

The Philosophy of Natural Law and Ethics in Samuil Micu's View

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Introduction

A “GENUINELY UNIVERSAL” spirit, as Lucian Blaga characterized him, Samuil Micu¹ was the coryphaeus of the Transylvanian School, an erudite scholar with a multilateral cultural-spiritual education, who brought creative contributions to various branches of the national culture. His work is vast, complex, and diversified, being profoundly anchored in the dynamics of the Romanian national revival occurred at the crossroads of the 18th and 19th centuries. An important component of his activity was in the field of philosophy, seen as the soul of the national culture and as a means to achieve the enlightenment, education and emancipation—not only cultural-spiritual, but also social and national—of the Romanians from the Habsburg Empire.

In formulating his philosophical ideas, the Transylvanian scholar started from the works of the philosophers of natural law, from Hugo Grotius, Samuel Pufendorf, and John Locke to the contemporary ones, among whom we mention Jean-Jacques Rousseau and Christian Wolff. He knew thoroughly Wolff's works from the renowned professor Friedrich Christian Baumeister, whose academic textbook, titled *Elements of Philosophy*, he translated into Romanian.

An erudite scholar and a profound thinker, he had creative interests in the fields of history, philology, logic, metaphysics, philosophy of law, ethics, psychology, lexicology, etc. He translated a large number of works from Latin, German, and Hungarian, thus contributing to the development of the Romanian vocabulary and philosophical terminology, and implicitly to the lexical thesaurus of the philosophy of law and of ethics. His great achievement, of tremendous importance for Romanian culture, is the translation into Romanian of the Bible (1795), the second to be published in the Romanian area after the Bucharest Bible (1688). In addition, he was the co-author of the *Supplex Libellus Valachorum* memorandum (1791), a genuine “charter” of the Romanian nation's inalienable rights, addressed to Emperor Leopold II. Towards the end of his life, he wrote the *Latin-Romanian-Hungarian-German Lexicon*. During his lifetime, he wrote in the field of philosophy: *Învățătura metafizicii* (The learning of metaphysics) (1787–1790), posthumously published; *Loghica* (Logic), published at Buda in 1799; *Legile firei, ithica și politica* (Laws of nature, ethics, and politics) (Sibiu, 1800); *Ithica sau învățătura obi-*

ceiurilor (Ethics or learning the customs), and *Învățătura politicască* (Political learning), written in Vienna during 1781–1787. A large part of his philosophical work remained in manuscript form for posterity.

His ideas on law, on state governance, on the organization and functioning of the *polis* are disseminated in various works from his vast oeuvre, under diverse forms; a systematic presentation can be found in the manuscript *Philosophy, Ethics or Morals*, in *Ethics or Learning the Customs*² and in *Political Learning*.³ All these titles are actually interpretations of some works published by his mentor, the eminent Professor Baumeister. We are not dealing here with plain word for word translations, but rather with Micu's laborious, creative activity, found in various interventions in the original text. Thus, he rejected scholastic speculations, or presented only the main ideas from several paragraphs, or formulated applications, examples, demonstrations, justifications, and references to the great classical thinkers, or sought to render the philosophical message, taken without alterations from the German text, in Romanian words, phrases or expressions. This pioneering work for the Romanian philosophical culture done by the hieromonk from Blaj (Blasendorf, Balázsfalva) would have long-lasting effects on the development of Romanian philosophy, even until today. First and foremost, however, he was an educator of his fellow countrymen, of his nation, to whom he offered a refined phraseology and new conceptual horizons. It could not have been otherwise, as the exegetes of his works, P. Teodor and D. Ghișe, noticed

*he proves to have had a beautiful and refined philosophical culture, a profound comprehension of the ideas he worked with, one of the minds endowed with the rare and valuable capacity to generalize and universally comprehend things.*⁴

Thus, the creative dimension of the Romanian scholar's work in the field of philosophy stems from the need to adjust the contents of the translated works to the particularities of understanding and assimilation specific to the readers from the Romanian area, and from the attempt to render the German text into Romanian as faithfully as possible, despite the limitations of the Romanian philosophical vocabulary available at that time. Motivated by an ardent scholarly passion, the Blaj master greatly contributed, from an illuminist position, to the imperiously necessary development of the national culture along the wide path opened by Dimitrie Cantemir, towards its integration in the European circuit of scientific and philosophic values.

Landmarks in the Philosophy of Law

BORN IN the century of Transylvanian Enlightenment, Samuil Micu constantly professed his belief in the power of human reason, in the crucial part played by the education of the youth and of the people ("people's enlightenment") in the achievement of mankind's ideals of progress and happiness. His credo reveals the ratio-

nalistic and profoundly humanist structure of his philosophy. In this context, he saw the part played by philosophy as the “grounds and the key for all learning.”

The Transylvanian scholar divided philosophy into two fields of rational knowledge: theoretical philosophy (consisting of ontology, cosmology, natural philosophy, and psychology) and practical philosophy, the one meant to guide the people's actions intended to bring about happiness. In other words, the latter comprises the ideas, the demonstrations, and the argumentations with normative value, being formed of natural law (“the law of Nature”), ethics, politics, and the general practical philosophy. The two sides of philosophy are in tight connection, seeking to identify and master both truth and man's common sense. The truth of our knowledge comes from experience and demonstration (presenting the object for reception by our senses, and then for analysis by reason). “There are two paths allowing us to know that something is really true, namely: experience and indication.”⁵ The law of nature interprets the laws and teaches what man has to do or not. And ethics shows the way and the manner in which to obey the laws of nature, claims the philosopher.

The scholar's philosophical work comprises ideas and justifications of the philosophy of law, relying on the historical and ethical truth. They are taken from the prestigious German professors and thinkers Friedrich Christian Baumeister and Karl Steinkellner.⁶ The proponents of natural law upheld the principle whereby there is a universal and immovable human nature, thus created by God. The direction in the philosophy of natural law that influenced the scholar considered that all human beings, regardless on their religion, race, habits, language, or gender, descend from the same primary human being and have in their nature the tendency to do good, to live in peace and cooperation. The entire legal system, all juridical codes and laws, and the institutions created by man appeared and must function according to the human nature, to natural law or to the “law of nature.”

That is why the will of kings, emperors, and of any state must be expressed in juridical laws resulting from human nature. There are three types of laws, functionally inter-correlated: divine laws, natural laws, and human laws.⁷ The human law derives from the natural law and the latest from the divine law. The main features of the human nature are freewill, a human being's capacity to decide, to choose as free person, sociability, equity, and the power of reason. The positive law must correspond to these entire features, to protect them, precisely as it is free to choose, to decide according to the specific system of beliefs in order to achieve happiness, but according to the laws of nature. The human being is a superior social person, precisely on account of being free to choose according to its thinking in order to achieve happiness, but still according to the laws of nature. The law of nature relies on what unites people, on their capacity to be social beings, on their kindness, and not on what divides them, on selfishness, and on the instincts of aggressiveness and domination. Thus, all norms of positive law compliant with the laws of nature are legitimate, and the human actions breaking the “laws of nature” have nothing to do in the community, harming the people and needing to be sanctioned. For all types of lawmakers, under such terms, the power comes from the citizens who, organized in

state institutions, delegate some of their individual power to their kings or lawmakers, to those who are going to represent them and to decide on their behalf, based on their natural rights. The citizens may judge the lawmakers and have the right to remove them if they deviate from the laws of human nature.

Having presented the essence of the philosophy of natural law in the version that influenced S. Micu, it is easier for us to understand the grounds of the practical philosophy, the philosophical ideas, and the demonstrations on the law formulated by the Transylvanian scholar. The hieromonk thinker was a deist, being convinced that human life is governed by three types of laws, the defining ones being those pertaining to divine law. People and society are created by God. Therefore, they have to obey the divine will. The lawmakers' will and all juridical documents must derive from natural law and to be according to the divine will. Micu claims, in this theoretical frame, that both juridical norms and the other types of norms created by humans rely on the "laws of nature," the universal human nature being their basis. In the *Ethics or Learning the Customs*, he wrote that "the Laws of nature draft the laws and teach what mankind has to do or not. Conversely, ethics shows where and how to abide by the laws of nature,"⁸ being the learning according to which the commands of the laws of nature are carried out.

The analyses, demonstrations and interpretations performed by Samuil Micu, concerning family relations, the subjects' obligations and rights towards their masters, the emperor's rights and obligations, the relations between individual interests and those of society, as a premise to the distinction between private and public law, the legitimacy of laws, and even the relations between states, highlight the novel application of the principle of European Enlightenment, that of rationalism and humanism, in the context of the Transylvanian culture in the century of the Enlightenment. All these explanations are placed on the pedestal of the "laws of nature," of the universality and perennial nature of the main human features, of reason and wisdom, above all else. Obviously, he does not deny the individual, identity-defining human features. However, all concrete forms of individual manifestation for a human being take place under the dominating umbrella of the universal, rational, and wise human being. Otherwise, we end up with oppositions, with breaches by humans of the natural laws, with bad deeds.

The human being evolves, its personality being shaped under the influence of the inner strengths—will, reason, wisdom, by learning and education. The decision to commit good or bad deeds is taken with the help of the mind: "The good deed is the learning of the mind, and as one learns and refines one's mind, more good deeds can also be done."⁹ The power of the mind is expressed by anticipating the effects of one's own deeds and by selecting the proper consequences in relation to adequate and sufficient means. Reason, mind, and wisdom lead to the choices that a person makes. The good choices take place only when "we listen to the laws of nature." The hieromonk does not see another way of achieving happiness. This holds true for both rich and poor, for rules, kings or emperors, and for their subjects. All those who violate the laws of nature go against the divine will, which means they rise against God. In such situations, the final result for the kings is their natural and legitimate removal from the throne.

Natural Law, the Foundation of Morals and Morality

IN THE “Foreword” to *Ethics or Learning the Customs*, Micu claims that the laws of nature teach the person “what one has to do or not,” while “ethics shows the way and the path to listen to the laws of nature.”¹⁰ People’s habits, vices, morals, or good deeds arise from what the laws of nature command. In European illuminist fashion, Micu showed that the duty of ethics is to provide learning for our mind with a view to doing good, and foster those customs and habits conducive to the honest and proper activities “which were commanded by the laws of nature.”¹¹

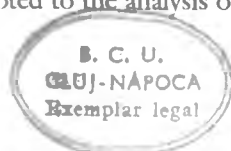
Therefore, claims the author, “ethics is the one that guides and counsels the human mind, the habits and morals,”¹² leading those who abide by them to genuine happiness. The happiness searched by humans consists of silence and the enjoyment of the fullness of the mind. Consequently, there emerges an essential difference between ethics and natural law:

*The laws of nature teach us how we can achieve serenity and harm no one, or how not to do injustice and to give everyone what is theirs, etc. However, ethics makes the person inside us achieve happiness and enjoy the reward for good deeds.*¹³

At the same time, ethics also explains how vice, evil, the passions and the sins of the mind can be prevented and avoided, how the soul can be healed, and how the causes of so many bad and evil deeds can be removed.

In Micu’s opinion, the essential ethical issues target what has to be done so that the people may acquire those personality traits meant to motivate them do good deeds according to the commands of the laws of nature. In order to shape a person capable of acting in agreement with the tenets of natural law, we need education, namely, to create the “need” (the urge, the motivation of the interests) to do good and to choose the methods of education likely to bring about the enlightened person, endowed with the skills and habits necessary in order to easily follow the laws of nature. In this regard, we can act in two ways: educate the positive character and personality traits starting with childhood, and prevent or remove negative traits such as vice, lying, fornication, theft, quarrelling, killing etc., which are all contrary to both moral and natural laws.

In order to create the enlightened person, first of all one has to know the difference between good and evil, learn to improve its mind and make it able to use the living knowledge of good and evil, to correlate the purposes with the proper means, to develop its will and the need to do good deeds and avoid the bad, evil ones. The path to reach this purpose is, most of all, one’s own and the others’ experience, the experience is “the teacher of good works.”¹⁴ In this context, Samuil Micu proves his solid culture and high pedagogical virtues. They pertain to education in general, and to moral education, in particular. The principles of training and education stated by Micu and, implicitly, capitalized in his entire work devoted to the analysis of communication, to the Roma-



nian national enlightenment, are the principle of accessibility, of living intuition, of the knowledge starting from the concrete to the abstract, from the individual to the general, from the demonstration of facts and good qualities for people living together, from the observance of the individual and general particularities of those whom we teach, of from the correlation between training and practice, principles applied in education until our days and taken from the contemporary philosophy of education. From the same position, he opposes the scholastic practices, the recourse to speculative reasoning, and the tendency of some people towards being judgmental, things that “considerably hinder the good deeds.”¹⁵

What the commentators of the Transylvanian scholar’s works did not notice enough is that he understood the concept of human being by taking into consideration the whole personality: mind, feelings, will, needs. The training of the person able to live together with his kin according to the laws of nature and of mankind aims at cultivating all the elements of its personality, but, as the author claims in an illuminist manner, “before rectifying the will, the meaning has to be straightened up,”¹⁶ namely the knowledge in the field must be cultivated. Based on full knowledge, further action can be taken to rectify the vice, the passions, the craving and the sinful desires that turn off the light of the mind.

In the second chapter, Micu formulates answers to the question “How could we and how would it be appropriate to act and to straighten the meaning and how can we block and ease the impetus and troubles of the mind?”¹⁷ The answer is a eulogy to the cleverness and wisdom we acquire when listening to the laws of nature and learning from our own experience and from the “strangers’ experience,” as experience “is the teacher of wisdom.”¹⁸

The scholar embraced the basic idea of the Enlightenment on the role of mind, reason and education, from school education to the enlightenment of the people, to science and knowledge development in general, but he did not underestimate the importance of inculcating the need and the will to do well, implicitly the practical moral exercise. Above all, Micu placed at the top of the axiological hierarchy moral qualities such as honesty and common sense. Acquiring them through education confers nobility and superiority to the human condition, turns every person into a decent human being. The pillar of decency and honesty consists of good deeds, believed the Transylvanian thinker. In other words, the moral qualities, set above the intellectual ones, are supported and confirmed by the good deeds, by the human conduct adequate to the natural laws. The promotion of these ideas and the persuasive demonstrations regarding the progress of the human personality and of the people achieved with the help of education, culture, “enlightenment,” lead us to believe that the Romanian scientist was ahead of his time, emerging in both Romanian and European culture as a true apostle of his people. His ethical, pedagogical, philosophical, juridical, and political ideas, as well as, in particular, his way of thinking and the methods used in the analyses carried out, are still valid. They were periodically reiterated by the generations of creative intellectuals of the 19th century, starting with the generation of Gheorghe Lazăr, continuing with the intellectuals of 1848, with the generation that emerged after the first union of the Romanians in a state, and with the generation that led the Romanians to state independence.

Instead of Conclusion

CONSIDERED OVERALL, Samuil Micu's work represents a solid contribution to the founding of Romanian modern culture, opening new horizons along the path inaugurated by Dimitrie Cantemir, a member of the Berlin Academy. Regarding his philosophical activity, his main merit was that of developing the philosophical vocabulary and of expressing original ideas in various branches of philosophy, inspired by the novel ideas and concepts of the German philosophy of his time, but also by the ancient Greek-Roman philosophy or by the modern European one. As a son of the century of the Enlightenment, he brought his pioneering contribution by formulating some ideas, explanations, demonstrations, substantiations in the field of the philosophy of law, of practical philosophy—with its branches, ethics and political sciences—thus providing an incentive for the Romanians to read, for the first time in their own language, works and chapters in the fields of logic, metaphysics, ethics, psychology and political sciences, etc. Lucian Blaga saw him as a “universal spirit;” impressed by the richness of his work and by the example provided to his descendants, Perpessicius appreciated the originality of his endeavors, which provided a solid foundation to our national cultural revival.

Due to his vocation as a founder, Samuil Micu remains in the memory of posterity also for his contributions to the introduction of philosophy in national culture. S. Duicu highlighted the scholar's essential merit, namely that “he achieved the first configuration of our philosophical language, using the intimate powers of the Romanian language.”¹⁹



Notes

1. Samuil Micu Clain (Klein) (1745–1806) set the ground for the illuminist philosophical trend promoted by the Transylvanian School. He studied in Vienna, at Pazmanian College, attending the courses of the faculties of philosophy, theology and canonical law during 1766–1772. He acquired a thorough polyvalent knowledge afterwards at Sancta Barbara Seminary in the Austrian metropolis, being “prefect of studies,” greatly interested in both national and universal culture and being directly influenced by the German philosophy, the Enlightenment, rationalism and humanism which, during the following decades of creative activity, he converted into the grounds of the philosophical, ethical and juridical culture in the Romanian area.
2. See Samuil Micu, *Scrieri filozofice*, edited by Pompiliu Teodor and Dumitru Ghișe (Bucharest: Editura Științifică, 1966), 191–234.
3. *Ibid.*, 235–272.
4. Pompiliu Teodor and Dumitru Ghișe, Introduction to Micu, *Scrieri filozofice*, 43.
5. Ioan Chindriș and Niculina Iacob, *Samuil Micu in mărturia antologică* (Târgu-Lăpuș: Galaxia Gutenberg, 2010), 83.
6. The work of Steinkellner introduced Micu to the ideas and concepts of the great thinkers who founded and developed the philosophy of natural law, such as Grotius, Leibniz, Hobbes, Bacon, Spinoza, Descartes, Locke, Pufendorf, Rousseau etc.

7. See Samuil Micu, "Către episcopul Ioan Bob," 8 July 1787, in Chindriș and Iacob, 519–520.
8. Micu, *Scrieri filozofice*, 191.
9. *Ibid.*, 93.
10. Chindriș and Iacob, 483.
11. *Ibid.*
12. *Ibid.*, 484.
13. *Ibid.*
14. *Ibid.*, 486.
15. *Ibid.*, 488.
16. *Ibid.*, 490.
17. *Ibid.*, 492.
18. *Ibid.*, 498.
19. Serafim Duicu, *Pe urmele lui Samuil Micu-Clain* (Bucharest: Sport-Turism 1986), 320.

Abstract

The Philosophy of Natural Law and Ethics in Samuil Micu's View

This paper reviews the scholar's contribution to the development, in Romanian culture, of practical philosophy, mainly the philosophy of law and ethics. Familiar with the history of modern European philosophy, of the German one in particular, and being an erudite translator, Samuil Micu (1745–1806) formulated ideas, demonstrations, practical applications and substantiations with philosophical contents in various papers, mainly in his philosophical works and in the translations of some works by German philosophers. The author briefly analyses the Transylvanian scholar's view on law and morals, highlighting its humanist and rationalist orientation, thus setting the grounds for their later development by future generations.

Keywords

philosophy of law, ethics, Transylvanian School, Enlightenment, Samuil Micu