a rule of justice is a necessary condition for preserving their own private possessions⁶⁵. As Keckermann points out, natural law can be understood in two ways: First, in the proper sense as those practical principles that are born with us and that even without a teacher become evident in our mind such that we assent to them without performing any inferential reasoning. Keckermann regards these principles as immutable. However, what distinguishes such principles from knowledge is that they are neither capable nor in need of justification⁶⁶. Second, natural law can be understood in a wider sense, such as to include arguments that start from practical principles and apply them to particular cases. Keckermann regards the resulting consequences as mutable according to the variation of individual circumstances of these cases⁶⁷.

In the *Systema ethicum* (1607), he uses the distinction between two senses of "natural law" to develop a conciliatory position with respect to the question of the innateness of ethical truths⁶⁸. Keckermann agrees with Aristotle that full-fledged virtue is not innate but with Cicero's *De finibus* that there are innate seeds of virtue which are to be perfected by means of exercise⁶⁹. He also emphasizes the presence of the concept of natural law in Aristotle's ethics and ascribes to Aristotle the view that natural law is what humans know and are able to apply without the instruction and decisions of others⁷⁰. He believes that what is innate in the human mind is a "power of the rational soul by means of which it is capable

63 DP, p. 64.

64 DP, p. 65; see Cicero: *De officiis* I.16.50-52.

65 DP, p. 67.

66 DP, p. 72.

67 Ibid.

68 B. Keckermann: *Systema ethicae*, in: *Operum omnium quae extant tomus secundus*, Geneva 1614, col. 249-376 [henceforth: SE; first edition: *Systema ethicae, tribus libris adornatum & publicis praelectionibus traditum in gymnasio Dantiscano* [...], London 1607].

69 SE, p. 277; see Cicero: *De finibus* V.21.58-60. On the theory of "seeds" of virtue in Cicero, see M. C. Horowitz: "The Stoic Synthesis of the Idea of Natural Law in Man: Four Themes", in: *Journal of the History of Ideas* 35 (1974), pp. 3-16.

70 SE, p. 306.

from birth of distinguishing what is honest from what is dishonest, a capacity that in the Stoic tradition is also called ‘right reason’ and ‘synteresis’⁷¹. As he explains, *synteresis* is

“the faithful conservation of the universal principles and rules concerning the distinction between what is honest and what is dishonest, a conservation that brings it about that reason or the intellect of a human being cares about honest action and conducts them according to certain rules and norms, which nature itself [...] prescribes in acting”⁷².

Keckermann is explicit about the view that these principles are general propositions concerning what is honest and dishonest and believes that the human intellect gives assent to them without requiring any proof. Also, he gives a set of examples of such propositions: “Everything that is honest should be chosen”; “Everything that is dishonest should be avoided”; “Parents should be honored”; “Everyone should be given what is due”; “No-one should be hurt”⁷³. Moreover, Keckermann maintains that such a conception of innate principles of natural law is consistent with Plato’s conception of the role of the rational faculty in bringing forth virtue. He ascribes to Plato the view that there are two causes of virtue, right reason and the will that is moderated by right reason, which can be designated by the Stoic term “*hegemonikon*” to express that, in virtue, right reason dominates the will and appetite⁷⁴.

Does Keckermann’s theory of natural law in the formation of justice as virtue solve the problems associated with the issue of the divine origin of virtue – problems that remained unsolved in Goclenius’ account of justice? As Goclenius explains, Plato’s view is close to that of the Scripture, where God is understood as the foremost and primary cause of virtue. Goclenius points out that in *Jac. 2, 17* every good or perfect gift is described as coming “from above” and “from

71 *SE*, p. 274: “Intellectus practicus nihil aliud est, quam vis animae rationalis, qua homo pollet statim a prima nativitate ad intelligendum discrimen honestorum & turpium, qui intellectus etiam recta ratio dicitur, itemque συντηρησις, q. d. conservatio regularum de honesto & turpi, per naturam hominibus innata”. On the reception of the Stoic theory of *synteresis* (or *synderesis*) in medieval and early modern thought, see A. J. Celano: “The End of Practical Wisdom: Ethics as Science in the Thirteenth Century”, in: *Journal of the History of Philosophy* 33 (1995), pp. 225-243; S. B. Cunningham: “Albertus Magnus on Natural Law”, in: *Journal of the History of Ideas* 28 (1967), pp. 479-502; R. A. Greene: “Synderesis, the Spark of Conscience, in the English Renaissance”, in: *Journal of the History of Ideas* 52 (1991), pp. 195-219; R. A. Greene: “Instinct of Nature: Natural Law, Synderesis, and the Moral Sense”, in: *Journal of the History of Ideas* 58 (1997), pp. 173-198.

72 *Ibid.*: “[...] fidelis conservatio universalium principiorum ac regularum de discrimine honestorum & turpium, quae conservatio facit, ut ratio sive intellectus hominis attendat ad honestas actiones, easque dirigat ad certas regulas & normas, quas natura ipsa [...] in agendo praescribit”.

73 *Ibid.*

74 *SE*, p. 275: “Caeterum id breviter addo ex doctrina Platonis, quod istae duae causae virtutis, nempe recta ratio & voluntas rectae rationi obtemperans, eleganti termino dicitur ηγεμονικον, quasi dicas, mentem sive intellectum, sive rectam rationem talem, quae gubernet voluntatem, appetitum & locomotivam”. On the term “ηγεμονικον”, see Diogenes Laertius: *De vitis philosophorum*, 470.

the father of light”⁷⁵. Goclenius takes this doctrine to imply that human beings are not merely passive subjects but rather “co-operative causes” (*causae cooperatrices*)⁷⁶. Goclenius’ reading of Plato thus implies that in virtue two agents are co-operating: God and a human being⁷⁷. Keckermann, in fact, does not exclude all forms of divine co-operation from the formation of virtue. Like Piccolomini, he acknowledges the importance of the physiological constitution of the human body for the inclination toward virtue and vice and points out that neither the occasion of conception nor the physiological temperament is subject to the will of human beings and may be a matter of divine concurrence⁷⁸. Likewise, he believes that divine concurrence can be relevant for keeping the effects of original sin from disturbing the formation of virtue, as well as for keeping away negative influences of malign spirits and geniuses⁷⁹. Nevertheless, natural law, for Keckermann, is *not* one of the instances of such direct divine intervention in singular events. Rather, he believes that natural law belongs to the laws of the universe that were settled once and for all at the time of creation⁸⁰. In this sense, like everything else in the universe, they have a divine origin. However, once they are established, rational human souls follow their own laws, including the innate precepts of natural law.

7. Conclusion: Eclecticism as Problem-Solving

By now it should be obvious that, as far as the issue of justice as virtue goes, the positions of Goclenius, Keckermann, and Timpler bear striking similarities. On a textual level, the passages in which Keckermann and Timpler in their *Systemata* discuss commonplaces concerning justice are strikingly similar to the corresponding discussions of justice as virtue in Goclenius’ and Keckermann’s philosophical disputations: they are all compressed, somewhat fragmentary, but nevertheless technically competent attempts at solving a set of philosophical problems. From a methodological point of view, these attempts all are eclectic and conciliatory. The conciliatory strategies considered here are characterized by two moves, whose outlines can also be found in the work of Piccolomini: (1) homogenizing the Aristotelian account of virtue as a mean in affects such as to include justice; and (2) relativizing the senses in which justice can be said to belong to the affective and rational faculties of human beings.

Reading the accounts of justice as virtue in Goclenius, Keckermann, and Timpler along the lines suggested here goes beyond some traditional characteriza-

75 *ED*, p. 328.

76 *Ibid.*

77 On Late-Scholastic theories of divine co-operation with creatures, see A. J. Freddoso: “God’s General Concurrence with Secondary Causes: Pitfalls and Prospects”, in: *American Catholic Philosophical Quarterly* 67 (1994), pp. 131-156.

78 *SE*, p. 275.

79 *Ibid.*

80 *Ibid.*

tions of eclecticism. In Goclenius, Keckermann, and Timpler we find the use of material from one philosophical tradition as a means of solving problems found in another philosophical tradition (and in this, they do not differ fundamentally from what is found in Piccolomini). For Keckermann and Timpler, then, collecting commonplaces and presenting them in the form of *Systemata* is not only a way of making a variety of traditional knowledge accessible in an educational context; it is also a way of philosophical problem-solving – of using and re-interpreting traditional philosophical material in such a way that the result is a philosophical theory that is meant to work better than its historical antecedents. While the observation that eclecticism was used as a method of philosophical problem-solving tells something interesting about Protestant ethics in the period before the Thirty Years' War, it also may tell something interesting about the further development of Protestant philosophy. After the Thirty Years' War, an eclectic approach to philosophy re-emerged in Protestant philosophy, for example, in Erhard Weigel, Jakob Thomasius, and their most prominent pupil, Gottfried Wilhelm Leibniz⁸¹. Did post-war Protestant philosophers use eclecticism in a way similar to their pre-war predecessors? If so, the nature of the eclecticism of the pre-war Protestant ethics may shed some light on the nature of the eclecticism of Leibniz and other post-war Protestant philosophers.

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81 On eclecticism in Weigel, Johann Adam Scherzer, and Jakob Thomasius, see C. Mercer: "Humanist Platonism in Seventeenth-Century Germany", in: *Humanism and Early Modern Philosophy*. Edited by Jill Kraye and M. W. F. Stone, London – New York 2000 (= *London Studies in the History of Philosophy*), pp. 238-258.