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**IS STANISŁAW LESZCZYŃSKI'S CONVERSATION BETWEEN
A EUROPEAN AND AN ISLANDER FROM THE KINGDOM OF DUMOCALA
A SOCIAL UTOPIA?****Abstract**

The writing output of the Polish King Stanisław Leszczyński (1677–1766) includes a work in the genre of social utopia, namely the *Conversation of a European with an Islander from the Kingdom of Dumocala*. This work is certainly less well known than Leszczyński's most famous treatise *A Free Voice insuring Freedom*. Although considered not very original by the standards of the classical utopias of the Enlightenment era, it is an interesting subject for deeper analysis and scientific research. It can even be said that the text in question is one of Leszczyński's least known works and has not, as yet, been the subject of detailed studies. Therefore, the main purpose of this article is to try to clear any doubts about whether Leszczyński's text constitutes a utopia *sui generis*. This was pointed out primarily by Aleksander Świętochowski, in whose opinion the *Conversation between a Europeans...* does not meet the criteria required of social utopias. The research hypotheses posed in this article concern the issue of lawmaking in utopias and why this topic is usually overlooked by utopists, including Stanisław Leszczyński. The author of this article also refers to other texts by Stanisław Leszczyński that deal with issues related to law, especially the ways in which it is made and applied. In this way, the author attempts to conduct a more general analysis on the law in Stanisław Leszczyński's views and to present his reform projects related to the proper functioning of the state.

Key words: absolutism, Enlightenment, lawmaking, utopia, sources of law

*To control others well, one needs to be able to control oneself.*¹

Stanisław Leszczyński, *Réflexions sur divers sujets de morale/Myśli rozmaite*, 1750

1. Introduction

The *Conversation Between a European and an Islander from the Kingdom of Dumocala* is one of the lesser-known works by Stanisław Leszczyński (1677–1766). This work has not, so far, been the subject of a thorough scholarly analysis, although it is recognized as a part of the extensive writing output of its author. An interesting research problem that is worth examining in terms of the content of the book is related to doubts about whether it is a utopia. Any such text more or less modeled on the idea of Thomas More and his 1516 *Utopia* is considered a utopia. At the very least, it is recognized as a literary genre. The matter looks much more interesting when one looks at the content of Leszczyński's book, especially at the social, political, and legal issues discussed by the author, and compares them with More's archetype.

The fact which is important from the point of view of the above considerations regards the authors and their texts which are considered utopian and which were written later to present a variety of social problems that were particularly troubling the people of their times, but also to suggest innovative ideas for solving them, including ones that were often considered quite controversial. This is because all the problems identified by utopists, as well as the ways to solve them, were, in their own opinion, universal and timeless in nature. Was this Stanisław Leszczyński's opinion when he was writing his work? What raises doubts is a fact associated with the possibility of giving a negative answer to the question posed in the title of this article. Such an answer can be strongly justified scientifically, probably even more strongly than a positive answer. This position on Leszczyński's work was confirmed by Aleksander Świętochowski, who rejected any claims of the work's utopian character.²

Stanisław Leszczyński is one of the most interesting figures of the Enlightenment associated with European politics of the time, and one of the few rulers who were

¹ S. Leszczyński, *Myśli rozmaite*, [in:] *Rys życia i wybór pism Stanisława Leszczyńskiego, króla polskiego, księcia Lotaryngii i Baru, zwanego Filozofem Dobroczyńcą*, translated by K. Lubicz-Niezabitowski, Warszawa 1828, p. 384.

² Cf. A. Świętochowski, *Utopie w rozwoju historycznym*, Nakład Gebethnera i Wolffa Kraków, G. Gebethner i Spółka, Warszawa 1910, p. 87.

also concerned with introducing philosophy into practice. He was, after all, a thinker and a writer with not only a wealth of personal experience gained in the world of politics, but also with a uniquely open mind – typical precisely of a philosopher of the Age of Enlightenment. An analysis of the research conducted to date on the nature of Stanisław Leszczyński's works on a political and legal doctrine shows that they are always considered as realistic and rational. But was the *Conversation Between a European and an Islander from the Kingdom of Dumocala* exceptional in Leszczyński's works? Was it intended by its author to be a utopia? These are the key research questions that would be worth exploring.

It should be emphasized at the outset that in many respects Stanisław Leszczyński was much closer to the doctrinal assumptions of absolutism of the time, especially of the Enlightenment type, than to social utopianism. Absolutism as the dominant system of government form in 18th century Europe is primarily a historical fact, but it is also an aspect of political realism, closely related to at least cameralism, *Polizeiwissenschaft*, mercantilism, or boullionism. The influence of these doctrines can be seen in Leszczyński's numerous works and the reforms of the state and its legal institutions he proposed, especially those aimed to ensure the proper functioning of the central administration. Indeed, this is the picture presented in the *Conversation*, where one can actually find “the content of all Stanisław Leszczyński's remarks on governing a state.”³

In the context presented above, the main purpose of this article is to try to dispel any doubts about whether Leszczyński's work constitutes a typical Enlightenment utopia *sui generis*? Can the solutions to social problems presented in it be treated as typically utopian proposals? When defining the concept of utopia, Michał Jaskólski points out that “no one can precisely define its boundaries,” especially since it is equally difficult to distinguish utopias from other political, social, economic, or legal doctrines.⁴ “Utopias [always] appear in the world of ideas, mainly in social, political and literary contexts.” It is in such aspects that the *Conversation* was put by Stanisław Leszczyński,

³ S. Leszczyński, *Rozmowa Europejczyka z Wyspiarzem z Królestwa Dumocala*, [in:] *Rys życia...*, op. cit., p. 278.

⁴ Cf. M. Jaskólski, *Utopie*, [in:] *Słownik historii doktryn politycznych*, vol: 6: T-Z, with a Supplement, eds K. Chojnicka, M. Jaskólski, Warszawa 2015, pp. 266–267.

who wrote it as a so-called holistic political utopia (one that concerns all institutions of the state), in which the ultimate goal is to maximize people's happiness.⁵

Another research problem worthy of attention and closer examination, which is related to utopias, but also to the totality of Stanisław Leszczyński's political views and which could be presented on this occasion, is lawmaking. Indeed, when analyzing various utopias from this perspective, one can only occasionally come across relevant information. Generally speaking, issues of lawmaking in utopias are most often omitted by their authors, or presented only in a cursory manner. Therefore, it would be worthwhile to take a closer look at this problem and try to answer another research question: Why did this usually happen? Certainly, this is related to the really rare occurrence or complete lack of descriptions of lawmaking processes in utopias. However, such descriptions, albeit rare, can be found in utopias, because some kind of law is always in force even in utopias. Law in utopias most often takes the form of specific institutional solutions, less often procedural, but often with a distinct internal system.

Looking at utopias from such an angle, further, typically philosophical and legal questions naturally arise: What is law in utopias? and How does the legal system described in them operate?⁶ Accordingly, the most appropriate research method for finding answers to these questions is the historical-comparative method, which not only allows one to conduct a comparative analysis of Stanisław Leszczyński's work and selected utopias of modern times, but also gives one an insight into the views on law contained in his other works on political, legal and philosophical matters.

First of all, attention should be paid to the origin of the law in force in utopias, that is, referring to its sources. When starting such an analysis, the following problems, which are closely related to lawmaking, should be highlighted. Firstly, the problem concerning the sources of law, approached a formal way, as the so-called *fontes iuris oriundi* – the sources of its creation, with particular attention to the origins of the law in force in utopias. In such a case, of course, it is necessary to take into account all the so-called lawmaking factors that have contributed to the creation of the law, most often through

⁵ Ibidem, p. 267; Also, see: M. Łuczewski, *Utopia i konserwatyzm*, „Edukacja Filozoficzna” 2000, vol. 30, p. 43.

⁶ M. Szyszkowska, *Europejska filozofia prawa*, Warszawa 1993, pp. 2–3.

passing of laws, customs, or lawmaking precedents.⁷ Nevertheless, an extremely important role in the formation of law in utopias is also played by all the so-called material factors, having the form of socio-economic and political relations. It seems that compared to the formal sources of law, the material ones are much more eagerly and accurately described by most authors of utopias. It is true that utopists' approach to the problem of the sources of law resembles more the *law in books* approach than the *law in action* approach.⁸ Nevertheless, the sources of law have been described by them, although certainly less frequently, as "lawmaking facts, i.e., such action (including lack of action) of certain entities that leads to the emergence of principles and rules, or to the modification of existing ones, whereby such principles or rules then constitute the invoked basis for certain acts of application of law."⁹ The nature of the law depicted in utopias is usually fundamental.

Secondly, utopists very rarely address issues related to the legislative procedure, and certainly never present it in detail. Thirdly, few utopists raise issues related to the possible change of the law in force in a utopia and to the ways to amend it, related to the need for continuous improvement. Certainly, more often than not, the law in force in utopias is so perfect that there is no need to change it. It is the world that is supposed to be organized and function according to the provisions of the law, and the law does not have to be adapted to the changes occurring in the world. Fourthly and finally, the search for an ideal legislator is a particularly important problem related to lawmaking in utopias. Such a legislator should be able to create a perfect law – one that needs no amendments. The law, once enacted, would be the basis for both the organization and the existence of a utopian world that is better in every way than the real world.

Stanisław Leszczyński's approach to the above issues corresponds to the so-called positive utopias, characterized by "perfection of the depicted world (in comparison with the imperfection of the real world), synchronicity of the description, and plotlessness [afabularność]."¹⁰ According to Andrzej Juszczyk, all these features of positive utopias "consistently interact with each other, which is the result of an even more basic feature,

⁷ Cf. T. Maciejewski, *Historia ustroju i prawa sądowego Polski*, Kraków 1999, pp. 77–78.

⁸ Cf. ed. T. Giaro, *Źródła prawa. Teoria i praktyka*, Warszawa 2016, p. 388.

⁹ J. Majchrowski, *Źródła prawa a praktyka polityczna*, [in]: *Ibidem*, p. 51.

¹⁰ A. Juszczyk, *Stary wspaniały świat o utopiach pozytywnych i negatywnych*, Kraków 2014, p. 26.

which he calls quasi-religiousness.”¹¹ This last feature in all of Stanisław Leszczyński's works turns out to be one of the leading, if not the most important.

2. The main problems associated with lawmaking in utopias

Utopias contain few descriptions of lawmaking itself, especially the creation of law – its origins and sources. The solution to the associated problem is, therefore, to look at the views of a utopia's author more broadly than just through the lens of his utopian texts. This is certainly the case with Stanisław Leszczyński's works, in which virtually the only utopia is the *Conversation Between a European and an Islander from the Kingdom of Dumocala*. This text, about twenty pages long, was probably written as early as in 1718,¹² and was first published in France after more than thirty years, as late as in 1752.¹³ It is usually not counted among the most important texts of the extensive writing output of the Polish “king-philosopher”¹⁴ – but it is definitely noticed.

The *Conversation* is usually placed among the French social utopias of the Age of Enlightenment. As François Rosset noted, however, the name of the island in the work's title comes from the Polish word “dumać,” which means to ponder or dream, and is meant to suggest the king's penchant for contemplating a better world that one should try to make real.¹⁵ Using elements of the classic travel novel, with motifs of geographic discovery – Leszczyński presents a picture of an island hitherto

¹¹ Ibidem.

¹² At the time, Stanisław Leszczyński was staying in Zweibrücken (Duchy of Two Bridges) as a guest at the hereditary estate of King Charles XII of Sweden, after losing the first War of the Polish Succession (1706–1709); see. A. Muratori-Philip, *Stanisław Leszczyński. Król tułacz*, translated by B. Szwarzman-Czarnota, Świat Książki, Warszawa 2007, pp. 43–54.

¹³ *Entretien d'un Européen avec un insulaire du royaume de Dumocala* – first edition in French in 1752 (the place of printing in Nancy was determined by E. Rostworowski). Polish translation by Kajetan Lubicz-Niezabitowski, as quoted in the version included in: *Rys życia i wybór pism Stanisława Leszczyńskiego, króla polskiego, księcia Lotaryngii i Baru, zwanego Filozofem Dobroczyńcą*, Warszawa, A. Brzezina 1828.

¹⁴ See: A. Rossinot, *Stanislas: Le roi philosophe*, Michel Lafon, La Flèche 1999.

¹⁵ Cf. F. Rosset, *D'Amaurote à Dumocala: variations sur les rois en utopie*, „Quêtes littéraires” 2021, 11, p. 19. It should be added that “duma” in Polish is primarily a sense of one's own dignity and worth, as well as contentment and satisfaction with one's own or someone else's achievements. This etymology of the island's name, in turn, may refer to the personal achievements of Stanisław Leszczyński.

unknown to Europeans, the life of its inhabitants, but above all the political and legal system in place there. It is a picture of a monarchy that functions perfectly in every respect. In his text, however, Leszczyński, focused more on depicting the actions of the executive branch, including the special role of the ruler, with the central administration subordinated to him in an absolute manner, than on proposals for change or specific reforms to heal the country's social, political or economic life. He acted like the most earlier authors of social utopias, showing a supposedly ready-made model for the proper exercise of power, which was supposed to be not only effective, but also moral.

In the context analyzed so far, it seems that Leszczyński's work mostly resembles Thomas Campanella's *Civitas Solis* of 1602.¹⁶ This is evidenced by the very location of the island of Dumocala, somewhere in the uncharted waters of the Indian Ocean, but most importantly by the fact that its content has a strong moral and religious basis. Unlike T. Campanella's work, however, Leszczyński's utopian concept is certainly not communitarian.¹⁷ The *Conversation*, from beginning to end, therefore, meets the criteria set by Jerzy Szacki for the so-called utopia of a place, depicting the happy life of its inhabitants, the existence of which had been unknown to anyone.¹⁸ Besides, by comparing Leszczyński's text to other classifications of utopias proposed by Jerzy Szacki, one can conclude that it combines elements of escapist utopias with elements of heroic utopias. It is particularly interesting because the above types of utopias are usually contrasted with each other, because the former are dreams of a better world, which generally do not entail an injunction to fight for that world, and the latter, on the other hand, are linked to a program and the injunction to do specifically what that program requires.¹⁹

However, in the *Conversation* Leszczyński tried to describe the essence of good and evil. In addition, the authors of escapist utopias try to explain in their works how a domination of good over evil is manifested in a properly governed state. While escapist utopias tend to be intellectual games, heroic utopias tend to be deadly serious.²⁰ In Leszczyński's case, however, it is probably quite clear that he wrote his

¹⁶ See: T. Campanella, *Miasto Słońca*, translated by L. and R. Brandwajn, Wrocław 1955, pp. 3ff.

¹⁷ The communitarian nature of Thomas Campanella's utopia was pointed out in its *Introduction* by Rachmiel Brandwajn, *ibidem*, pp. XXXIII, XLVII.

¹⁸ Cf. J. Szacki, *Utopie*, Warszawa 1968, p. 45.

¹⁹ *Ibidem*, p. 43

²⁰ *Ibidem*, p. 44

utopian text in a very serious manner. Perhaps this was due to his personal experiences, which were not always positive. When writing the *Conversation Between a European and an Islander from the Kingdom of Dumocala* in 1718, he had already been a king of Poland, which he had to leave as an ally of King Charles XII of Sweden, who was defeated at the Battle of Poltava.²¹

However, when writing later works, he always emphasized his political and social involvement resulting from his activities within the European politics of the time. At the same time, it should be emphasized that thanks to the experience he kept gaining in the political arena, Stanisław Leszczyński never stopped dreaming of a better world, but also knew what to do to make it so. While remaining a realist, he must have been perfectly aware that as one of the few political writers in history, he was after all given the chance to turn his plans into reality, especially when he became the Duke of Lorraine and Bar. It is no coincidence that the locals nicknamed him the King Benefactor,²² whose statue is still present in Nancy, the capital of Lorraine, in the square named after him.²³ The example related to the personality of Stanisław Leszczyński perfectly illustrates what Irena Pańków highlighted in her *Filozofia utopii* [Philosophy of Utopias], in which she wrote that “utopia is a world of implemented values,” where the distance between what is and what should be is to be reduced (eliminated).²⁴

The life and activities of Stanisław Leszczyński, especially in this place and time, are, in a sense, a confirmation of these words. But they say a lot about a man who had not only the intention to change this world, but also the strong will to encourage others to do so. This is because he implemented something that is unattainable for most people in power to this day and usually remains an unfulfilled promise or simply a utopia.

²¹ As a result, Stanisław Leszczyński first stayed abroad from 1709 to 1733, and then returned to Poland to be elected its king again after 29 years on September 12 of that year. Forced to leave the country later that year again, he became the Duke of Lorraine for life, where he reigned for another 33 years until his death in 1766; see A. Muratori-Philip, *Stanisław Leszczyński. Król tułacz*, translated by B. Szwarzman-Czarnota, Świat Książki, Warszawa 2007, pp. 143ff.

²² Also, see: V. Delcroix, *Le Bon Roi Stanislas*, Mégard et C., Rouen 1864.

²³ Cf. A. Muratori-Philip, *Stanisław Leszczyński. Król tułacz*, op. cit., pp. 267–280.

²⁴ I. Pańków, *Filozofia utopii*, Warszawa 1990, p. 184.

The work in question also does not contain descriptions of how the law comes into being, how it is amended and applied, but also of what the law is in general. However, using Leszczyński's other texts, one can describe his understanding of law: like a classical philosopher of law, he links it closely to justice. In his opinion, there are two basic types of laws: civil laws and moral laws.

“The source of the former is the wisdom and will of the ruler; the source of the latter is the feelings of all ages and times. The former condemn transgressions, the latter recommend virtues alone. Civil laws, backed by all the gravity of moral laws, impose harsh punishments on criminals. Moral laws, on the other hand, by themselves neither punish nor reward; all their reward is the honor derived from compliance with them; all their punishment is the disgrace of having neglected them. The former are written down in law books, and one may therefore be ignorant of them; but moral laws are engraved in all hearts, and under no circumstances can one be exempted from them; the former, although they should always be in accord with reason, may sometimes be incomprehensible to those for whom they are assigned; while the latter are applicable to every character, age, and social class, equally to the small and to the great: everyone should obey them from the time, the one who does not wish to submit to them becomes a man. Both the ones and the other contribute to the good of the community, but the moral laws accomplish this more surely and universally, for their influence extends to all the activities of man to such a degree that they even arrange the movements of our souls.”²⁵

Therefore, the nature of the former is that of laws that we refer to as positive laws, while the latter resemble eternal, unchanging, and perfect natural laws of a moral nature, which extend to all mankind.

Generally speaking, Stanisław Leszczyński's position regarding law assumed that law was, is, and will remain an indispensable element of social life. At the same time, law is a thoughtful and orderly system of norms that apply wherever people live. It is always to remain an expression of the will of the ruler as a sovereign and a guarantor of eternal, unchanging, and universal values, related to the communal life of people as rational and moral beings. Of course, since Plato's ideal state, justice as the highest idea of law was to be at the forefront of these community values. It can be said that the idea of justice was to guide the actions of all residents of the Kingdom of Dumocala, starting with the reigning monarch, who was also the supreme legislator and supreme

²⁵ S. Leszczyński, *O sprawiedliwości albo o prawach cywilnych i moralnych*, in: S. Leszczyński, *Głos wolny wolność ubezpieczający i inne pisma*, Biblioteka Filozofów, Warszawa 2012, pp. 213–214.

judge, constituting the essence and purpose of community life. This is because justice, viewed in this way, obliges every resident of the island to exercise virtue and avoid transgressions. However, if transgressions do occur, they should be punished harshly, just as good deeds should be rewarded.²⁶ It can even be said that in this concept, the idea of justice combines the wisdom of Roman law with the sanctity of divine law. Thus, a picture of the perfect law appears to us because the law is just by all means. Therefore, in Leszczyński's words:

“This justice, which is the strongest eminence of majesties, the support of states and kingdoms, adding heart *in adversis* and moderation *in prosperis*, this knot, which binds the states of the subjects to the fatherland, and liberty to the laws, this *inspirat* of good advice, strengthens salutary resolutions, relieves dissent, uncovers treason, and tolerates nothing that is harmful to the fatherland. It subdues unbearable ambition, abhors private interest, and is seduced by no respect; indeed, without it we could never fulfill what we owe to God, to our neighbor, or to ourselves.”²⁷

A just law was to help define and guarantee other higher values, such as freedom, equality, peace, security, as well as for example work and the prosperity that comes with it. Without the implementation of these values, which in utopias were given moral and social value at the same time, it is impossible to achieve either the individual happiness of their inhabitants or the common good. This, of course, is reminiscent of our laws, which we also establish with regard to various values as goals to be achieved. However, unlike the inhabitants of utopias, we stop believing in them and doubt their implementation. Although these goals continue to be expressed in our law, they are still unattainable, which makes them utopian, in a way. This is certainly the case with higher values, which at least in our legal system are expressed by the Constitution.

Stanisław Leszczyński was aware that “a man who abuses his rights runs the risk of losing them altogether.”²⁸ Unfortunately, these words turned out to be extremely true and prophetic in the history of the Polish-Lithuanian Commonwealth, which, despite attempts to introduce reforms, could no longer be saved from collapse. After all, the terrible price Poland paid was the loss of sovereignty to states with absolute regimes. So it was absolutism that proved to be more effective in its actions, albeit not necessarily the most moral. The fact is that Stanisław Leszczyński did not live to see

²⁶ Idem, *Rozmowa Europejczyka...*, in: *Rys życia...*, op. cit., p. 284.

²⁷ Idem, *Głos wolny wolność ubezpieczający*, Biblioteka Filozofów, op. cit., pp. 149–150.

²⁸ Idem, *Myśli rozmaite*, op. cit., p. 374.

the final collapse of his homeland, but like other progressive minds of the 18th century Poland, he believed that changes to its law could lead to its salvation. It was thanks to the law that efforts were made, especially after his death, to reform the social, political, and economic life of the entire country and its people, despite the partitions. What was saved, if only for a moment, or modernized in the spirit of the progress of the Age of Enlightenment, is considered today as immortal. These are all the so-called monuments to the law of that period.²⁹

However, referring to the way in which the authors of utopias most often approached issues concerning the law, it can be seen that it was the issues related to its application as adherence to certain rules and norms that were much more important to them than those concerning the ways of making it. This is because utopists focused their attention much more on the functioning of the legal system and its institutions than on the creation and implementation of laws. The same was true not only of Stanisław Leszczyński's views, but also of his actions. It is true that in his life he was an adventurer, philanthropist, philosopher, king, patron, writer, politician, certainly a versatile man with an extraordinarily open mind.³⁰ From the perspective of all his political and legal writings, of the values that the law should express, he particularly emphasized two: the ideal of justice and the ideal of freedom.

Taken together, they were a prerequisite for a happy community life. In perhaps his most famous work, which was even considered “monumental,”³¹ this “outstanding writer”³² highlighted the ideal of freedom in its very title *A Free Voice insuring Freedom*. This political treatise, often considered “outstanding,”³³ was probably written in the early 1730s and published in print in 1749. In this work, Stanisław Leszczyński wrote about the need for thorough reforms in the Commonwealth, which so far has been

²⁹ In addition to the *Government Act of May 3, 1791*, it is worth mentioning *Andrzej Zamoyski's Collection of Laws*, rejected by the Sejm in 1780, and *Draft Code of Stanisław August* announced in Article VIII of the Constitution.

³⁰ Also, see: A. Muratori-Philip, *Stanislas Leszczyński: Aventurier, philosophe et mécène des Lumières*, Robert Laffont, Paris 2005.

³¹ M.J. Lech, *Stanisław Leszczyński*, Warszawa 1969, p. 241.

³² Cf. J. Lechicka, *Rola dziejowa Stanisława Leszczyńskiego oraz wybór z jego pism*, “Roczniki Towarzystwa Naukowego w Toruniu” 1954, t. 49(2), p. 156.

³³ See: *Stanisław Leszczyński*, <http://www.szlachta.internetdsl.pl/krolowie/leszczyński.htm> (date of access: 12.12.2022).

impossible to successfully implement.³⁴ He placed the blame for this state of affairs on the fact that, first of all, as people, we are unable to enjoy the benefits of freedom in an appropriate manner, that is, in a spirit of mutual love. This is because “our freedom is a fast-flowing stream, the course of which is difficult to control; as is the impetus of our liberty, if not inhibited by conscience, lest it be used to the detriment of our neighbor; reason, lest it harm itself; and law, lest it causes the loss of the fatherland by transgressing it.”³⁵ It can even be said that the position expressed by Leszczyński on the above issue can be reduced to the claim that the ideal of freedom cannot be fulfilled without simultaneous respect for the ideal of justice.³⁶ As Marek Maciejewski noted, any state can become a land of authentic freedom, in which rational organization is based on the subordination of particular interests to the good of the whole under the rule of rational laws.³⁷ And it was perhaps these ideals that were most lacking in the declining Polish-Lithuanian Commonwealth.

3. Lawmaking as an attribute of the monarch – sovereign

Like perhaps every utopist, Stanisław Leszczyński looked for effective ways to ensure people's happiness. Consequently, he believed that no one can feel happy in a state without the implementation of two closely related values: the guarantee of freedom and mutual love.

Leszczyński wrote about their actually divine origin in the following words:

“We love freedom, and rightly so, as it is the most precious gift given to man by God (...); freedom in each of us, there is nothing else, but a stream flowing out from this source; so if the Commonwealth ceases to be what it is, we will also have to cease

³⁴ Cf. L. Dubel, J. Malarczyk, *Historia doktryn polityczno-prawnych*, AWH Antoni Dudek, Lublin 2001, p. 215.

³⁵ S. Leszczyński, *Głos wolny...*, op. cit., p. 15.

³⁶ Stanisław Leszczyński's views fit perfectly with the words spoken more than 200 years later in Berlin, by the Holy Father John Paul II, in the context of “man's vocation to freedom,” that, first, “there is no freedom without truth,” second, “there is no freedom without solidarity,” third, “there is no freedom without sacrifice,” and fourth, “there is no freedom without love”; see: *Człowiek jest powołany do wolności*, https://opoka.org.pl/biblioteka/W/WP/jan_pawel_ii/przemowienia/niemcy_exit_23061996.html (date of access: 12.12.2022).

³⁷ Cf.: E. Kundera, M. Maciejewski (eds.), *Leksykon myślicieli politycznych i prawnych*, 3rd ed., Warszawa 2009, p. 147.

to be what we are.³⁸ (...) To make freedom as useful as it is nice, it must agree with God's will, not ours, which is often debauched. Who will not admit that there is nothing dearer in life; it is a gift from God, given to man from the time of creation of the world; but at the same time God, our Lord gave us also laws, so that this *liberum arbitrium* should be used in such a way that it is not an occasion for perdition (...). These laws, and this sacred deposit of divine commandments, the commonwealth of Israel always had before its eyes in the ark of the covenant, and as long as it obeyed them, and as long as it *sacrosancte* observed the statutes of the first lawgiver Moses, it preserved the completeness of freedom, and as it started to exaggerate in it, God gave it a king as punishment.”³⁹

For such a ruler, “the love of his subjects is the most precious treasure,”⁴⁰ just as his main task is to constantly remind that “God commands us to respect all superiors and lords having authority over us as their imaginations; he commands us to love our neighbors, and recommends this love as the most perfect virtue; and he forbids harming the least of these.”⁴¹ Besides, looking at Stanisław Leszczyński's complete output, it is evident how much his worldview was actually dependent on his very deep faith. As Raymond Trousson noted, he never stopped thinking about his lost kingdom, nor did he stop believing that Catholicism could be reconciled with the ideas of the Enlightenment.⁴² On the other hand, as noted by Marian J. Lech, Leszczyński's religiosity, although it resembled, especially in the observance of religious practices, almost a deviation – was far from any fanaticism.⁴³ Instead, it was characterized by sincere faith, boundless trust, and true love, always combined with the goodwill of a good-hearted man and the rationality of a philosopher typical of the Age of Reason.

³⁸ S. Leszczyński, *Głos wolny...*, op. cit., pp. 15, 16.

³⁹ Ibidem, p. 24.

⁴⁰ Idem, *Rozmowa Europejczyka...*, [in:] *Rys życia...*, op. cit., p. 293. The theme of mutual love between the king and his subjects, mentioned in the *Conversation*, was elaborated more extensively by Stanisław Leszczyński in a short text titled *O Miłości Ludu* [On the love of the people], in which he associated it with a virtue and stated that he was aware that “happy is that monarch who, desiring the love of the people, strives by all means to earn it,” and “the feeling that a good king arouses in the people during his lifetime will outlive him and survive to posterity”; Idem, *O Miłość Ludu*, [in:] *Rys życia...*, op. cit., pp. 258, 260.

⁴¹ Idem, *Głos wolny...*, op. cit., p. 25.

⁴² Cf. R. Trousson, *Voyages aux pays de nulle part. Histoire littéraire de la pensée utopique*, Edition de l'Université de Bruxelles, Brussels 1999, pp. 124–125.

⁴³ M.J. Lech, *Stanisław Leszczyński*, op. cit., p. 263.

Interpreted in such a Christian spirit, loving a neighbor was, according to Leszczyński, the most important law of divine origin. On the one hand, the law was to determine the proper relations between people, and on the other hand, it should condition the organization of a perfect community. Not only a community that is perfect in terms of its functioning, since it is directed towards the common good, but also in terms of reconciliation in the spirit of all mutual love all the people who make up that community. Therefore, only then will it be possible to achieve happiness in temporal life when people sincerely love each other and use freedom in the right way. In a properly governed state, this is manifested through two skills that the ruler is to be endowed with: the ability to reconcile the interest of an individual with the public interest and the ability to reconcile the freedom of the ruler with the freedom of the nobility. Precisely this reconciliation of something that seems impossible to reconcile remains the most utopian task to be accomplished by the monarch. Thus, according to Leszczyński,

“it must be admitted that our ancestors, the first founders of the Commonwealth, most firmly established the foundations *in justo equilibrio* between the solemnity of majesty and the power of the rights and prerogatives of liberty, with the intention that kings, with the solemnity of their majesty, should restrain liberty; on the other hand, that liberty *per rigorem* of law should restrain the ambition of kings (...).⁴⁴ Having thus established the foundations of a single and complete authority of the Commonwealth, and having founded thereon the confidentiality and union of majesty with liberty (...) and above all liberty itself sufficient for such a salutary undertaking, may we want to have what we absolutely can, and may our will comply with liberty for the true common good.”⁴⁵

In the *Conversation*, right at its beginning, the newcomer from Europe mentioned in the title points out that the order and rule of law prevailing in the Kingdom of Dumocala are signs of the wisdom of an enlightened government because it is constant in its adherence to the rules once adopted.⁴⁶ These rules are intended to serve the prosperity of all, for all time.⁴⁷ The law in force on the island is therefore primarily principled and conforming to common sense. This means that its norms are general, universal, and permanent, and the way they are established and applied needs to be

⁴⁴ R. Trousson, *Voyages aux pays...*, op. cit., p. 13.

⁴⁵ Ibidem, p. 21.

⁴⁶ S. Leszczyński, *Myśli rozmaite*, op. cit., p. 281.

⁴⁷ Cf. S. Jedynek, *Introduction*, [in:] S. Leszczyński, *Głos wolny wolność ubezpieczający*, Lublin 1987, p. 23.

rationalized. Leszczyński's picture of the ideal state was briefly but substantially outlined by the aforementioned Marian J. Lech, according to whom the described "society lives in equality before the law, free from poverty, wars, and low passions,"⁴⁸ while being moderate in the imposition of taxes and having a good judiciary and an efficient administration.

Like most authors of utopian texts, with the exception of Étienne-Gabriel Morelly (1717–1778), the author of *The Code of Nature*,⁴⁹ Leszczyński also did not focus his attention on the law and its detailed description. In fact, he did not present any specific lawmaking methods, and wrote little about its application. He approached the issue of law through general reflection, more philosophical than legal, taking its application as a fact that is so much for granted that it is practically not worth mentioning. In utopias, it is simply enough to mention that the law applies because it has been, is, and should be so. There is not and cannot be any other possible organization and functioning of communal life of beings that are rational and social at the same time, such as people. This applies not only to the real world with its history, but also to all the worlds existing in utopias.

Of course, it is possible to imagine a world without any particular law, for example, as a branch, but in a logical sense, a world without law at all, law in general, cannot exist, because then it would have to be a world of nothing but lawlessness, chaos, and injustice. Such a view does not correspond at all to the creation of a positive utopian world, but it definitely fits into its negative model, the theoretical expression of which turned out to be anti-utopias and dystopias. In practical and historical terms, they were unfortunately mirrored by totalitarian systems that made their mark especially in the 20th century.

Therefore, one must wonder why most utopists, including Leszczyński, overlooked this issue, especially in terms of the legislative procedure? It is rare to find lawyers among the authors of utopian texts. It can even be said that utopists are not proficient in law. Even those of them who nevertheless had a legal education, such as Thomas More, must have realized that law is a discipline so capacious and broad that it is not easy

⁴⁸ M.J. Lech, *Stanisław Leszczyński*, op. cit., p. 259.

⁴⁹ See: *Wzór kodeksu zgodnego z intencjami natury*, [in:] Morelly, *Kodeks natury, czyli prawdziwy duch jej praw*, transl. by D. Malewski, Kraków 1953, pp. 119–151.

to define it in any other form than a normative act. Going into more and more detailed rules and regulations, one can get lost in the law, and certainly expand it to legal acts of huge size. Thus, More's archetype envisioned the simplification of the law in force in utopias, as well as its rationalization and universalization through the essential nature of the introduced norms, the generality and comprehensibility of their contents, and the application of the necessary, even common-sense systematics. Presenting his very general view of the law, he noted that it is established only for the purpose of reminding everyone of their duties.⁵⁰ Therefore, not only do Utopians have very few laws that are sufficient to maintain order in their country, but they believe that "it is a great injustice to bind any people with laws that are too many to be read, or are too dark for anyone to understand. (...) Besides, everyone in Utopia is an expert lawyer, because, as I mentioned, there are very few laws there, and the explanation of laws is appreciated the more, the simpler it is."⁵¹

Thus, utopists avoided taking a closer look at the law, in the context of both its making and its application. Most often they omitted the issue or wrote about the law in a very simple way, that is, in such a way that the law would be understood by ordinary people, not just by specialists. They assumed that a simple and understandable law would be obeyed by everyone. It can be noted that utopists, even those with legal education, never felt confident and comfortable enough in legal matters to bring descriptions of legal institutions to the forefront of their considerations. However, such descriptions, usually very general, more often brief than long – can actually be found in most utopian texts, in which the law in force resembles air: even though it is invisible, it is essential to life. It is also possible that, for the sake of the potential reader, the issues related to law were considered by the utopists to be too difficult, too complicated, and at the same time too trivial and boring, so they deliberately treated them precisely the way we treat air when we breathe. Although it is essential to life, it is still unnoticed, and enjoying its benefits is very obvious and natural at the same time.

In the above context, which is related to the search in utopias for an ideal legislator, the first prerequisite for a happy life turns out to be the person of the ruler. This is a monarch with Almighty God as his model, whom Leszczyński mentioned many times in his writings, such as the *Nowa ustawa życia* [New law of life]: "I will never forget

⁵⁰ T. Morus, *Utopia*, translated by K. Abganowicz, Poznań 1947, p. 99.

⁵¹ *Ibidem*, pp. 99–100.

that because God has chosen me to be the father of my people, I should devote myself entirely to my subjects, more to the poor than to the mighty (...). My first task will be to bring relief and support to my subjects, and in this regard, acting like a father, I will look into the finer details.”⁵² Thus, in his opinion, the best ruler is a king who is like a father and a good shepherd, ready to sacrifice himself even for one stray sheep from his flock, as God himself did through the person of Christ. Only such a ruler, who lives in accordance with God’s laws and his virtues, is able to demand from his subjects what he himself does. According to Leszczyński, “example is a great master, to set a good example, one must know beforehand how to follow it.”⁵³ The best example in this regard was set by Jesus Christ as the King of Kings.

The second essential condition for perpetuating a happy life is that the ruler must leave the best law, established in the spirit of the Divine law, as his inheritance. Such a law is to serve future generations as a lasting guarantee of a happy life, especially in the event of a reign of an unjust ruler. In *Myśli rozmaite* [Various Thoughts], Leszczyński described it as follows: “Not only will the ruler remedy abuses through the course of his reign, he should also prepare remedies for future disasters. The fate of the state is not entrusted to him only for the duration of his life, for he should, by his laws and example, reign in it even after death.”⁵⁴ Such conduct would ensure for all those in power a place in history among the recognized statesmen who always and everywhere act for the good of the state, and never in the name of short-term and individual interests. This is evidenced primarily by the good law, left by them as the best and most enduring legacy for future generations, which will guarantee their happiness. Leszczyński came to such conclusions about the law when writing *O prawdziwej polityce* [On Real Politics], where he stated that: “whoever thinks that the freedom of the ruler is different from the freedom of the people is mistaken.” This is because all are obligated to obey the laws, especially he who “holds the authority, establishing it further, shall not seek to extend it beyond the prescribed scope; his authority shall be based on the solemnity of the laws, and their exercise shall constitute his security and glory.”⁵⁵

⁵² Idem, *Nowa ustawa życia*, [in]: J. Lechicka, *Rola dziejowa Stanisława Leszczyńskiego...*, op. cit., pp. 114, 115.

⁵³ Idem, *Myśli rozmaite*, op. cit., p. 397.

⁵⁴ Ibidem, p. 397.

⁵⁵ Idem, *O prawdziwej polityce*, [in]: S. Leszczyński, *Głos wolny wolność ubezpieczający i inne pisma*, op. cit., p. 216.

It should be noted that Stanisław Leszczyński, both as a political writer, but most importantly as a reigning monarch, never sought to change the existing political order, but rather wanted to improve and reform it.⁵⁶ According to Stanisław Jedynek, he intended to do this as the king through wise laws that refer to the natural principles of good coexistence between people and of mutual kindness.⁵⁷ Stanisław Leszczyński's approach to the law and its issues was summarized in a similar vein by Janina Lechicka, who noted that the king:

“He had a keen sense of justice and progress in this area. Respecting the existing laws, he reserved the right to first criticize them theoretically and then correct them in practice, so that those that were bad could be corrected and transformed into good ones. Like the various thinkers he looked up to, he took as the basis and, at the same time, the idea of all laws a principle he considered a natural moral law: do not harm and do not be harmed. He considered the laws that served this idea to be good and reliable, and the laws that went against it to be bad and wrong. Whatever supports by its usefulness the social coexistence and its needs, has the characteristic of a law, regardless of whether it is recognized as such by everyone or not. If, on the other hand, a law, either positive or customary, does not support social coexistence, it does not have the characteristics of a law. In this way, the philosopher supported the legislator and sought to strengthen the position of the law with the concept of natural law. He considered laws to be necessary precisely because people lacked the natural mutual kindness.”⁵⁸

This is because the latter still had to be developed. The approach to natural law presented above, also evident in Stanisław Leszczyński's works, presupposes not only the universal, but primarily the moral character of this law. It is related to the classical, eternal, and immutable principle expressed by Aristotle and taken over by St. Thomas Aquinas: “*bonum est faciendum et prosequendum et malum vitandum*,” i.e. “do good, avoid evil.”⁵⁹ In this way, as a political and legal writer, Leszczyński fits, on the one hand, into the paradigm defined by Jean Bodin: the monarch's sovereignty and legislative power.⁶⁰ On the other hand, he fits just as well into the paradigm of Christian philosophy, especially the philosophy of law, which saw this supreme legislative power in God and His will.

⁵⁶ Cf. S. Jedynek, *Introduction*, op. cit., p. 21.

⁵⁷ Ibidem, p. 25.

⁵⁸ J. Lechicka, *Rola dziejowa Stanisława Leszczyńskiego...*, op. cit., p. 118.

⁵⁹ Cf. A. Kość, *Podstawy filozofii prawa*, Lublin 1998, p. 46.

⁶⁰ Cf. J. Oniszczyk, *Filozofia i teoria prawa*, Warszawa 2008, p. 179.

4. Conclusions

Stanisław Leszczyński's attitude towards law, especially its making and application, can be summarized by drawing several conclusions. Their common denominator, or perhaps rather their source, is the age-old so-called wisdom of law. Leszczyński sought its message primarily in the Bible and in the numerous Latin proverbs known for centuries, of which two, perhaps also the most appropriate to his political and legal activities, should be considered as the most important: *Ius est ars est boni et aequi* and *Iustitia fundamentum regnorum*.⁶¹ Stanisław Leszczyński certainly dreamed of becoming a good and just king who approached law like an artist, in the not easy art of ruling and wielding power. In practice, this art was to involve making and applying law that was deemed good and right. He achieved an admirable success in Nancy, where he became known as a reformer and benefactor acting with the wealth and happiness of his subjects in mind.⁶² Always following his heart, he believed that only by making people better can one make them happy.⁶³ He was certainly a European ruler who was quite successful in trying to carry out his plans, fulfill some of his dreams, and even implement his utopia presented in the *Conversation*.

It is therefore completely impossible to agree with Aleksander Świętochowski's critical assessment of Stanisław Leszczyński's work. As I mentioned in the introduction, Świętochowski expressed his opinion in less than one page of his 1910 comprehensive study titled *Utopia w rozwoju historycznym* [Utopia in Historical Development]. At the same time, it should be noted that, according to A. Świętochowski, like most classical utopias, at least of the Renaissance type, the *Conversation Between a European and an Islander from the Kingdom of Dumocala* tells a story of a ship coming from Europe, in this case on the way to India, wrecking somewhere in the unknown waters of seas and oceans, with only one surviving traveler, "whom a Brahmin acquaints with Dumocala's arrangements concerning the military, finances, staffing of offices, and other matters. This information and these remarks had reformist value in their time, but neither then nor today did they represent anything utopian."⁶⁴

⁶¹ See: *Sentencje łacińskie*, compiled by M. Dubiński, Warszawa 2005, pp. 343, 344.

⁶² Cf. E. Cieślak, *W obronie tronu króla Stanisława Leszczyńskiego*, Gdańsk 1986, p. 254; V. Delcroix, *Le Bon Roi Stanislas*, Mégarde et C., Libraires-Éditeurs, Rouen 1864, pp. 234–235.

⁶³ See: *Rys życia i wybór pism Stanisława Leszczyńskiego, króla polskiego...*, op. cit., pp. 55, 58.

⁶⁴ A. Świętochowski, *Utopie w rozwoju...*, op. cit., p. 87.

Nevertheless, even if Leszczyński's work is not a utopia according to A. Świętochowski's criteria, it still meets the requirements for texts of this type, which are, after all, a literary genre. After all, this utopia is considered, at least in the French tradition, as one of the typical utopias of the Enlightenment, the period in which it was created. In the extensive *Dictionnaire critique de l'utopie au temps de Lumières* of 2016, it is mentioned in several contexts related to the analysis of utopian texts, most often in connection with the Bible, with geographic discoveries, with the proper functioning of the administration, with the model organization of a city, and finally with human nature, especially in the context of the so-called savages – untainted by civilization.⁶⁵

The model for the functioning of the state described in Leszczyński's work, especially its central administration, corresponds to the assumptions of typical social utopias. Not only is it perfectly arranged and functions smoothly, but it also appears to be a community of happy people, because they live in equality before the law and are free from poverty, wars, and other misfortunes.⁶⁶ Nevertheless, this text cannot be considered original, either in form or in terms of the reforms it proposes. Particularly when we compare it with the more radical proposals contained in other utopias of the Enlightenment. A similar conclusion comes to mind, especially when we make a comparison with Leszczyński's other works on political and legal topics. In particular, in the early days of his writing, his ideas were far more innovative and reformist. It could be even considered as progressive, although it was certainly never revolutionary. It is true that Świętochowski's views regarding Leszczyński's work as a utopia are hard to refute.

Therefore, it is much better to look at it and evaluate it from the perspective of Stanisław Leszczyński's entire writing output. Perhaps then it will be possible to see in it, after all, the seed of some deeper reflection, especially that concerning the search for the so-called ideal state ruled by a good and just ruler. This belief, closely linked to belief in God, leads to the most utopian assumption in Stanisław Leszczyński's views that such a ruler, whose rule will resemble God's perfect authority, may appear in the temporal world. This is the primary assumption on which every social utopia is based: they all show a better world than the one we live in and describe a place that, after all, does not realistically exist.

⁶⁵ See: B. Baczko, M. Porret, F. Rosset, Edition Georg, eds, *Dictionnaire critique de l'utopie au temps des Lumières*, Geneva 2014, pp. 206, 490, 1013, 1168, 1331.

⁶⁶ M.J. Lech, *Stanisław Leszczyński*, op. cit., p. 260.

In an effort to summarize the position taken by Stanisław Leszczyński on lawmaking, which is expressed in his various works, it should first be stated that there can be no better world without a just law. Secondly, only a legislator who is considered just can create and organize a perfect legal system. Thirdly, only a lawmaker for whom God is the model for making and applying law will be able to be recognized as a just one. Evidently, it is noticeable that Leszczyński's strong faith, which remained in the spirit of scholastic thinking, i.e., the reasoned justification of truths and their precise expression, had an overwhelming influence on the formation of his views. Such a worldview has to be characterized as definitely conservative, not only due to the recommended way of wielding power, but also with regard to lawmaking and application of law. His utopia should be evaluated in the same way as a more conservative text, both in form and content, than progressive texts of the Age of Enlightenment.

In the above context, the position presented by Stanisław Leszczyński in the *Conversation Between a European and an Islander from the Kingdom of Dumocala* places him among the advocates of absolutism, with a clearly dominant position in the state enjoyed by a monarch, preferably of the enlightened type. Such a ruler, like God, is naturally expected to head an effective executive branch of government, with a group of specialists and ministers as mere advisors. As in any absolutism, the king is also supposed to be the sole lawmaker because he knows the needs of his people better than anyone else. Finally, in the most important disputes for the state, the king is also to remain the highest judge. Thus, in Leszczyński's opinion, the prerequisite for a good – i.e. happy – social life of the people, for the maintenance of order in the society, and for the validity of just laws is a wise and virtuous ruler,⁶⁷ who, most importantly, “for the satisfaction of his great soul, will provide his subjects with happiness or consolation in their misery by wise decisions and useful institutions.”⁶⁸

References

Campanella Tomasso, *Miasto Słońca*, transl. by L. and R. Brandwajn, Wrocław 1955.
Cieślik Edmund, *W obronie tronu króla Stanisława Leszczyńskiego*, Gdańsk 1986.

⁶⁷ Cf. F. Rosset, *D'Amaurote à Dumocala...*, op. cit., p. 20.

⁶⁸ See: *Rys życia i wybór pism Stanisława Leszczyńskiego, króla polskiego...*, op. cit., pp. 50–51.

- Delcroix Victor, *Le Bon Roi Stanislas*, Mégard et C., Rouen 1864.
- Baczko Bronisław, Porret Michel, Rosset François, eds., *Dictionnaire critique de l'utopie au temps des Lumières*, Geneva 2014.
- Dubel Lech, Malarczyk Jan, *Historia doktryn polityczno-prawnych*, Lublin 2001.
- John Paul II, *Człowiek jest powołany do wolności*, https://opoka.org.pl/biblioteka/W/WP/jan_pawel_ii/przemowienia/niemcy_exit_23061996.
- Jedynak Stanisław, *Introduction*, [in:] S. Leszczyński, *Głos wolny wolność ubezpieczający*, Lublin 1987.
- Juszczak Andrzej, *Stary wspaniały świat o utopiach pozytywnych i negatywnych*, Kraków 2014.
- Kość Antoni, SVD, *Podstawy filozofii prawa*, Lublin 1998.
- Lech Marian Jan, *Stanisław Leszczyński*, Warszawa 1969.
- Lechicka Jadwiga, *Rola dziejowa Stanisława Leszczyńskiego oraz wybór z jego pism*, Roczniki Towarzystwa Naukowego w Toruniu, Toruń 1951.
- Leksykon myślicieli politycznych i prawnych*, 3rd ed., eds E. Kundera, M. Maciejewski, Warszawa 2009.
- Leszczyński Stanisław, *Głos wolny wolność ubezpieczający i inne pisma*, Warszawa 2012.
- Leszczyński Stanisław, *Myśli rozmaite*, [in:] *Rys życia i wybór pism Stanisława Leszczyńskiego, króla polskiego, xięcia Lotaryngii i Baru, zwanego Filozofem Dobroczyńcą*, transl. by K. Lubicz-Niezabitowski, Warszawa 1828.
- Leszczyński Stanisław, *Nowa ustawa życia*, [in:] J. Lechicka, *Rola dziejowa Stanisława Leszczyńskiego oraz wybór z jego pism*, „Roczniki Towarzystwa Naukowego w Toruniu” 1949, R. 54(2), Toruń 1951.
- Leszczyński Stanisław, *O Miłości Ludu*, [in:] *Rys życia i wybór pism Stanisława Leszczyńskiego, króla polskiego, xięcia Lotaryngii i Baru, zwanego Filozofem Dobroczyńcą*, transl. by K. Lubicz-Niezabitowski, Warszawa 1828.
- Leszczyński Stanisław, *O prawdziwej polityce*, [in:] S. Leszczyński, *Głos wolny wolność ubezpieczający i inne pisma*, Warszawa 2012.
- Leszczyński Stanisław, *O sprawiedliwości albo o prawach cywilnych i moralnych*, [in:] S. Leszczyński, *Głos wolny wolność ubezpieczający i inne pisma*, Warszawa 2012.
- Leszczyński Stanisław, *Rozmowa Europejczyka z Wyspiarzem z Królestwa Dumocala*, [in:] *Rys życia i wybór pism Stanisława Leszczyńskiego, króla polskiego, xięcia Lotaryngii i Baru, zwanego Filozofem Dobroczyńcą*, transl. by K. Lubicz-Niezabitowski, Warszawa 1828.
- Łuczewski Michał, *Utopia i konserwatyzm*, „Edukacja Filozoficzna” 2000, vol. 30.
- Maciejewski Tadeusz, *Historia ustroju i prawa sądowego Polski*, Warszawa 1999.
- Majchrowski Jan, *Źródła prawa a praktyka polityczna*, [in:] *Źródła prawa. Teoria i praktyka*, ed. T. Giaro, Warszawa 2016.
- Morelly Étienne-Gabriel, *Kodeks natury, czyli prawdziwy duch jej praw*, transl. by D. Malewska, Kraków 1953.
- Morus T., *Utopia*, transl. by K. Abganowicz, Poznań 1947.

- Muratori-Philip Anne, *Stanislas Leszczyński: Aventurier, philosophe et mécène des Lumières*, Paris 2005.
- Muratori-Philip Anne, *Stanisław Leszczyński. Król tułacz*, transl. by B. Szwarzman-Czarnota, Warszawa 2007.
- Oniszczyk Jerzy, *Filozofia i teoria prawa*, Warszawa 2008.
- Pańków Irena, *Filozofia utopii*, Warszawa 1990.
- Rosset François, *D'Amaurote à Dumocala: variations sur les rois en utopie*, « Quêtes littéraires » 2021, vol. 11.
- Rossinot André, *Stanislas: Le roi philosophe*, Michel Lafon, La Flèche 1999.
- Rożek Michał, *Stanisław Leszczyński I Stanisław August Poniatowski w Krakowie*, „Rocznik Krakowski” 1971, no. 42.
- Sentencje łacińskie*, compiled by Marek Dubiński, Warszawa 2005.
- Słownik historii doktryn politycznych*, vol. 6: T-Z, with a Supplement, eds K. Chojnicka, M. Jaskólski, Warszawa 2015.
- Stanisław Leszczyński*, <http://www.szlachta.internetdsl.pl/krolowie/leszczynski.htm>.
- Szacki Jerzy, *Utopie*, Warszawa 1968.
- Szyszkowska Maria, *Europejska filozofia prawa*, Warszawa 1993.
- Świętochowski Aleksander, *Utopie w rozwoju historycznym*, Nakład Gebethnera i Wolffa Kraków, G. Gebethner i Spółka, Warszawa 1910.
- Giara Tomasz (ed.), *Źródła prawa. Teoria i praktyka*, Warszawa 2016.
- Trousseau Raymond, *Voyages aux pays de nulle part. Histoire littéraire de la pensée utopique*, Brussels 1999.

► **SUMMARY**

Is Stanisław Leszczyński's Conversation Between a European and an Islander from the Kingdom of Dumocala a Social Utopia?

The *Conversation Between a European and an Islander from the Kingdom of Dumocala* meets the criteria of a utopian text. The arguments cited in the article on this subject place Leszczyński's work and the issues raised in it alongside such authors of classic works of the genre as Thomas More and Thomas Campanella. Like most social utopias, Leszczyński's utopia basically ignores issues related to lawmaking and application of law. However, law always applies in utopias, although its presence is not exposed for various reasons. The authors of most social utopias do not focus their attention on law, but rather on the proper functioning of the state. This is due, first and foremost, to the search for and ensuring everyone's happiness.

Leszczyński shows that happiness within a community can only be achieved by propagating the law of love, which is of divine origin. Thus, in his utopia, Stanisław Leszczyński outlines a vision of the best possible system of government, which, in his opinion, can only be a monarchy. A king, standing at the head of such a monarchy, not only governs, but also legislates and administers justice. Everything he does, he does in imitation of God. As a result, the doctrinal position taken by Stanisław Leszczyński places him among the proponents of Enlightenment-type absolutism. The task of a king as the ideal ruler is therefore to carry out reforms to promote the comprehensive development of the state and its people. Although such an approach to the system of government in Europe was becoming a fact of life starting from the 16th century, and even prevailed in the times of Stanisław Leszczyński, it remained a utopia when it comes to the problems faced by the Polish-Lithuanian Commonwealth.