

Alexandre Mendes Cunha

Justi's (Economic) Police Science

From the »Grundsätze der Policy-Wissenschaft« to the
»Grundfeste zu der Macht und Glückseligkeit der Staaten«

1 *Policy* in Justi's Work and Justi's Police Science in the Cameral Sciences

Johann Heinrich Gottlob von Justi was central to the promotion of police science as an independent discipline within the cameral sciences. He was to a large extent the first to systematize the subject and greatly influenced the development of the field, especially through two of his most influential works: *Grundsätze der Policy-Wissenschaft* (Göttingen, 1756) and *Die Grundfeste zu der Macht und Glückseligkeit der Staaten oder ausführliche Vorstellung der gesamten Policy-Wissenschaft* (Königsberg, Leipzig, 1760/61). He even claimed this himself in the *Grundsätze*, insisting that he was presenting the first complete system of *Policy*, separate from other sciences and contextualized by the nature of the material itself.¹

In particular, Justi made a fundamental contribution to the articulation of police issues in the economic and cameral sciences (*Oeconomischen und Cameral- Wissenschaften*), which was the general theme of his first important cameralistic work (*Staatswirtschaft, oder, Oekonomischen und Cameral-Wissenschaften*, Leipzig, 1755) and of his teaching plan at the University of Göttingen (*Abhandlung von den Mitteln die Erkenntniß in den Oeconomischen und Cameral-Wissenschaften*, Göttingen, 1755). His use of the term »(economic) police science« (*wirtschaftliche Policywissenschaft*), while not intended to represent a separate police science, sheds light on the most innovative part of his thinking on the subject, and demarcates the main issues to be addressed here.

Police science would become one of the best developed areas of his extensive writings, which were widely disseminated in the eighteenth century both in the

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¹ Johann Heinrich Gottlob von Justi: *Grundsätze Der Policy-Wissenschaft*. Göttingen 1756, Vorrede, n.p.

original German and in translation. The French translation of one of his most famous writings on the subject (*Grundsätze der Policy-Wissenschaft*) was the principal vehicle through which Justi became known beyond the Germanic world, in many of the later appropriations effectively integrating his work with contemporary French writing on police.²

Justi's framing of police science must be understood as the endpoint of at least two different paths. On the one hand, it involves a progressive differentiation between *Policey* and *Politik*, the latter being the old idea of politics as cultivated in universities (*die alte akademische Politik*, as Hans Maier calls it);³ and, on the other, the way in which police science assumes the task of systematizing the idea of police

2 Both the *Grundsätze* and the *Grundfeste* were translated into other languages, the former into French and then into Spanish, and the latter into Russian (for the Russian translation see Danila Raskov: *Cameralism in Eighteenth-Century Russia* In: *Cameralism and the Enlightenment*. Ed. by Ere Nokkala and Nicholas B. Miller. New York 2019). An abridged edition of the *Grundfeste* was also published anonymously in Switzerland, and for three centuries this was taken to be a work in the French police tradition. This view was only corrected by my publication of 2017 (see Alexandre Mendes Cunha: A Previously Unnoticed Swiss Connection in the Dissemination of Cameralist Ideas during the Second Half of the Eighteenth Century. In: *History of Political Economy* 49.3 (2017), pp. 497–529). Nevertheless, erroneous references to the translation(s) of Justi into Spanish persist in the specialized literature, suggesting that the *Grundsätze* was translated into Spanish on two separate occasions. In fact, there is only one Spanish translation (*Elementos generales de policia*, translated from the French translation of 1769 and published in Barcelona in 1784). The origin of the misunderstanding is a mistaken attribution by Ernest Lluch, who believed that an incomplete Spanish version of an anonymous book published in Yverdon in 1781, the *Éléments de la police générale d'un Etat*, included in a volume of the *Memorias instructivas utiles y curiosas* (1781), was another translation of the *Grundsätze*. In our 2017 article we demonstrated that this Yverdon publication, composed by Eli Bertrand but published anonymously, was in fact a summary of another book by Justi, the *Grundfeste*. While the two works in Spanish that Lluch mentions have a common origin in Justi, only one of them is a direct translation of one of his works, the other being a summary. An interesting aspect here is that this work by Bertrand was not during the eighteenth century thought of a cameralist book, but instead as another traditional French police treatise, translated (partially) into Spanish and (wholly) into Portuguese. While we are now aware of the origin of the work, this was not something of which eighteenth century readers were aware. Hence for the reception of Justi's ideas beyond the Germanic world, especially in the Iberian Peninsula, it was the French translation (*Eléments généraux de police*, Paris 1769) of the *Grundsätze* that was significant. Although Justi did not conceive his book in relation to the French debate, it did eventually play a role in this. That the summary of the *Grundfeste*, meticulously reproducing each part and section of the original and rewriting the approximately 1500 pages of two bulky volumes of the *Grundfeste* into the two small volumes (in 12^o) of the *Éléments*, could have simply been taken as part of the French police literature is very interesting evidence of the similarity Justi's ideas to French contemporary writing. This assimilation, despite marked differences in structure and content, is I think explained by the common core ideas shared by Justi's economic police and the French science of commerce, as will be discussed in the following pages.

3 Hans Maier: *Die ältere deutsche Staats- und Verwaltungslehre*. München 2009 [1966], pp. 242–243.

as such, associated with the expansion of the legislative action of police ordinances (*Policeyordnung*) since the early modern period. As regards the first of these paths, it can be said that one of Justi's important contributions to police science was to separate the proper subjects of *Policey* not only from the art of government (*Staatskunst*), but also from the other branches of *Politik*. This confusion between the proper domains of *Policey* and *Politik*, as Meier points out, was the basis of some of criticisms made of Justi by established writers in police subjects. For Justi these older works, including Nicolas Delamare's own treatise (*Traité de la police*, 1705/38), lacked not only a proper definition of the limits of a police science, but also an adequate rationale for the subject. But the same could be said, for example, of Jakob Friedrich Bielfeld's *Institutions Politiques* (1760) which deliberately treats various police topics as parts of politics.⁴

As for the endpoint of the second path mentioned above, Keith Tribe has emphasized that in the Germanic context *Policey* should be understood as a prescriptive framework for social order, and police science as responsible for elaborating this model and promoting such order.⁵ It is not, therefore, a mechanism for defining transgressions and prescribing punishments, as assumed in the legal order, with an apparatus designed to detect the first and execute the second; rather the establishment of rules (*Policeyordnung*) aimed at producing a certain social order that guides citizens (or more precisely, subjects) in such a way that, in certain situations, transgressions are practically avoided and ›good order‹, or more specifically ›good police‹ (*gute Policey*), is achieved.⁶

The goal of this ever-expanding regulatory apparatus is the promotion of happiness (*Glückseligkeit*), that is, the promotion of the well-being of the population, which is presented as the core of the sovereign's concerns. Achieving the happiness of the population can in turn be read as the optimal condition of economic life, to which practical philosophy devoted the core of its attention and which could be achieved through an appropriate administration of human needs, but where society was not conceived as a simple human collectivity, but as a *corpus* of distinct social

4 Ibid., 243. See also Justi: Grundsätze (see note 1), Vorrede; and Justi: Die Grundfeste zu der Macht und Glückseligkeit der Staaten. Königsberg and Leipzig 1760/61, vol.1, Vorrede. It is interesting to note that other books written in French by German authors who deliberately sought to go beyond the borders of the Germanic world and participate in a broader debate in the field of police, such as Willebrand (*Abrégé de la police*, Hamburg 1765) or also Louis de Beausobre (*Introduction Générale à l'étude de la politique des finances et du commerce*, Berlin 1764), would not have the same impact as the translation of Justi's Grundsätze. The exception is Bielfeld's *Institutions Politiques* (La Haye 1760), analyzed by Keith Tribe in this volume, which had in fact a great impact in the period.

5 Keith Tribe: *Governing Economy: the Reformation of German Economic Discourse, 1750–1840*. Cambridge 1988, p. 32.

6 Ibid., p. 32.

orders (the *Stände*).⁷ Thus it is always in these terms, and not only of the articulation between individuals and families (but also between each *Stand*), that the notions of common welfare and common happiness (*gemeinschaftliche Glückseligkeit*) must be considered. For Justi the ultimate purpose of republics (as already defined in the *Grundsätze*) was this *gemeinschaftliche Glückseligkeit*. Hence the specific aim of police would be the promotion of this common happiness, employing as its medium the preservation and increase of the wealth/property of this state, focusing not on the comparison of wealth between states (the function of *Staatskunst*), but on the mechanisms to achieve this end at the level of internal administration.⁸

The importance of reflection on happiness in the German tradition of *Policey* is comparatively greater than in the case of the French tradition. It is not possible to find in Delamare, for example, the same kind of emphasis on the subject that we will find in Justi's writings. But happiness remained a central element of police science, which in turn shaped a Germanic discourse on state and administration that lasted for more than a century and only gradually came to an end in the nineteenth century. In this sense, happiness is the cornerstone of Justi's understanding of the concept of police. Nevertheless, we must not lose sight of the fact that it was also in the second half of the eighteenth century that new conceptions of the state began to emerge in Germanic thought. Questioning the place of ideas of welfare (and happiness) in the concept of police is part of this shift, and we can examine the extent to which Justi's works reflected this transition. However, even if some of these transitional elements can be identified in later eighteenth-century authors, it was only during the nineteenth century that this suppression of the idea of welfare as an objective of police and an effective separation of the themes of welfare and public safety would occur.⁹

So that we might better understand Justi's insertion of police into the economic and cameral sciences (*Oeconomische- und Cameral-Wissenschaften*), and how the ideas of happiness, welfare, and common good are articulated in his definition of police, we must analyze his specification of the three contemporary senses of the

⁷ Ibid., pp. 30–31.

⁸ Justi: *Grundsätze* (see note 1), Vorrede and pp. 5–6 (§§.4–5).

⁹ Franz-Ludwig Knemeyer argues that this separation was a slow and gradual process. He qualifies, for example, the passage that some authors tend to choose as a central illustration of this transformation: the introduction in 1792 of a modification of the section on the functions of police in Johann Stephan Pütter's *Institutiones juris publici Germanici* of 1770, limiting them to the protection against future dangers. Knemeyer insists, nevertheless, that there is some exaggeration in the interpretation of this passage, and that it would be more accurate to say that Pütter still includes all these elements of welfare promotion in the sphere of protecting the public against danger. Franz-Ludwig Knemeyer: »Polizei«, *Economy and Society* Vol. 9 (1980) pp. 172–196, here pp. 185–186. *Geschichtliche Grundbegriffe*, Bd. 4, edited by Otto Brunner, Werner Conze, and Reinhart Koselleck. Stuttgart 1978, pp. 875–897, here pp. 889–890.

term »police« in his most exhaustive work on the subject, the *Grundfeste*.¹⁰ As he defined it in the early 1760s, the term »police« (*Policey*) connected the welfare of individual families (*Wohlfarth der einzeln[en] Familien*) and the common good (*allgemeinen Besten*) within states. This is a basic formulation that would be used relentlessly in Justi's work. The first and broadest sense, according to Justi, corresponds to what some call economic police science (*wirtschaftliche Policywissenschaft*). Police could be here broadly understood to include all those measures and institutions relating to the internal affairs of the country through which the general wealth of the state might be more permanently and usefully established; the property of private individuals increased and linked to the common good; and the forces of the state more actively employed in promoting common happiness (*gemeinschaftlichen Glückseligkeit*). Given this perspective, Justi includes quite diverse subjects, such as the science of commerce, the economy of town and country, the administration of mining activity, forestry, and various other subjects. All of these involve this connection between the welfare of private households and the common good, and so can be included in the field of police. Hence the science of commerce, urban and rural economy, mining administration and forestry, are all to be assigned to »police«, insofar as the government deals with them according to the connection of the welfare of particular families to the general good of the state. This general sense is what some then called »economic« police science. Nevertheless, in a rare moment of restraint from his usual classificatory impulse, Justi then states that it should not be used to identify a particular science distinct from police science itself, so as to avoid an unnecessary multiplication of branches and a confusion of concepts and principles.

More specifically, police could also be understood as everything that was necessary for the proper constitution and organization of civic life (*bürgerliches Leben*), the maintenance of good discipline and order among subjects, and the measures to promote the *Nahrungsstand* (a term related to an idea of a »sustaining system«, but also used by Justi as a reference to a broader economic dynamic).¹¹ Here again the issue seems to boil down to the question of uniting the welfare of private families with the common good. And finally, in an even narrower sense, it would be possible to speak of police as in the traditional sense of police in the cities (*Policey in denen Städten*), more directly related to the supervision of trade and food, of weights and measures, the preservation of good order, security, the cleanliness and adornment of the cities. Once again, however, he repeats his mantra regarding *Policey* in the cities (albeit with an important variation, shifting from the family to the individual) and speaks of the ultimate purpose of uniting the welfare of private individuals (*Wohl der Privatpersonen*) with the common good. Finally, for Justi, the three mean-

¹⁰ Justi: *Grundfeste* (see note 4), vol.1, p. 6 (§.5).

¹¹ *Nahrungsstand* is a key term for Justi and we will return to it below for more detailed discussion.

ings were related to the same general issue, and he states that in the *Grundfeste*, when reference was made to police, the meaning was always the broadest »which encompasses all three meanings«.¹²

There is indeed a certain conflict in emphasizing one sense of the term police, as an »economic« police science, if it includes other senses and guides his work on the subject, while at the same time insisting that it should not be seen as a separate science. Justi's stance, however, maintains his connection to a definition which broad corresponds with a French tradition of police science that foregrounds the relationship between the moral condition of the individual and the common good. He would devote the third book of the *Grundsätze* and the third part of the *Grundfeste* to this idea, the parts of his work that most resemble the French traditional treatises on police. Nevertheless, economic reasoning can also be detected in these parts. The parts of the *Grundsätze* and the *Grundfeste* devoted to moral order raise a central theme of eighteenth century economic thought: that of luxury (in this case opulence, *Üppigkeit*), further broadening the scope of an economic police science for Justi. In general, what could be understood as Justi's political economy also included a concern with an economic understanding of the foundations of social and political life. The core of his analysis (corresponding to the first two major parts of his books on police, but also permeating each book as a whole) is devoted to this economic aspect of police and the internal administration of the state, which is why this is the focus of this chapter.

Justi's reflections on police are also of particular interest in relation to the history of eighteenth-century economic thought. The path taken by the Germanic tradition is idiosyncratic and heavily influenced by Justi and Sonnenfels, their cameralistic *Policey* forming a relatively independent »police science« within cameralistic disciplines. *Policey* would be the platform for discussion of issues that in the contemporary English and French tradition was already treated as political economy. In practice, this placement of economic issues within a police science runs counter to the tenor of much later eighteenth century European economic thought, particularly the English and French traditions, where there was a marked rejection of the regulatory apparatus associated with police in favor of the idea of free trade. Meier notes that it was precisely through this political conception of the mercantile economy, building upon an existing Aristotelian doctrine of politics cultivated in the universities, that in Germany a police science, systematically included within the cameral sciences, would during the second half of the eighteenth century become established as the privileged *locus* of economic reflection. Thus the old *Politik* was not simply eliminated by its combination with the cameral sciences, but would reappear

¹² Justi: *Grundfeste* (see note 4), vol. 1, p. 6 (§.5).

in multiple connections with the independent subjects of political economy, public law, history, and geography.¹³

We should add that this differentiation between the ›old‹ *Politik* and the ›new‹ *Polizeiwissenschaft* was not definitively completed by the middle of the eighteenth century. Even in the first half of the nineteenth century, combinations of the Aristotelian doctrine of politics and police science would reappear, as for example in a course on ›*Politik, Kameral- und Polizeiwissenschaft*‹ that Friedrich Christoph Dahlmann offered at the University of Göttingen from 1829 to 1837.¹⁴

Police would continue to be a fundamental rubric within which political economy developed in Germany during the second half of the eighteenth century and even in the early nineteenth, when the contrast with other traditions would be even more marked. Where in France there was a reaction against police (manifested as a reaction to police ordinances and regulations that hindered the free functioning of the market), in Germany discussion of free trade could be occur within police science. This was possible because police science had broken the linkage of the legislative apparatus to broader abstract thinking about police. Police science could continue as the platform upon which debate could take place, connected to the broader interests of the cameral sciences. This was why Justi could freely discuss the issue of free trade, or more specifically the freedom of commerce, drawing upon Charles Louis de Secondat de Montesquieu, as well as names such as Claude-Jacques Herbert, Delamare's critic and author of the well-known *Essai sur la police générale des grains* (Berlin 1755). The interesting thing is that Justi included a discussion of free trade not in a text opposing police regulations, but in an argument that emphasized its importance for police science and for the mechanisms necessary to promote common happiness and the *Nahrungsstand*.

This chapter not only seeks to present and contextualize Justi's presentation of police and its diffusion but also to capture its evolution, so contributing to a better understanding of his intellectual trajectory. As already argued by other authors, the development of Justi's conception of general happiness was linked to his evolving conception of police field, as can be verified by comparing the definitions presented first in the *Grundsätze* of 1756 and then some years later in the *Grundfeste* of 1760 and 1761.¹⁵ Broadly speaking, and while recognizing different continental traditions,

13 Maier: Die ältere deutsche Staats- und Verwaltungslehre (see note 3), pp. 241–243.

14 Ibid., pp. 241–242. It should be added here that the course was interrupted in 1837, when Dahlmann was expelled from the university for his leadership of the famous *Göttinger Sieben*, who protested against King Ernest Augustus' annulment of the liberal Hanoverian Constitution of 1833, which he had helped to draft.

15 See Hans Maier: Die ältere deutsche Staats- und Verwaltungslehre (see note 3); Pierangelo Schiera: Il Cameralismo e L'assolutismo Tedesco, Milano 1968 and Michael Stolleis: Geschichte des Öffentlichen Rechts in Deutschland. Bd. 1 Reichspublizistik und Policeywissenschaft 1600–1800. München 1988.

there seems to have been a general evolution of the idea of police between the seventeenth and eighteenth centuries: from the promotion of good order to a more specific perspective of the promotion of common happiness, usually understood as an identity between the happiness of the state (and of the sovereign) and that of the subjects. From the middle of the eighteenth century, however, this identity became increasingly problematic, and the question of how the happiness of the subjects might be reconciled with the happiness or power of the state became central.

As we have noted elsewhere,¹⁶ in the Germanic world there was no effective separation between civil society (*bürgerliche Gesellschaft*) and the state (*Staat*), and this was reflected in the reconciliation of the happiness of the individual with the state. The two terms were effectively interchangeable, *Staat* being treated as a generic synonym for socio-political organization by much of the cameralist tradition throughout the second half of the eighteenth century.¹⁷ Michael Stolleis has argued that a tendency can be detected to differentiate ›state‹ from ›society‹ as early as 1750, albeit without any real political significance, and Justi's work here provides an important example. Stolleis notes that the *Grundsätze*, although published in 1756 when Justi was already in Göttingen, was written under the influence of its author's Viennese experience in the service of Austrian enlightened absolutism. Its treatment of happiness is markedly different from that in the *Grundfeste*, published in 1760/61, in which the ideas of freedom and *laissez-faire* are emphasized. While in the earlier book what strengthens the state also serves the welfare of its subjects, there being an identification between state and non-state goals in the promotion of common happiness, in the *Grundfeste* Justi moved to a perspective in which the central problem appears as the effort to mediate and reconcile the interests of society, composed of a set of basic family units with those of the state, there being no a priori harmony between them. An enlightened bureaucracy would assume this task of mediation and seek the necessary balance, performing such diverse tasks as monitoring population movements, collecting statistics, and sustaining population growth through appropriate measures, including the expansion of arable land and a more intensive use of land, among other matters. However, there were clear limits to such state intervention, and thus also limits to this enlightened bureaucracy, so that in matters such as trade it was essential not to create obstacles.¹⁸

¹⁶ Mendes Cunha: A Previously Unnoticed Swiss Connection in the Dissemination of Cameralist Ideas during the Second Half of the Eighteenth Century (see note 2) pp. 520–523.

¹⁷ Keith Tribe: Governing economy (see note 5), p. 28; Keith Tribe: Cameralism and the Staatswissenschaften In: Cambridge History of Eighteenth Century Political Thought. Ed. by Mark Goldie, Robert Wokler. Cambridge 2006, pp. 524–546, here p. 539; Guillaume Garner: La Question Douanière Dans Le Discours Économique en Allemagne (Seconde Moitié Du XVIIIe Siècle) In: Histoire 23.1 (2004), pp. 39–53, here p. 41f; and Mandred Riedel: Gesellschaft, bürgerliche In: Geschichtliche Grundbegriffe, vol. 2. Ed. by Otto Brunner, Werner Conze, Reinhart Koselleck. Stuttgart 1975.

¹⁸ Michael Stolleis: Geschichte des Öffentlichen Rechts in Deutschland (see note 15), vol. 1, p. 380.

Despite the strengths of Stolleis's argument, some qualifications can be made, recognizing to begin with that the *Grundsätze* does not simply reflect Justi's Austrian experience. On the contrary, there are already substantive differences with his earlier writings, and already some themes very much in line with what would later unfold in the *Grundfeste*. In particular, the theme of freedom which, as we shall see below, plays a major role in Stolleis's analysis, is already largely present in the *Grundsätze*. And it should not be forgotten that some of the differences between the *Grundsätze* and the *Grundfeste* can be explained to a large extent simply by the greater scope of the latter. The main point here is that Justi's stay in Göttingen seems to have had a decisive influence on his thinking about police as well as about the field of natural law. Thus there are contrasts, but also several levels of continuity, between the *Grundsätze* and the *Grundfeste*; and on the other hand, there are indeed marked differences between the *Grundsätze* and those parts on police in the first edition of the *Staatswirtschaft* of 1755, this really being the book that directly connects with Justi's Austrian experience (and dedicated to his former sovereign and employer, Maria Theresa).

2 The Place of Göttingen in Justi's Police Science

Justi's time in Göttingen, from mid-1755 to mid-1757, was of great importance for his intellectual development. As Hans-Erich Bödeker points out, it is also possible to speak of Justi's 'decisive influence' in the conceptualization and development of the *Staatswissenschaften* and related fields at the university of Göttingen in the second half of the eighteenth century.¹⁹ Ulrich Adam, on the other hand, criticizing Bödeker's argument, tends to limit this influence, arguing that Justi apparently failed to establish more direct contacts with some of his prominent colleagues at the university, such as Johann Stephan Pütter or Johann Jakob Schmauss, and doubting that his lectures at Göttingen had any lasting impact.²⁰ It is Ere Nokkala, finally, who demonstrated comprehensively both how the Göttingen period and the influence of his contemporaries at that university were decisive for Justi's trajectory with regard

19 Hans-Erich Bödeker: Staatswissenschaften and Political Economy at the University of Göttingen: the Scottish influence In: Transactions of the Eighth International Congress on the Enlightenment – Bristol 21–27 July 1991. Oxford 1992, vol. 3, pp. 1881–1884, here p. 1882; Hans-Erich Bödeker: Das staatswissenschaftliche Fächersystem im 18. Jahrhundert In: Wissenschaften im Zeitalter der Aufklärung. Ed. by Rudolf Vierhaus. Göttingen 1985, pp. 143–162.

20 Ulrich Adam: The Political Economy of J.H.G. Justi. Bern 2006, pp. 39–40. As Andre Wakefield points out, although it was in Göttingen that Justi wrote and published his first police system, the *Grundsätze*, most of those who have devoted attention to Justi's biography pay little attention to the Göttingen period. See Andre Wakefield: The Disordered Police State: German Cameralism as Science and Practice. Chicago 2009, p. 70–71.

to the development of his ideas in the field of natural law, and how his work resonated with that of other authors in the field. In particular, Nokkala elaborated and continued lines of argument previously developed by Merio Scattola, showing how, in relation to natural law, we can see clear lines of continuity between the work of Justi and those of Schmauss and Johann Christian Claproth (another natural lawyer of Göttingen); particularly in two of Justi's mature political writings, *Grundriß einer guten Regierung* (1759) and *Die Natur und das Wesen der Staaten* (1760).²¹

Justi's period in Göttingen can also be understood as central to the development of his ideas in the field of police, which in turn is connected to developments in the field of natural law as analyzed by Nokkala. The time in Göttingen led not only the theoretical elaboration of a number of important issues in police science, in which one can trace counterpoints and appropriations from various sources (French in particular), but was also marked by his practical, even if not always successful, experience of conducting police affairs in the city as chief police commissioner (*Ober-Policey-Commissar*). Nevertheless, highlighting Justi's (various) professional failures and so characterizing him simply as a 'bad cameralist', as Andre Wakefield had done, results in a very partial appreciation of his work. On the contrary, these failures were an important part of Justi's intellectual development and are especially prominent in his later critique of the limits of police instruments. This contributed to a conscious detachment from the idea of traditional police regulation towards more indirect mechanisms, and an objective assessment of the dimension of freedom.

Wakefield's analysis is however important here because of the insight it provides into some aspects of Justi's career, particularly in Göttingen. He provides several interesting details about Justi's move to Göttingen and how it came about. Leaving his position as imperial mining official and professor at the *Theresianum* in Vienna in 1753, Justi settled in Leipzig, where he prepared for publication his first cameralist treatise, the *Staatswirthschaft*, and looked for employment. He wrote to the *Kammerpräsident* and curator of the University of Göttingen, Gerlach Adolf von Münchhausen, offering his services, enclosing one of his essays on a simplified process for smelting copper that could be used in mining in the Harz Mountains. Münchhausen made his own inquiries about Justi, which ultimately did little credit to Justi's merits as a mining official, but which did indicate that his cameralistic system would soon be published, promising to demonstrate that cameralistics had not only theoretical but also practical value. It is this work that seems to have contributed most directly to the invitation he finally received in April 1755 for the posi-

21 Ere Nokkala: *From Natural Law to Political Economy: J.H.G. von Justi on State Commerce and International Order*. Zürich 2019, p. 20f and Merio Scattola: *Das Naturrecht der Triebe, oder das Ende des Naturrechts: Johann Jakob Schmauß und Johann Christian Claproth*. In: *Das Naturrecht der Geselligkeit: Anthropologie, Recht und Politik im 18. Jahrhundert*. Ed. by Vanda Fiorillo, Frank Grunert. Berlin 2009, pp. 231–250.

tion of Göttingen's chief police commissioner, with special permission to teach *Oeconomic*, cameral, and police sciences at the university.²²

As soon as he arrived in Göttingen in mid-1755 Justi published a pamphlet, in keeping with his recent work, containing a brief treatise on the usefulness of the economic and cameral sciences plus an invitation to his courses (the above mentioned *Abhandlung von den Mitteln die Erkenntniß in den Oeconomischen und Cameral-Wissenschaften*, 1755). His intention was to offer a comprehensive course on the cameralist sciences. However, he decided to begin with a set of lectures on the recent history of commerce, police, and finance (*neuere Geschichte des Commerciens-Polizei- und Finanzwesens*), mid-week and on Saturday mornings, in accordance with what he had already advocated in the preface to the *Staatswirthschaft*.²³ The *Staatswirthschaft* was certainly the model for his teaching at that initial moment, and Justi must have tried to use as a textbook for this *Collegio fundamentali* on the cameral sciences. Nevertheless, whether because of the length of the book or its price, the first part of the *Staatswirthschaft* does not in practice seem to have been very functional as a textbook in the one-semester academic courses that were then offered. Hence a new textbook would be necessary.

Police played an important role in Justi's courses from the very beginning in Göttingen, and he began to devote himself to writing a textbook on police science, which is actually one of the four textbooks he had already promised in his previous book, one for each of the specific subfields of his *Staatswirthschaft* (one on *Staatskunst*, one on police science, one on the science of commerce, and one on *Oeconomie*).²⁴

The *Grundsätze*, written shortly after his arrival in Göttingen and published in the city the following year, began to fulfill the promise of four textbooks that Justi had made a year earlier, as he stated in the book's preface dated May 1756. He explains there that he had originally intended to write a longer book, but had changed his mind (possibly because of his experience teaching at the university). Books that were the basis for one semester academic lectures should, he wrote, be neither too long nor too expensive. A few years later, when he was no longer involved in academic activities, Justi changed his mind again and resumed the plan of extensive treatises on specific topics in the general sciences, the results of which were the *Natur und Wesen der Staaten* (1760), devoted to political theory, and the *Grundfeste* (1760/1), devoted to police.²⁵

²² Andre Wakefield. The Disordered Police State (see note 20), pp. 68–69.

²³ Justi: *Abhandlung von den Mitteln die Erkenntniß in den Oeconomischen und Cameral-Wissenschaften*. Göttingen 1755, p. 19 and Justi: *Staatswirthschaft Oder Systematische Abhandlung Aller Oeconomischen Und Cameral-Wissenschaften*. Leipzig 1755, pp. xxxviii–ix.

²⁴ Justi: *Staatswirthschaft* (see note 23), p. xlv.

²⁵ Justi: *Grundsätze* (see note 1), Vorrede, n.p.

This first book of Justi on police science, the *Grundsätze*, would be a genuine result of his experience in Göttingen in several of its dimensions: as author, teacher, and chief of police. Ulrich Adam highlights the fact that it was in the library of the University of Göttingen, furnished with the most recent advances in Enlightenment literature, that Justi began a systematic study of contemporary French works, showing himself to be an attentive reader of sources such as the *Journal Oeconomique*. He took from this items that he published in one of the periodicals he then edited, the *Neue Wahrheiten zum Vortheil der Naturkunde und des gesellschaftlichen Lebens der Menschen*.²⁶ Adam does not however go much beyond general comments about these connections, and does not establish where and how this influence was evident in Justi's text.

The core of this interest in French sources is related to the work of Montesquieu, and it was during this time in Göttingen that Justi began a systematic study of *De l'esprit des loix* (1748). He had been familiar with this book since his time in Vienna, when he was involved in the long struggle to free the book from the censorship that the Jesuits were trying to impose.²⁷ The *Grundsätze* should be read in this context, which is to say that we should consider Montesquieu's influence on Justi's work in 1756 that other authors, such as Stolleis or Nokkala, have associated only with the second edition of the *Staatswirthschaft* of 1758.

If our reading takes account of approximations and divergences, plus a deliberate effort on the part of Justi to surpass the work of the French author, the influence of Montesquieu can already be detected in the *Grundsätze*, especially with regard to the freedom of commerce, highlighted below. A series of questions are posed that gradually mature in Justi's subsequent writings. Nevertheless, Göttingen's influence on the formation of an anti-metaphysical (and anti-Wolffian) reading of natural law (as demonstrated by Nokkala)²⁸, related to his increasingly concrete and less philosophical reading of history, emphasizing the recent history of commerce and its related material dimension, combined with his mixed experience in the field of police, only fully materialized a few years later, in the writing of the *Grundfeste* (1760/1) and other books. Göttingen amplified Justi's thinking about the theory and practice of police, manifesting itself in the *Grundsätze* and later more fully in the *Grundfeste*.²⁹

²⁶ Adam: The Political Economy of J.H.G. (see note 20), pp. 39–40.

²⁷ This in itself was one of the factors that contributed to the deterioration of his situation at the Theresianum and his departure from Vienna in the second half of 1753. Adam: The Political Economy of J.H.G. (see note 20), pp. 37–38.

²⁸ See Nokkala: From Natural Law to Political Economy (see note 21).

²⁹ How Göttingen influenced shaped a very concrete and not very philosophical reading of history in Justi's *Policey* is an extensive subject, articulated in the issues dealt with by Scattola and Nokkala, opening up space for treatment of Justi's economic and political ideas in connection with the so-called Göttingen school of history. The emphasis on the changes in historical thinking in Göttingen

An interesting source directly connected with his practical work as a police commissioner is the periodical he published during his stay in the city, the *Göttingische Policy-Amts Nachrichten, oder vermischte Abhandlungen zum Vortheil des Nahrungsstandes aus allen Theilen der ökonomischen Wissenschaften*. An article published in the very first issue clarifies the intention of the periodical, and sheds light both on Justi's practice as police commissioner and that of a scholar of police science.

The purpose of the *Göttingische Policy-Amts Nachrichten* was to provide useful information for trade and provisioning. In his introductory text Justi begins by celebrating the fact that commissariats such as the one he is to head in Göttingen were already being established throughout Germany at that time, emphasizes the advantages of such institutions, and characterizing its function as a kind of intelligence system for commerce and trade (*Intelligenzwesen denen Commerciën und Gewerben*).³⁰ Producing information and disseminating it for the benefit of the common good was the goal of the two half-sheets that were always distributed on Mondays and Fridays. While this type of publication was popular among scholars and academics, who could profit from reading it, Justi saw the publication as primarily dedicated to trade and commerce. Everything included should prove advantageous and beneficial for the promotion of the *Nahrungsstand* in general.

There were to be four main topics. A first section would be devoted to the presentation of all kinds of treatises beneficial to the promotion of the *Nahrungsstand*; followed by a section presenting the police ordinances issued by the local police board; a third section giving an account of *Policy-taxen* and the market prices of the various essential items to which the police had to give attention, such as bread, meat, fish, and beer.³¹ Finally, there was to be a section of news and *avertissements*, basically composed of advertisements paid for by private individuals and which could concern prosaic matters such as the receipt of some fresh produce from a certain seller, but not trivialities such as lost and found. The length and

in this period and its connection with economic ideas is developed in another, as yet unpublished text. See Alexandre Mendes Cunha: From Justi to Beckmann: Cameralism and Economic Knowledge at the University of Göttingen in the Second Half of the 18th Century [working paper – Cedeplar/UFGM], Belo Horizonte 2023. See also Scattola: Das Naturrecht der Triebe (see note 21); Nokkala: From Natural Law to Political Economy (see note 21) and Peter Hanns Reill: The German Enlightenment and the Rise of Historicism. Berkeley 1975.

30 Justi: Gelehrte Abhandlungen zum Vortheil des Nahrungsstandes In: Göttingische Policy-Amts Nachrichten Bd. 1 (Nro.I – 04.07.1755). Göttingen 1755, p. 1.

31 Ibid., pp. 1–2.

cost of these advertisements were explained in the paper's introductory text, indicating that they should be delivered for publication to the Vandenhoeck bookstore.³²

The most important of these sections, at least as far as Justi was concerned, was the first, featuring in each issue discussions of trade, manufactures, factories, crafts, brewing, horticulture, agriculture, and other urban and rural food businesses, based on short texts prepared directly by Justi from a variety of sources. Although Justi emphatically defended the publication as being of practical interest and not primarily aimed at an academic audience (as was the case with the other paper he continued to edit at the time, *Neue Wahrheiten zum Vortheil der Naturkunde*, mentioned above), analysis of its contents reveals that it included some specialized discussion that would not necessarily be of direct interest to the butcher, the brewer, or the baker.³³ Various aspects of police that point to a more literal notion of *Nahrungsstand* were often presented, as well as broader reflections in the field of police science, including issues related to mining and finance and similar material. For some of these discussions we can see connections and reuses of themes discussed earlier in his writings, as in the case of discussion of the benefits to the *Nahrungsstand* of the credit mechanisms proposed by Wilhelm von Schröder, which had already attracted Justi's attention in the *Staatswirthschaft* and which reappears in two articles in the *Göttingische Policeyamt Nachrichten* in 1755.³⁴ For many others, the logic that seems to have prevailed was that of several of his publications from 1760 onward, in which Justi would compile, revise, or rewrite, in the form of a collection of essays or as parts of larger books, writings that had previously appeared in the form of pamphlets or articles in one of his various periodicals.

Justi to get an idea of the content of these short treatises published in connection with his work as police commissioner in Göttingen we can highlight remarks on brewing beer and distilling spirits, or on the early production of cabbage and the cultivation of good early asparagus. There was also more technical discussion on the separation of gold and silver in a crucible, and on the preparation and hardening of steel. Sometimes Justi proposed general questions, such as »whether monopolies are beneficial to a state?« or thoughts about proposals for the introduction of

³² Ibid., p. 3. Vandenhoeck & Ruprecht (V&R) is a publishing house still based in Göttingen. Founded in 1735 by Abraham Vandenhoeck in close connection with the opening of the University of Göttingen, during Justi's time in the city the company was managed by Abraham's widow.

³³ ›Der Metzger, der Becker und der Bierbrauer‹, was the trio often mentioned in the second half of the eighteenth century in the cameralist literature, as well as in the explanations of political economy regarding everyday life.

³⁴ Justi: *Staatswirthschaft* (see note 23), p. 267 (§.295); Justi: *Betrachtungen über des Freyherrn von Schröder vorgeschlagenen Landesfürstl. Wechsel, um dadurch Nahrung und Gewerbe zu befördern & Fortsetzung der Betrachtungen über des Freyherrn von Schröder vorgeschlagenen Landesfürstl. Wechsel, um dadurch Nahrung und Gewerbe zu befördern* In: *Göttingische Policey-Amts Nachrichten*, Bd. 1 (No.XLVI – 08.12.1755 & Nro.XLVII – 12.12.1755). Göttingen 1755.

bills of exchange, or the importance of insurance, for example against fire, or the creation of a credit bank to stimulate the food trade.³⁵ Justi also used his periodical to announce his 1756 Summer Lectures on *Oeconomische und Cameral- Wissenschaften*, giving details of the courses (probably in an attempt to attract more students). Also in 1756 there were topics that went beyond the more restricted meaning of *Nahrungsstand*, such as a discussion of a proposed society for the education of poor girls, which ties in with the general theme of poverty and begging (both, nevertheless, traditional topics of police and a discussion that would receive increasing attention from European political economy during the second half of the eighteenth century).³⁶ Finally, we also see discussion of the importance of statistical information and on the usefulness of mortality records in police institutions, or even population lists with births, deaths and marriages in the city of Göttingen (including tables) during that year, or reflections on police in Chinese cities, a topic to which Justi would devote special attention in some of his future writings.³⁷

It seems essential, therefore, to make some comparisons between these two major works of Justi devoted to police, the *Grundsätze* and the *Grundfeste*. The central question that needs to be explored here is precisely the theme of freedom, trying to see how Justi's conceptions of freedom develop in his writings on police science.³⁸

The theme would progressively gain importance in Justi's writings, especially in his writings on political theory (*Staatskunst*), in direct connection with his reading and criticism of Montesquieu. The influence of Montesquieu on Justi is particularly direct regarding his conception of freedom. Nokkala, gives special emphasis to the issue of freedom in Justi's argumentation.³⁹ He suggests it would be this direct inspiration from Montesquieu that would allow Justi to approach an idea of liberty as the freedom of individuals, defined by the absence of arbitrary power, going beyond the notion of corporative liberties of estates (*Stände*) and in the direction of an idea of civil freedom. This is indeed an important starting point for Justi's reflections, which Nokkala captures precisely. Freedom of the citizenry (*bürgerliche Freyheit*), especially economic freedom, appears as a fundamental dimension of happiness and as a means of promoting the flourishing of a state's economy. The discussion is fully developed in these terms in his *Gesammlete Politische und Finanzschriften* (1761/4), where Justi maintains that the state is not required to do anything other than re-

³⁵ Some examples from Justi: Göttingische Policey-Amts Nachrichten, Bd. 1. Göttingen 1755.

³⁶ Examples from Justi: Göttingische Policey-Amts Nachrichten, Bd. 2. Göttingen 1756.

³⁷ Examples from Justi: Göttingische Policey-Amts Nachrichten, Bd. 3. Göttingen 1757.

³⁸ As will be discussed below, the most interesting point of comparison between the two books is the second Book in each, both on the theme of the *Nahrungsstand*: Book II of the *Grundsätze* (Von denen Maaßregeln, einen blühenden Nahrungstand zu befördern) and the whole of Part II of the *Grundfeste* (Von dem Verhältnis der beweglichen Güter, oder des Nahrungs-Standes im Lande zu dem gemeinschaftlichen Besten).

³⁹ See Nokkala: From Natural Law to Political Economy (see note 21), p. 105.

move the obstacles present in the constitution of the state and the condition of the community in order to support commerce and the Nahrungsstand; and that »when human beings have the freedom to act according to their insight and find no obstacles thereby, they are inclined to support their happiness«. ⁴⁰

For Nokkala the redefinition of the concept of happiness, for which the influence of Göttingen has been crucial, incorporating the idea of freedom of families was a fundamental dimension of Justi's political system, emphasizing that the freedom of citizens, in the political, judicial and economic dimensions, would ensure diligence and bring wealth and security to the state. However, Nokkala, like other authors (especially Stolleis), locates the evolution in the concept of happiness in the contrast between the *Grundsätze* and the *Grundfeste*. ⁴¹ But we should emphasize that it is in relation to the question of freedom that the *Grundsätze* is already a book where the strength of Montesquieu's influence (together with other French sources) can be seen, thus requiring a more careful evaluation of its content.

The idea of freedom as a condition of happiness, in the sense analyzed by Nokkala, would in fact appear only later, as in the passage quoted above from the first volume of the *Gesammlete Politische und Finanzschriften* (1761); while in the *Grundfeste* this idea does not appear with the same clarity and uniformity throughout the work, although already present in some parts. Nevertheless, the freedom of commerce is a fundamental part of both books, and already in the *Grundsätze* there are several passages in which the importance of freedom for commercial activity is emphasized, pointing to the importance that the topic began to occupy in Justi's work already in the Göttingen period, and which, by contrast, did not appear before, as for example in the *Staatswirthschaft*.

3 From the *Grundsätze* to the *Grundfeste*

Justi writes in the *Grundsätze* that freedom is the ›soul of commerce‹. He praises the benefits of free trade and criticizes monopolies (not without the qualification that there are goods that need particular attention), and at the same time emphasizes the importance of institutions such as freeports (*Freihafen*). At first sight, Justi seems to be echoing a book that had just been published in Berlin and that would have great repercussions throughout Europe: Claude-Jacques Herbert's *Essai sur la police générale des grains*, in which the author declares that »Nous convenons d'un grand

⁴⁰ Justi: *Gesammlete Politische und Finanzschriften über wichtige Gegenstände der Staatskunst, der Kriegswissenschaften und des Cameral- und Finanzwesens*. Kopenhagen 1761/64, vol. 1, p. 187 apud Nokkala: *From Natural Law to Political Economy* (see note 21), p. 105.

⁴¹ Nokkala: *From Natural Law to Political Economy* (see note 21), p. 243 and Stolleis: *Geschichte des Öffentlichen Rechts in Deutschland* (see note 15) Bd. 1, p. 380.

principe, c'est que la liberté est l'âme du commerce». ⁴² It is possible that Justi may have read this *Essai* by Herbert (a direct critique of police in the tradition of Delamare) at that time, and which aroused his interest, even if it contradicted some of his views in other respects. Nevertheless, the source used for the reference to freedom as the ›soul of commerce‹ in the *Grundsätze* is certainly Montesquieu, whose work was then at the center of Justi's attention. ⁴³ Justi maintains that ›to this belongs, in the first place, the freedom of commerce, which is as it were (*gleichsam*) its soul«. ⁴⁴ Montesquieu begins the second volume of his *De l'esprit des loix* with a lengthy discussion of *le commerce*, itself a key category in shaping the language of political economy in mid-eighteenth-century France, not only with respect to exchange but to various aspects of economic activity in general. ⁴⁵ Montesquieu, addressing the issue of a freeport (*port franc*), says that ›l'économie de l'État qui fuit toujours la frugalité des Particuliers, donne, pour-ainsi-dire, l'âme à son commerce d'économie«. ⁴⁶ The ›as it were‹ (*pour-ainsi-dire*, *gleichsam*) leaves no doubt where Justi got this idea. Moreover, the nature of the discussion of freedom, the coincidence of some topics, such as freeports, as well as the sequence of topics, which in both books goes from commerce to the question of money and the currency in circulation, leads us to believe that this second volume of *De l'esprit des loix* was most

42 Claude-Jacques Herbert: *Essai sur la Police Générale des Grains sur leurs prix & sur les effets de l'agriculture*. Berlin 1755, p. 39. The first, incomplete, edition of this *Essai sur la police générale des grains*, an anonymous text by Herbert, is from 1753 and was published in London. The Berlin edition of 1755, also anonymous, is the first to contain the complete text.

43 The focus here is on identifying the source used by Justi, not on identifying the origin of the reference to liberty as the soul of commerce. It is worth noting, however, that this idea, used by both Montesquieu and Herbert, is in fact much older. The question of the freedom of trade and the idea of laissez-faire left its mark in the wake of the criticism of Colbert by various authors, beginning essentially with the writings of Pierre de Boisguilbert. With regard to this particular phrase, the origin is most likely Charles Paul Hurault de l'Hopital de Belesbat, whose writings were not published but circulated in many manuscript copies in the first half of the eighteenth century. Albert Schatz and Robert Caillemier state that in the *Mémoires présentés au roi par M. de Belesbat*, from the final years of the seventeenth century, the author writes ›Il faut poser pour principe que la liberté est l'âme du commerce, que, sans elle, les bons ports, les grandes rivières et la grande fertilité sont inutiles. Quand la liberté manque, tout y manque [...]«. See Albert Schatz, Robert Caillemier: *Le Mercantilisme Libéral à la fin du XVIIe siècle: les idées économiques et politiques de M. de Belesbat* (suite) In: *Revue d'économie politique* 20.8/9 (1906), pp. 630–642, here p. 630.

44 Justi: *Grundsätze* (see note 1), p. 136 (§.203). ›Hierzu gehöret vornämlich die Freiheit der Commercien, welche gleichsam die Seele derselben ist«.

45 On this see Keith Tribe's contribution on Bielfeld in this volume as well as Adam: *The Political Economy of J.H.G. Justi* (see note 20), p. 49–50.

46 Charles Louis de Montesquieu: *De l'esprit des Loix*. Genève 1748, vol. 2, pp. 11–12.

likely one of the books open in front of him while he was writing his police science textbook. But it was certainly not the only book open on his desk, as we shall see.⁴⁷

It is clear then that the discussion of free trade already played an important role in the *Grundsätze*, but there is no doubt that the discussion would be expanded and amplified in terms of its importance for police science in the *Grundfeste*. In the part devoted to this subject Justi begins by saying that while the genius and diligence of the people (which he had previously discussed) is the most important means of securing the *Nahrungsstand*. Freedom of commerce and trade is the second most important means. One cannot exist without the other, because it is freedom that stimulates genius and diligence.⁴⁸ But Justi soon qualifies the argument by saying that this freedom of commerce and trade should not be taken too far, because it does not mean that everyone who engages in these activities can do whatever they want. Here Justi points to an important link with the essential character of civil liberty (*bürgerliche Freyheit*), pointing to the discussion he had established in the other key book he had just published, the *Natur und Wesen der Staaten*,⁴⁹ and showing its clear connection with his thinking on *Policey*. The citizen (*Bürger*) is free if he obeys the laws given for the good of the state, and in the same way one might think that commerce is free, but the people involved in it are subject to laws and restrictions necessary for the common good (*gemeinschaftliche Beste*) and the welfare of the state (*Wohlfarth des Staats*). And he concludes by saying that the freedom of commerce is therefore the unrestricted freedom of the people involved in it to do whatever they think is in accordance with their intentions and advantage (*Absichten und Vorteil*), as long as this does not contradict the laws given for the common good and the welfare of the state.⁵⁰ It is important to note here that at this point Justi always speaks of citizens (*Bürgern*) and persons (*Persohnen*), and not of subjects (*Untertanen*), which, otherwise, is a term he uses extensively also in the *Grundfeste*.

This passage from Justi in the *Grundfeste* is therefore directly related to Nokkala's analysis of freedom of the citizen (*bürgerliche Freyheit*) in the *Natur und Wesen der Staaten* in connection with Montesquieu's ideas, as noted above. However, it is

⁴⁷ Like virtually every author of his time, Justi only exceptionally cites directly from other authors. In the *Grundfeste*, however, in contrast to the *Grundsätze*, there are a few quotations. It should be noted, however, that these serve rather to indicate some specific debate and not to offer references that eventually serve as a basis for the analysis. In this case, the most common indication offered by Justi is to authors from previous generations, such as Schröder or Melon. Thus, the precise identification of each of the references included by Justi in his writings is naturally quite complex. Most analyses of Justi's work are limited to pointing out these connections in a generic way, without effectively demonstrating and detailing the points of contact. This is the case, for example of Adam's analysis of contacts with some French authors (Melon among them). See Adam: The Political Economy of J.H.G. Justi (see note 20), p. 208.

⁴⁸ Justi: *Grundfeste* (see note 4), p. 698 (§.794).

⁴⁹ Justi: *Die Natur und das Wesen der Staaten*. Berlin 1760, pp. 425–426 (§.246).

⁵⁰ Justi: *Grundfeste* (see note 4), pp. 698–699 (§.795).

possible to identify another earlier connection, which concerns one of the main sources Montesquieu himself used for his discussion of commerce: Jean François Melon. The phrase used by Justi in the *Grundfeste* is very close to the one used by Melon in a chapter on the freedom of commerce included in the revised and expanded version of his *Essai politique sur le commerce* (1736), and actually closer than the equivalent passage from Montesquieu.⁵¹

Justi's argument in the *Grundfeste* continues a reflection on the relationship between civil liberty and the subjection of the individual to the law, which is central to the defense he seeks to maintain of police instruments. He argued that police could, in the name of the common good and without violating the freedom of commerce, impose restrictions and regulations: decrees on the import and export of goods, the inspection of goods, the fixing of prices for certain products, and the oversight of weights and measures, among others. However, all such ordinances restricting trade should always be evaluated in terms of the benefit to all citizens and the welfare of the state; this should be the touchstone (*Proberstein*) by which one can discern whether such measures are justified or not.⁵² This assessment, however, is not something simple, and Justi, in one of his rare direct quotation, turns to Melon in conceding that although the welfare of the people (*Wohlfarth des Volkes* in Justi's translation for *Le salut du Peuple*, in Melon's original) is the most important maxim for all governments (*Salus populi suprema Lex esto*), it is one that governments

51 Justi's passage is: »This freedom does not imply in itself that everyone who engages in commerce and manufacture can do what he wants (...). I have elsewhere (*Wesen und Natur der Staaten* §.246) outlined the essential character of civil liberty, and shown that a citizen is free if he obeys the laws given for the welfare of the state« (»Diese Freyheit begreift nicht in sich, dass ein jeder, welcher Commercen und Gewerbe treibt, thun kann, was er will, oder was er einem übelverstandenen Eigennutz gemäß findet. Ich habe anderwärts (*Wesen und Natur der Staaten* [see note 49], §.246) den wesentlichen Character der bürgerlichen Freyheit entworfen, und gezeigte, dass ein Bürger frey ist; wenn er denen, zur Wohlfarth des Staats gegebenen, Gesetzen gehorchet «). Melon's passage is: »Freedom in a Government does not consist in a license to each one to do what he thinks fit, but only to do what is not contrary to the general good«. (»La liberté dans un Gouvernement ne consiste pas dans une licence à chacun de faire ce qu'il jugeà propos, mais seulement de faire ce qui n'est pas contraire au bien général.«.) (Jean François Melon: *Essai politique sur le commerce*. Nouvelle edition augmentée de sept chapitres. Bordeaux 1736, p. 151). Finally, Montesquieu's passage, quoted by Nokkala, is: »In a State, that is, in a society where there are laws, liberty can only consist in being able to do what one ought to want, and not being forced to do what one ought not to want«. (»Dans un État, c'est-à-dire dans une société où il y a des lois, la liberté ne peut consister qu'à pouvoir faire ce que l'on doit vouloir, et à n'être point contraint de faire ce que l'on ne doit pas vouloir.«.) (Montesquieu: *De l'esprit des Loix*. Genève 1748, vol. 1, p. 241, as quoted and translated by Nokkala: *From Natural Law to Political Economy* [see note 21], p. 105).

52 Justi: *Grundfeste* (see note 4), vol. 1, p. 699 (§.796).

most often abuse. Justi then maintains that rulers and their ministers must strictly examine the necessity of these laws and regulations.⁵³

The discussion of freedom appears in both Justi's books on police, something that contributes to a flourishing *Nahrungsstand*.⁵⁴ But how are we to understand this concept of *Nahrungsstand*, which on the one hand is fundamental and recurrent in Justi's argumentation, and on the other hand is difficult to conceptualize and translate?

It is a concept that has no single meaning in Justi's work (as with several other concepts). Sometimes this involves a reference to a specific social order linked to production, or somewhat more broadly as a reference to productive classes/estates, including manual workers in general, miners, farmers, retailers and shopkeepers. But in most cases the word seems to suggest a broader economic dynamic, and more directly associated with ›movable goods‹ (*beweglichen Güter*), i.e. distribution and consumption, and less with ›immovable goods‹ (*unbeweglichen Güter*) and the cultivation of land.

Initially the term refers to the idea of a ›sustaining system‹ connected to a broader concept of *Oeconomien des Landes*. However, Justi's use of *Nahrungsstand* can easily encompass different sectors of the economy – referring to an order that allows articulates production, distribution and consumption, as well as to way that the circulation of money promotes the common good (*gemeinschaftlichen Besten*).⁵⁵ Just as the eighteenth-century French term *le commerce* referred specifically to circuits broader than exchange, Justi's (at times even broader) *Nahrungsstand* appears to be a reference to the economic order itself, and would be perceived as such in the dissemination of his books.⁵⁶

A fundamental dimension of the term *Nahrungsstand*, as frequently used by Justi, is the idea of a specific ›state‹ or ›condition‹ to be achieved. This condition is always fundamentally related to a notion of plenty or abundance, and associated with the most basic functions of the police. A flourishing and prosperous

53 Ibid., vol. 1, pp. 701–702 (§.799). Melon's original quotation is at Melon: *Essai politique sur le commerce* (see note 51), pp. 156–157.

54 See Book 2 in the *Grundsätze* (see note 1) and Book 7 of Part 2 in the *Grundfeste* (see note 4).

55 Mendes Cunha: A Previously Unnoticed Swiss Connection in the Dissemination of Cameralist Ideas during the Second Half of the Eighteenth Century (see note 2), pp. 517–518.

56 Although there are a number of problems with the French translation of the *Grundsätze*, the solution found with regard to the translation of the term *Nahrungsstand* is ingenious in that it bypasses the specific problem and simply translates the broader idea as ›economic order‹ (*ordre économique*). There are also interesting solutions in the abridgment of the *Grundfeste* (see note 4 above), where *Nahrungsstand* is translated in different ways depending on the context, and can be referred to, for example, as ›du commerce‹ when referring to circulation, or as ›the maintenance of life‹ (*l'entretien de la vie*) when dealing more directly with supply system.

Nahrungsstand was therefore a condition to be achieved and a fundamental dimension of common happiness.

Discussion of the means to make the *Nahrungsstand* flourish is quite extensive in Justi's police writings and included a series of issues that in many of its main elements draws on the French science of commerce, as in the discussion of the circulation of money. This last is developed quite comprehensively by Justi and is not a simple compilation of commonplaces on the subject, as is sometimes found in cameralist literature. The treatment of the circulation of money in his works on police science is linked to some important advances in contemporary political economy (even if not strictly making an original theoretical contribution to the subject).

His approach had already been summarized in the *Grundsätze*, receiving more extensive analysis in the *Grundfeste*. There can be no doubt that during his time in Göttingen Justi was exposed to a considerable number of foreign books in the field of political economy, and his discussion of the circulation of money in particular is a good example of this. The university library routinely acquired new English and French works, the collection of eighteenth century French political economy being especially noteworthy today. During his time in Göttingen Justi's economic thinking would come very close to the science of commerce that was taking shape in the writings and translations of the so-called *Cercle de Gournay*, which emphasised the importance of competition for the creation and circulation of wealth and promoted discussion of freedom in trade. This would leave very clear traces in his economic police science. François Véron de Forbonnais is one of the authors from whom Justi drew at this time, but we can trace other links, such as with Richard Cantillon, whose *Essai sur le commerce en général*, written in the 1730s was published only in 1755, as part of the the Gournay group's programme.⁵⁷

The discussion of the circulation of money, and subsequently of credit, in both the *Grundsätze* and the *Grundfeste* follows part 2 of Forbonnais' *Elemens du commerce* (1754) very directly, especially chapter IX (*De la Circulation de l'Argent*) in relation to the means to increase monetary circulation, and chapter X (*Du Crédit*). There are already points made in the *Grundsätze*, such as the explicit linkage between money supply on the one hand and commodity prices and interest rates on the other. These were already well understood at the time, and Justi follows the arguments and examples presented by Forbonnais.⁵⁸ Nevertheless, the most re-

⁵⁷ On the Gournay group see: Loïc Charles, Christine Théré: *Le Cercle De Vincent De Gournay: Savoirs Économiques et Pratiques Administratives en France au Milieu du XVIIIe Siècle*. Paris 2011; Loïc Charles, Arnaud Orain: *François Véron de Forbonnais and the Invention of Antiphysocracy In: The Economic Turn: Recasting Political Economy in Enlightenment Europe*. Ed. by Sophus Reinert, Steven Kaplan. London 2019, pp. 139–168. On the publication of Cantillon's book, see: Antoin Murphy: *Richard Cantillon. Entrepreneur and Economist*. Oxford 1986, p. 309.

⁵⁸ Justi: *Gundsätze* (see note 1), pp. 151–152 (§.224) and François Véron Duverger de Forbonnais: *Elemens du Commerce*. Paris 1754, vol. 1, pp. 158–159.

markable aspect deserving attention is the connection with Cantillon's book, published in 1755, only a few months before Justi's *Grundsätze*.

Following Cantillon, Justi states that one should seek to promote the circulation of money equally in all parts of the country. The argument (by no means commonplace at the time) is that this is a complex challenge and should merit the attention of the state, since money tends to move naturally to the capital, which can leave the provinces and distant regions short of money, with serious consequences.⁵⁹

The *Grundfeste* develops the theme of the circulation of money in greater detail and the connection with Forbonnais becomes even clearer. In section 24 of book VI of the *Grundfeste*⁶⁰ (*Von dem Umlaufe des Geldes und der Güther*), we can see several themes that coincide with Forbonnais' chapter IX (*De la Circulation de l'Argent*). Most interesting here is that we are not dealing with the copying or paraphrasing of translated passages, but with adaptations, selections and reorganizations from the original, even combinations with other sources as well as with Justi's personal experience, adapting Forbonnais' analysis to the German case. Two examples are interesting in this respect.

In the *Grundfeste*'s § 687 of vol. 1 Justi deals with a key question in the subject of the circulation of metallic coins: the ratio of the exchange values from silver to gold in one country or another. He says that in most European nations the usual ratio of the value of the first metal to the second is 14.5 to 1, and goes on to explain how changes in this ratio can cause one metal or the other to leave the country. Forbonnais talks extensively about this and gives several numerical examples in his book. Justi follows the same logic as Forbonnais, though with fewer and simpler numerical examples. However, it is interesting to note that the normal ratio indicated by Forbonnais is 15, while for Justi, as mentioned, it is 14.5, which leads us to believe that Justi also consulted Chapter XII (*Des Valeurs numéraires*) from Melon's *Essai politique sur le commerce*, which speaks of a variation in the ratio between different European states between 14 and 15, indicating 14.5 for France.⁶¹

Forbonnais, for his part, also quotes Melon's discussion at several points, but the sequence of Justi's discussion of the circulation of money more closely follows that of Forbonnais. Another passage illustrates this, while reflecting Justi's own reading of the French sources. In discussing the means of increasing the money supply (*Geldsummen / masse de l'argent*), Justi follows the same arguments and

⁵⁹ Justi: *Gundsätze* (see note 1), pp. 160–161 (§.237) and Richard Cantillon: *Essai sur la Nature du Commerce en Général*. [Paris] 1755, pp. 199–200.

⁶⁰ Justi: *Grundfeste* (see note 4), vol. 1, pp. 595–649.

⁶¹ *Ibid.*, vol. 1, p. 606 (§.687); Forbonnais: *Elemens du Commerce* (see note 58), vol. 1, p. 74; and Melon: *Essai politique sur le commerce* (see note 51), p. 170. Other diverse points of contact between Melon and Justi could also be pointed out in relation to the Luxury debate.

repeats the same conclusion as Forbonnais.⁶² But there is one important difference. Where Forbonnais points out that there are two means of increasing the money supply (mining and foreign trade), Justi broadens the discussion and adds an item to the list, the spending of wealthy foreigners in the country. Justi also anticipates that the creation of credit could be considered as a fourth possibility (a subject that Forbonnais treats separately), but (possibly because he is at this stage following a logic that concerns metallic money) he argues that this operation would not in fact create a new inflow into circulation.

The fact that Justi includes in the list of means the expenditure of wealthy and respectable foreigners (*reiche und ansehnliche Fremde*) is particularly interesting, since it points to the deliberate goal of higher education institutions created in eighteenth-century Germany, such as the University of Göttingen or the *Bergakademie* of Freiberg.⁶³ However, in order to attract this specific type of foreigner Justi notes that the country must have many advantages, for example in the sciences and the arts, including the provision of major performance arts such as opera, but also in the cultivation of a courtly way of life.⁶⁴

The conclusion, however, is the same as that of Forbonnais, who said that the best and most effective way of putting new sums of money into circulation is through foreign trade (*Commercién*). He then lists the various advantages, with emphasis on the size and regularity of the inflow and the fact that it can be distributed among all branches of the economy. For this the country must have achieved a general balance of trade (*Handlungsbilanz*), a subject he had already dealt with earlier in the *Grundfeste* in the section devoted to *Commercién*, where Justi ascribed crucial importance to the balance of trade in the economic dynamics and promotion of a nation's prosperity. He insists that a nation that has reached this point (that of a positive balance of trade) will have a prosperous *Nahrungsstand*, but also an active circulation, widespread commerce, and navigation, and therefore all that is necessary to have a happy and powerful people (*Volk glücklich und mächtig*).⁶⁵

It is also interesting to note that when dealing with the circulation of money in both the *Grundsätze* and the *Grundfeste*, he uses as a heading the German term *Umlauf*, while at several points in the discussion Justi opts to use the French term *Circulation*, written in Gothic characters and thus not highlighted as a foreign word (a *Fremdwort* is normally written in Latin characters). This emphasises the source of his discussion. This is related to another term, *Commercién*, also imported and

⁶² Justi: *Grundfeste* (see note 4), vol. 1, pp. 647–649 (§.743–746) and Forbonnais: *Eléments du Commerce* (see note 58), vol. 1, pp. 103–105.

⁶³ Cf. Wakefield: *The Disordered Police State* (see note 20).

⁶⁴ Justi: *Grundfeste* (see note 4), vol. 1, p. 648 (§.745). What Justi points out here with regard to the courtly style also applies to the style that he tried to cultivate in his classes and that so interested Münchhausen with regard to the University of Göttingen.

⁶⁵ Justi: *Grundfeste* (see note 4), vol. 1, pp. 648–649 (§.746).

equally incorporated into the text in a Gothic typeface as a German loan word. *Commercién* is sometimes a reference to merchants, in the plural, but also appears in German as a reference to the broad idea that the term *le commerce* then had in French, referring both to the economic process in general and to economic knowledge itself, sometimes specified as *science du commerce*, something which appears in Justi as *Commercién-Wissenschaft*.

In both the *Grundsätze* and the *Grundfeste* the sequence proposed by Justi goes first from commerce to the circulation of money, and from there to the discussion of credit. This last point, in turn, is anchored in the debate on trust (*Vertrauen*) in both Justi and Forbonnais. There are several moments already in the *Grundsätze* in which one can see that Justi is closely following the questions raised in Forbonnais's book, as for example in the distinction between private credit (*crédit particulier* / *Credits der einzelnen Personen*), general credit (*crédit général* / *allgemeine Credit*) and public credit (*crédit public* / *öffentliche Credit*).⁶⁶ In the *Grundfeste*, the discussion is more detailed; it gains some additional contours, and expands the question of trust to include the question of security, and the importance of the police to this theme. There is also an important connection with Montesquieu, which involves another of the rare direct quotations given by Justi.

Insisting that the government must not only adopt all useful laws, means and institutions for the maintenance of credit, but must also avoid everything that might be prejudicial to credit, insisting that nothing is a greater obstacle in this respect than an arbitrary and unjust power, Justi connects the question with the situation prevailing in despotic states, quoting a passage from Montesquieu on the value of money and the lack of credit in such states.⁶⁷ Justi makes a particularly interesting advance here, arguing that if the government does not want to damage credit it should, whenever it enters into a business relationship, act as if it were a private person (*Privatperson*).⁶⁸

The theme of credit, in turn, leads in both of Justi's books to a central theme for the theory and practice of police science: prices. There is, however, an important development in Justi's discussion of, for example, police price control of essential commodities, which can be seen in the comparison of the *Grundsätze* with the *Grundfeste* and which concerns the importance he will gradually attach to the role of competition (*Concurrenz*) as the key to ensuring the flow of commerce. Even with the issue of free trade as a background, as we have seen above, in the *Grundsätze* there is a greater expectation of a more direct control by the police of the prices of

⁶⁶ Justi: *Grundsätze* (see note 1), pp. 166–167 (§§.244–245) and Forbonnais: *Elemens du Commerce* (see note 58), vol. 1, p. 179.

⁶⁷ Justi: *Grundfeste* (see note 4), vol. 1, p. 659 (§§.756–757), quoting: Montesquieu: *De l'esprit des Loix*. Genève 1748, vol. 1, p. 102.

⁶⁸ Justi: *Grundfeste* (see note 4), vol. 1, p. 659 (§.756).

essential commodities, while in the *Grundfeste* this passes to a more indirect control and to the idea that competition is fundamental to this, that police should first and foremost encourage competition.

He writes about the reasonableness of foodstuff prices and the importance of this for agriculture and foreign trade, especially for the export of goods. Justi argues that the reason ›we‹ can sell ›our‹ goods cheaply is because ›we‹ have cheap wages, and that the wage of the workers in turn depends on the price of the means of subsistence, thus arguing that a reasonable price of foodstuff would determine the flow of foreign trade and in turn a prosperous *Nahrungsstand*.⁶⁹ It should be noted here that grain imports were of little importance in the Germanic states in the 18th century, with the exception of Saxony, which imported grain from Bohemia, and that there were indeed regions known to specialize in grain exports, such as south of the Baltic and adjacent areas on the North Sea coast (Holstein), which exported grain to the Netherlands and Great Britain.⁷⁰ Although Justi drew on a variety of French science of commerce sources, his writings always show an attention to local economic dynamics and his broad interest in the history of commerce.

Justi also reiterated the beneficial effects for the state of a reasonable price for foodstuff as the population grows, contributing to the strength, power and happiness of that state.⁷¹ But he warns that if the value of grain is too low, no one will take the trouble to cultivate the soil. Here he raises a fundamental question, which gains definition only in the *Grundfeste* and represents an important development of his discussion from the earlier to the later works. This is continuous with the discussion of freedom of trade, emphasizing the need to inspire genius and diligence in working people – and hence something far removed from seeking to impose a specific order through police ordinances). Justi insists that people can only be induced to work through profit, that without this mainspring (*Triebfeder*) it is impossible to expect any diligence. Justi then argues that the moderate price of foodstuffs and other indispensable commodities results from the bounty of agriculture and the wise provisions of the government, being thus beneficial both to the *Nahrungsstand* and to the state as a whole.⁷² All this serves finally to emphasize that it is for the police to ensure the moderate price of foodstuffs, treating in detail the various police measures that can ensure that these products are always available in sufficient quantity, are of adequate quality and at a moderate price. Following this he discuss-

⁶⁹ Ibid, vol. 1, pp. 708–714 (§§.803–812).

⁷⁰ Ulrich Pfister: The Quantitative Development of Germany's International Trade During the Eighteenth and Early Nineteenth Centuries In: *Revue de l'OFCE*, 140.4 (2015), pp. 175–221, here p. 209.

⁷¹ Justi: *Grundfeste* (see note 4), vol. 1, pp. 706–707 (§.804).

⁷² Ibid, vol. 1, p. 707 (§.805).

es in more detail what he considers to be one of the most important police institutions for making this possible: taxation and price control (*Policey-Taxen*).⁷³

According to Justi, police should make special use of price-fixing mechanisms for the prices of foodstuff and basic necessities, so that the excessive greed of the trades involved in the processing and sale of these products can be kept within limits. This should be one of the primary duties of the police, since it involves maintaining the welfare and interests of individual families (*die Wohlfarth und das Interesse der einzelnen Familien*) in exact harmony and consistency with the common good (*gemeinschaftlichen Besten*). However, individual families involved in the processing and sale of these products sometimes pursue too great an interest, and this is obviously detrimental to the common good. For this reason, police price control serves to restore the balance of the common good.⁷⁴

Justi then argues against the criticism that there should be no interference with the prices of foodstuff and basic necessities, since this could increase scarcity and bring about various other undesirable consequences.⁷⁵ In order to justify his position, he makes a distinction between the prices of final products and the prices of raw materials, that of the latter not being open to regulation since freedom of trade is an essential characteristic for these products. Justi's account of prices is based on the idea that the price of any commodity derives from its indispensability (*Unentbehrlichkeit*) and its rarity (*Seltenheit*).⁷⁶ The whole thrust of his argument is that price control can be imposed on the retail trade of essential commodities, but never on the wholesale trade, for this could end up having the opposite effect, jeopardizing the flow of commerce that is the primary key to Justi's argument.⁷⁷ Various products are then considered and the details of pricing problems examined. Those relating to the determination of the final price of meat is particularly interesting, and provides insight into his experience (and traumas) as police director in Göttingen.⁷⁸ He finally speaks bluntly and admits that from his own experience no trade creates so much trouble for the *Policey-Directorio* as the *Fleischhauer-Gilde*.⁷⁹ None of this appears in the *Grundsätze*, written at the very beginning of his practical experience as police commissioner in Göttingen, at a time of great optimism and long before the frustrations of his practical experience as police commissioner. A few years later, on the basis of this experience, he discusses in the *Grundfeste* the primary task of police in cities and arrives at a conclusion that largely undermines the traditional function of police itself.

⁷³ Ibid, vol. 1, pp. 708–714 (§§.807–812).

⁷⁴ Ibid, vol. 1, p. 715 (§.813).

⁷⁵ Ibid, vol. 1, p. 716 (§.814).

⁷⁶ Ibid, vol. 1, p. 716 (§.815).

⁷⁷ Ibid, vol. 1, p. 717 (§.816).

⁷⁸ Ibid, vol. 1, pp. 720–721 (§.820).

⁷⁹ Ibid, vol. 1, p. 721 (§.821).

Justi argues forcefully that there should be no price-fixing in wholesale trade. Identification as a merchant (*Commercien*) should not be attributed to just anyone involved in trade, but only to large-scale activity (*Handlung in Großen*) connected with importing and exporting, and which is therefore intimately connected with the welfare of the state.⁸⁰ On the other hand, he argues that price control in the domestic market is important and feasible. Justi assumes that the cost of supplies in large commercial centers would be easily known, and that it would be possible to determine fairly how much sellers should earn by calculating the costs, taxes (*Abgaben*), and fees imposed on each commodity. There would, therefore, be no reason for the butcher, the baker or the brewer to complain about the police fixing prices.⁸¹ In practice, however, price fixing was not a simple matter.⁸² The weekly foodstuff price lists published by Justi in his *Göttingische Policey-Amts Nachrichten* always contained a large dose of arbitrariness, and were inevitably perceived as such by the public.

Justi upholds the probity of merchants, associating the desire for excessive profit of his fellow citizens exclusively with retailers. He then suggests certain contexts favor the making of such excessive profits, distorting market prices. He points to places that are remote, but also to those cities where manufacturers or a university have recently become established, making the policing of prices there absolutely necessary, even while acknowledging that this can also bring undesirable consequences.⁸³ It is not hard to see that Justi constantly writes with his experiences in Göttingen in mind.

It is this experience that drives his presentation at the end of the section on *Policey-Tabellen*, choosing his words poorly and adopting an even more exaggerated tone. Justi speaks (in the first person) of the various impediments to the police commissioner's activity, including bribes to his subordinates and everything else that contributes to misinforming the commissioner and preventing effective price regulation. Nevertheless, in the eyes of the general public, all the blame for problems in the police commissariat tend to be attributed to its director. Therefore, for him there is no more difficult position than that of police commissioner, and he finally admits that if price regulation is not enforced, it would be better if it did not exist.⁸⁴ He also discusses the punishments for non-compliance with these regula-

⁸⁰ Ibid, vol. 1, p. 488 (§.550) and pp. 727–728 (§.829).

⁸¹ Ibid, vol. 1, pp. 727–728 (§.829).

⁸² Johann Beckmann, in his notes to the third edition of the *Grundsätze*, comments on the question of police price-fixing by saying that it is not possible for the police to fix prices with sufficient precision and that only competition can actually do that. See Justi: *Grundsätze der Policeywissenschaft*. Göttingen 1782 [3 ed., with improvements and comments by Johann Beckmann], p. 219 (§.254n).

⁸³ Ibid, vol. 1, pp. 728–729 (§.830).

⁸⁴ Ibid, vol. 1, p. 729 (§.831).

tions, only to write of his frustration with the ineffectiveness of fines and the need for more severe punishments.

He does exclude severe corporal punishment for police crimes, arguing that this is only suitable for despotic governments, but among the penalties he proposes is loss of office for repeat offenders.⁸⁵ Nonetheless, he finally concedes that he does not see anticipate much in the way of impact for any of these measures. The tone in the *Grundfeste* thus contrasts with that of the earlier *Grundsätze* where Justi in his first months dealing with the police management in the city of Göttingen, still had great hopes for his ability to implement gute *Policey* by means of effective regulation, borrowing from traditional city police functions (*Policey in denen Städten*). Nevertheless, after this period, his thinking, more and more anchored in the science of commerce and in his practical experience had changed, and Justi's police science now moved decisively away from the idea of active regulation. The most effective mechanism for price control by police is now held to be ensuring the flow of commerce and promoting widespread competition (*Concurrenz*), the confluence of sellers and workers engaged in essential activities, for only in this way can goods be made cheaper, and a moderate profit maintained. The police must therefore favor such competition by all possible means.⁸⁶

4 Final Remarks

There are undoubtedly important developments between the *Grundsätze* and the *Grundfeste*, even if some of the central elements of the *Grundfeste* were already pointed out in the *Grundsätze*, as for example the question of freedom of trade and the extensive use of the French science of commerce. Nevertheless, there is a clear sense of the evolution of Justi's ideas from one text to the other, leading to a police science that relies less and less on active control mechanisms for the promotion of common happiness. These new perspectives involve a decentering and deepening of his thinking about freedom, both through a very concrete science of commerce, through a natural law that moves away from metaphysics, as well as through the concrete and practical experience of seeking to establish order through the instruments of the police. Both in these theoretical and practical aspects, the common datum is the importance of the stay in Göttingen for Justi's intellectual development, even if relatively short.

Justi himself, even though he insisted that his conceptions of happiness in each book possessed a common essence, recognized that they were distinct, and that the

⁸⁵ Ibid, vol. 1, pp. 729–730 (§.832).

⁸⁶ Ibid, vol. 1, pp. 730–731 (§.833).

difference turned on the conciliation of the interests of individual and state; on a search for the most precise connection between the welfare of individual families and the common good, or even to unite the particular good and the common good (*das besondere und allgemeine Beste zu vereinigen*).⁸⁷

We have here drawn attention to the effective contribution of Justi's two police science textbooks for the history of economic ideas, and for this it is important to recover what Keith Tribe argued when commenting on the nature of Justi's state science (*Staatswissenschaften*) as represented by the *Grundsätze*. For Tribe, the recipe for achieving happiness and prosperity in the *Grundsätze* ultimately derived from the promotion of good order by the police, rather than being the particular result of the successful implementation of a particular economic instrument that would, for example, increase productivity or promote of a particular sector, such as agriculture or trade.⁸⁸ For Tribe, the core of the economic reasoning of Justi's police science was thus, ultimately, simply associated with the methods by which such an order could be created and maintained. However, a closer analysis of the links between Justi's economic police science and the French science of commerce, and the role that the freedom of trade and the praise of competition play in Justi's argument, shows how the means for promoting this good order changed. The evolutionary path taken by Justi's ideas, from his early writings to the form that we find in the *Grundfeste*, the discussion of mediation and conciliation between the interests of individual families and the state, also has important implications for Justi's economic ideas. Tribe's argument seems to be accurate enough when applied to the *Grundsätze*, in the sense that it is not possible to identify a specific recipe for the dynamization of the economy in Justi's police science. However, with the *Grundfeste* it is possible to argue differently. Even if Justi's goal for the development of police science does not appear here to be the identification of a mechanism for dynamizing the economy, the economic ideas presented in the *Grundfeste* and the unfolding of his thoughts on freedom as a condition of happiness seem to point to an expectation (even if somewhat diffuse and not explicit) that by promoting this conciliation of interests between individuals and state, an order would also be produced that in itself would activate the potentialities of this economy and lead to a state of prosperity. In the end, for Justi, it is this activation of the *Nahrungstand* that at several points connotes something far beyond the idea of a (prosperous) state of provision, as the key to dynamizing the economy through commerce.

⁸⁷ Ibid, vol. 1, pp. 9–10 (§.8).

⁸⁸ Keith Tribe: Polizei, Staat und die Staatswissenschaften bei J.H.G. von Justi. In: J.H.G. von Justis »Grundsätze Der Policey-Wissenschaft« [Faksimile-Ausgabe]. Ed. by Bertram Schefold, Heinz Rieter, Josef Wysocki, Keith Tribe. Düsseldorf 1993, pp. 107–139, here p. 117.

