



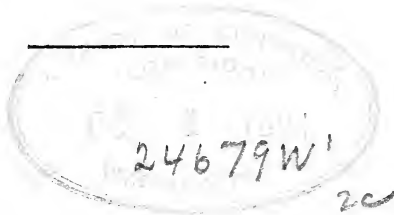


AN

# INTRODUCTION TO ETHICS

BY

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BOSTON  
DE WOLFE, FISKE & CO.  
361 AND 365 WASHINGTON STREET

(1891)

BJ1025  
199

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## P R E F A C E.

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THIS book is intended to be what its title describes, an *Introduction* to Ethics ; but as the term Introduction has, in this connection, received an ambiguous meaning, a word of explanation may not be out of place. This term is sometimes employed to denote a philosophical discussion of the ultimate concepts which lie at the foundation of a science ; in which case, a preliminary study of the science is indispensable as a preparation for an intelligent perusal of the Introduction. This is not the sense in which the present work is meant to be an Introduction to Ethics. It is intended to introduce to the science those who are as yet unfamiliar with its fundamental concepts, except in so far as these are implied in all our ordinary thoughts about human life.

With this object in view I have not confined myself to the exposition of moral concepts in their abstract universality. Following rather what I believe to be the earlier tradition in the treatment of Ethics, I have endeavored to interest the student also in the concrete application of moral concepts to the

principal spheres of human duty. To meet the demands of modern thought it seems necessary to guide this inquiry by the historical or evolutionary method, — by tracing the conditions of time and place, under which the leading forms of moral goodness have been developed. The requirements of the moral ideal in any age can be definitely comprehended only when we come to know how it has been formed, just as the precise meaning of a word is often to be reached only by tracing its history; and even if the obligations of the moral life demand an elevation or modification of the existing ideal, the proposed moral advance can itself be understood only when it is viewed as a continuation of the process through which that ideal was attained. Such an historical treatment of the moral code can be but imperfect at present; an adequate treatment will require monographs, which have yet to be written, on the evolution of the particular virtues. Meanwhile, the present discussion may fulfil the general purpose of my book, by introducing the student to a more elaborate investigation of the problems involved.

J. CLARK MURRAY.

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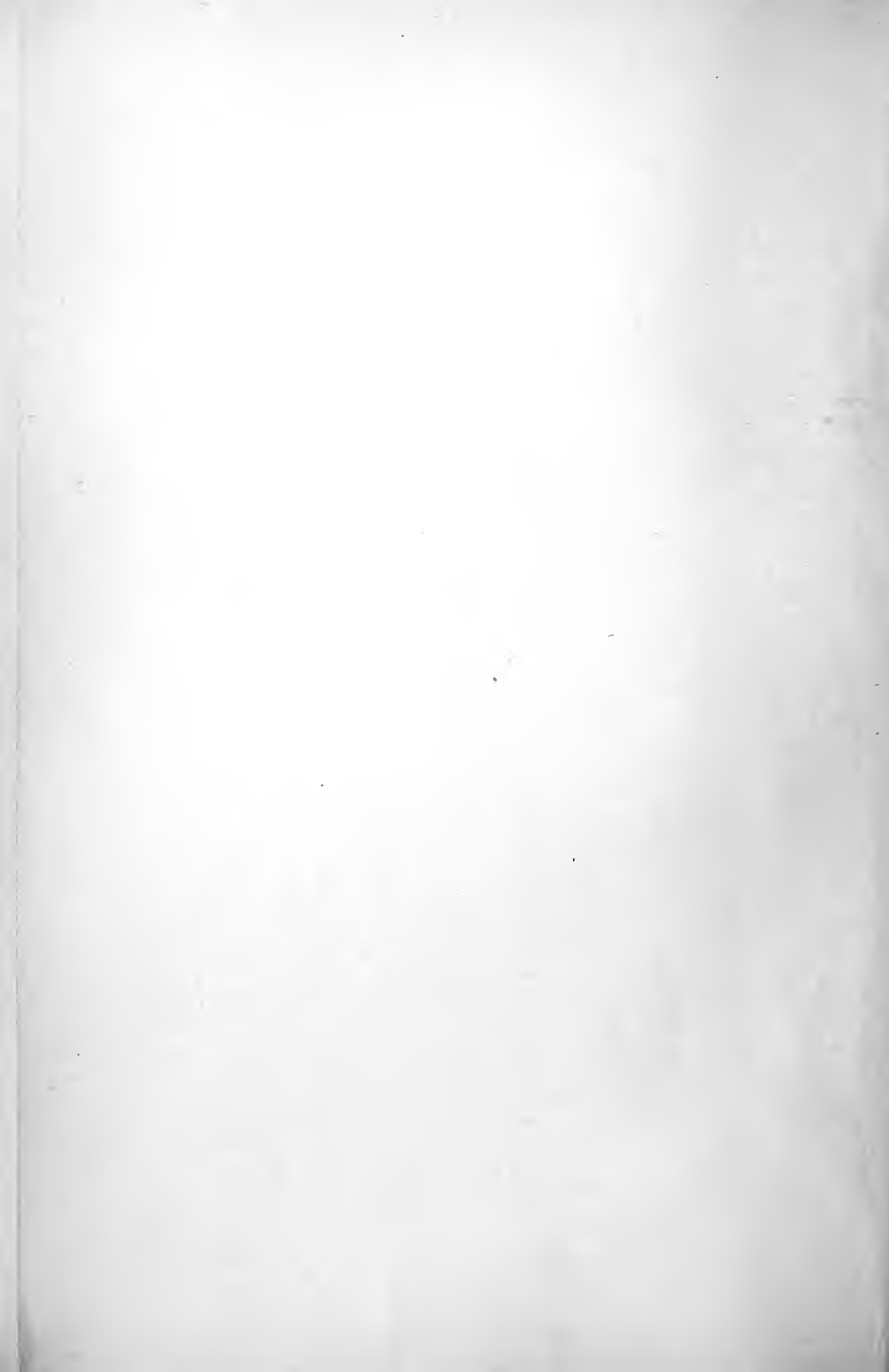
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# ETHICS.

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## DEFINITION AND DIVISION OF THE SCIENCE.

THE science of Ethics receives its name from the Greek (τὰ) ἠθικά, an adjectival form connected with the substantive ἦθος. This substantive seems to have been originally a mere dialectical variety of ἔθος, though the two words came to be afterwards distinguished, at least in exact usage, the latter being applied to any habitual action, while the former denoted the manners or customs which such action goes to form.<sup>1</sup> If the common etymology of these words, which connects them with the root of ἔζομαι,<sup>2</sup> be correct, they must have expressed literally that which is seated or settled, and hence have come to mean an established usage or custom, a manner or habit of life. As far as etymology indicates, therefore, Ethics appears to be the science of those

<sup>1</sup> See Plato's *De Leg.*, VII. 792; Aristotle's *Eth. Nic.*, II. i. 1.

<sup>2</sup> This Greek verb, as the future ἔδοῦμαι and the substantive ἔδος show more distinctly, contains the same root which we find in the Latin *sedeo*, as well as in the English *seat*, *set*, *sit*, and the German *sitzen*. Consequently the German substantive *Sitte* is not only the equivalent of ἦθος in meaning, but allied to it in etymology. It may be added that the substantive *wont* (German *Gewohnheit*) conveys etymologically the same idea as ἦθος, as it is connected with the Old English verb *won* (German *wohnen*), meaning *to dwell*.

manners and customs which form the laws of human action and give a character to human life.<sup>1</sup>

The same meaning is conveyed by another name of the science, which is of Latin derivation, — *Morals*, *Moral Science*, or *Moral Philosophy*. The Greek ἠθoς, often used in the plural ἠθoι, found its Latin equivalent in *mos*, or, more commonly, in the plural *mores*. The study of the ethical writings of the Greeks may be said to have begun, among the Romans, with Cicero; and he found himself inconveniently fettered in his exposition of the subject by the want of an adjective connected with *mos*. He suggested, therefore, the adoption of *moralis*;<sup>2</sup> and his coinage, meeting an evident want, passed current among subsequent writers, and has taken a place in all the languages of the modern world.

It would appear, then, that the terms *Ethics* and *Morals* were originally intended to denote a science which treats of manners or habits; in a word, of human character; and in the widest sense of the terms this description might be accepted as substantially correct. But the precise field of the science must be more exactly defined.

A science of human character suggests two different questions. Man is moulded by the influences that are at work in himself, as well as in his environment. But among these there is one which gives a

<sup>1</sup> In this general sense Mr. J. S. Mill uses the term *Ethology* (*Logic*, VI. v. 5); but, apart from the objection to unnecessary innovations in language, the word is awkwardly suggestive to a Greek scholar, as denoting originally the art of the mimic who represents the manners and customs of men. As a matter of fact, Mill's coinage has received scarcely any recognition, except in accounts of his own views.

<sup>2</sup> *De Fato*, I.

peculiar aspect to the problems of our science. Man is not merely subject to forces which actually shape his character in some way or another, he is also endowed with the power of cognizing an ideal in accordance with which he is conscious that his character ought to be shaped. A science of Ethics, therefore, cannot be satisfied with merely describing the actual formation of human character; it must also analyze that ideal of perfection, in accordance with which character may, conceivably at least, be formed.

It may be observed that a similar distinction can be drawn in the case of all, and is actually drawn in the case of many, natural objects. For example, in the vegetable world objects are viewed by the botanist simply in reference to their actual formation, and the laws by which that formation is governed; but the agriculturist and horticulturist keep in view a certain ideal type which they seek to develop in the plants under their care, in order to render them as perfectly subservient as possible to their various uses in human life. In like manner, while in the science of Mineralogy it is properly the actual facts of the mineral kingdom that are alone taken into account, on the other hand the lapidary, the metallurgist, and even the common stone-cutter aim at a certain form of utility or beauty, in accordance with which they seek to fashion the minerals upon which they labor. In regard to the animal kingdom, also, a like contrast may be drawn between the attitude of the zoölogist, on the one hand, and that of the breeder or fancier on the other.

It is to be observed, however, that these two views in regard to natural objects are views taken by *man*, and that they refer, not to the action of these objects themselves, but to *his* action in the treatment of them. They are, therefore, after all, in reality, two views of his own conduct ; it is he alone that holds forth an ideal to be reached for them as well as for himself.

The two aspects in which the life of man may thus be viewed suggest the most appropriate division of our subject. The whole discussion will be separated into two Books, one treating of man *as he is*, the other of man *as he ought to be*. It is only the latter part of the subject to which the term Ethics is applied in its strictest sense ; and therefore we shall generally speak of it as Ethics Proper. But, before we can inquire with advantage into the ideal laws in accordance with which man's character ought to be formed, we must make some acquaintance with the forces that are actually available for its formation. Now, it is obvious that the forces of external nature can influence the life of man, only by stimulating into activity the forces that are organized in his own nature ; and therefore it is to the forces of his own nature that our attention must be directed, in order to understand the influences by which his character is formed. - But the study of these forces forms a part of the science of Psychology ; and consequently the first Book of this work, which is devoted to this study, may be distinguished from Ethics proper, as the Psychological Basis of Ethics.

For this reason our science is compelled to draw

upon Psychology for some of its materials ; but Psychology is not the only science with which it is thus brought into contact. Man is not a solitary ; he stands in manifold relations to his fellows ; and there can be no normal development of human nature, except under the reciprocal action of human beings. By far the largest part of those obligations which embody what men ought to be, arise out of the relations in which they actually stand to one another. It will appear, also, that the very possibility of realizing the moral obligations of men implies that they exist, not merely in an indefinite relation to one another, but in that definitely organized association which we understand by the name of a state, — a community of men under one government. The ethical relations of men, therefore, necessarily take us beyond the individual ; they require us to view men as forming regularly organized societies. The study which inquires into the laws of social life, is properly called Politics, Political Science, or Political Philosophy ; and it thus appears that the problems of Ethics inevitably run over at many points into those of Politics. It is therefore impossible to separate the spheres of the two sciences by a sharp line of demarcation ; the main difference to be kept in view being the fact, that in Ethics it is the good of the individual that forms the prominent object, the good of society being considered as subservient to that, whereas in Politics this relation is reversed ; though even here we must never lose sight of the fact that the good of society is the good, not of an abstraction, but of the concrete individuals of whom society is composed. This will

explain why many of the most celebrated works in the literature of our subject, like the "Republic" of Plato in the ancient world, and the "Leviathan" of Hobbes in the modern, might with equal propriety be described as treating of Political Philosophy.

It thus appears that Ethics is of necessity led to abstract from the limitations of individual life, and to contemplate the good of man as a social being; but a wider abstraction than this is also in some measure forced upon the science. All that is valuable, and is therefore considered good in human life, is connected with an established order. The savage condition is one in which there is nothing settled, — language, law, abode, are all fluctuating; the immutable principles of reason have not yet stamped themselves upon the life of man. With the advance of civilization, rational order comes in; man seeks more and more permanence in his life. This permanence is represented in the laws and customs which govern every state, however rude its civilization may be. But is there no principle to govern the life of man, more permanent than the laws and customs of different states? Is there any law of human conduct that is absolutely immutable and eternal? This question obviously takes us beyond the range even of Politics, or of any other science which is limited to man; for it seeks to find a law which is imposed upon human life by the very nature of things. But the essential nature of all things is determined by the Primal Cause that gives them existence. Now, the science which inquires into the Primal Cause of all things is Theology; and, consequently, under the treatment

of some great thinkers, Ethics has become more or less intensely theological. A conspicuous example is the "Ethica" of Spinoza, who is compelled by his own pantheistic standpoint to view all individual good in its essential connection with the Infinite Substance, in whom, or in which, all individual existence disappears.

Those points at which Ethics touches Politics on the one hand, and Theology on the other, will be more fully unfolded in their proper place. Meanwhile, it must be kept in mind that our science deals essentially with the obligations which point to the ideal good of the individual, and it is only incidentally that it refers to the good of society, or that of the universe at large.





# BOOK I.

## THE PSYCHOLOGICAL BASIS OF ETHICS.

As already stated, this Book is intended to inquire into the actual constitution of man for the purpose of finding out the influences upon which he must depend for the development of his character. In this inquiry it will be convenient to consider man, first of all, in a purely natural or non-moral aspect, and then proceed to examine those factors of his constitution by which he is rendered capable of morality. This Book divides itself therefore naturally into two Parts.



## PART I.

### MAN NATURAL.

MAN is connected with the great system of things which he calls Nature: *human nature* is, in fact, a common expression by which he describes his own constitution. The various aspects in which human nature may be viewed, form the subject of various sciences, and do not belong therefore specially to Ethics. But as the nature of man forms the natural basis of his life in general, so it forms the natural basis of his moral life in particular, and therefore we are interested in finding out those facts in his natural organization which render moral life a possibility in nature. The organization of man may be viewed in its physical and in its psychical aspects separately.



## CHAPTER I.

### PHYSICAL NATURE OF MAN.

IN its *matter* the physical nature of man is connected with the existing matter of the organic and inorganic worlds, governed by the same mechanical, chemical, and physiological movements which are traceable in these. In its *form*, man's physical nature is connected historically with the past evolutions of the organic world. But in this form two kinds of facts may be distinguished; for some features of our physical organization are common to the whole human race, while others are characteristic of particular individuals or of particular sections of mankind.

#### § I. *Common Physical Nature of All Men.*

The general structure and functions of the human body are essentially identical in all men. That structure and those functions form the subjects of Anatomy and Physiology. In its psychological aspect the body is spoken of as the organ of the soul; and a scientific Psychology insists on giving to this expression its fullest and most exact meaning. It is not merely the brain, or any other limited portion of the body, that serves the purposes of the soul's life. The whole body, in all its organs and in all their func-

tions, is subservient to these higher uses. It is especially to be noted in connection with Ethics, that the body of man is adapted for the purposes of moral life in particular, as well as for those of human life in general, by the fact that it is endowed, not merely with a receptive sensibility through which it is played upon by external forces, but also with an apparatus of muscular activity, by which it can react upon these forces, and shape the material world to the uses of man.

The human body has many features that are common to it with that of the lower animals, yet it is also peculiar to man ; and probably science may one day be able to show that this distinctive peculiarity in the organism of man extends to the structure and action of every tissue. It is not, therefore, to be supposed that the physical basis of man's higher life is to be found merely in his brain with its greater relative mass and more complicated convolutions, or in the untraceable ramifications of nerve-fibre which thrill with sensation and movement every part of the body. Even the lowest organs and functions of animal life in man, such as those of digestion or reproduction, are undoubtedly differentiated in some peculiar way by the fact that they furnish the physical conditions for the life of an intellectual and moral being. The ethical import of this fact will appear more clearly as we proceed ; but even here it may be observed that that feeling of the sacredness of the body, which shrinks from injuring it by ungentle violence or defiling it by the impurities of sensual excess, will probably gain force from the scientific

reflection which regards the body as capable of becoming an abode of the spirit of morality, — “a temple of the Holy Ghost.”

§ 2. *Distinctive Physical Nature of Individuals.*

But besides those features of their physical organization which are common to all men, there are others which distinguish different individuals and classes.<sup>1</sup> These distinctive features are due, sometimes to influences which are extrinsic to the individual, sometimes to influences which are intrinsic.

I. The influences here spoken of as *extrinsic* to the individual are those of *heredity* or *race*. Among the general ideas by which the various departments of Natural History are modified at the present day, there is probably none more powerful than that of hereditary influence as a factor in determining the peculiarities of organic life. Here, therefore, it would be as idle to demonstrate, as it would be to controvert, the fact of this influence. Even to the unscientific eye, hereditary features are stamped too conspicuously on the external configuration of all organisms to have allowed at any time serious doubt as to the actuality of this force in organic life. All that science needs to add to the common convictions of men on the subject is in drawing attention to the fact that hereditary influences extend not only to the more obvious features that shape the exterior form of the body, but also to the minutest structures

<sup>1</sup> In connection with the subject of this section the student is referred to my *Handbook of Psychology*, pp. 7-12.

in the interior, — to brain and nerve, as well as to muscle and bone.

II. Hereditary features are traced to sources outside of the individual; but other characteristics of our physical nature arise from influences which, as residing in the constitution of the individual himself, may be spoken of as *intrinsic*. Among these some are more general, others more particular.

1. The more general influences are found in the stable factor of *sex*, and the variable factor of *age*. Here it need only be observed that the influence of these factors can be truly appreciated only when they are viewed as modifying more or less powerfully the entire human physique. To take the more stable factor by way of illustration, it would be a gross scientific blunder, involving not only an inadequate Psychology, but perhaps also a more objectionable morality, to restrict the difference of sex entirely or mainly to one set of organs. As a true Physiology and a true Psychology look on no single organ, but rather on the whole organism, as being the organ of mind, so they compel us to regard the whole organism as an exponent of the difference of sex.<sup>1</sup>

2. Many of the influences which modify the physical life of man are characteristic merely of individuals. Of these some, like height and beauty or deformity, may be traced, in part at least, to heredity. Others are peculiarities of structure and function, resulting from accidents of individual life, such as injury or disease. These influences are apt to be more stable in their operation. But a more

<sup>1</sup> *Handbook of Psychology*, p. 379.



variable effect is produced by the peculiar modification which may be given to the structure or function of any organ, or set of organs, by the particular habits of an individual.

§ 3. *Man's Relation to his Physical Nature.*

The general relation of man to nature is indicated by the fact, which will be more fully unfolded in the sequel, that he, as an intelligent agent, stands over against all unintelligent phenomena, in a manner wholly different from that in which they are related to one another. The very function of intelligence, instead of being merely a product of natural forces, is to become conscious of these, and thus to free the intelligent being from their unqualified sway. It is thus that every advance in intelligence, giving to man a deeper insight into the forces of nature, elevates him into a position from which, instead of moving in helpless subjection to their control, he learns to control them himself and direct them to his own purposes.

This control of man over natural forces might, in one view, be expected to cease when the forces are centred in his own nature, forming him into what he naturally is. But in another view it may quite as reasonably be assumed that the forces of his own nature, as nearest to him, are precisely those which he can most readily hold in check by the free activity of his intelligence; and therefore we find that such influences as race and sex and age are very far from exercising over man the dominion of an uncontrollable force. The freedom of mind from the tyrannous

sway of sex is seen in the manly courage which emergencies have sometimes called forth in women, and in the womanly tenderness often displayed by stern men. In like manner the natural tendencies of age are also at times counteracted : youth occasionally displays a sober thoughtfulness more characteristic of advanced life, while a happy juvenility of spirit is not infrequently carried down into a hale old age. Neither do race-differences form the sole, or even the most potent, influence in national organization ; it is an obvious fact of history, that they are being perpetually overridden by spiritual affinities which weld into one community groups of men who are extremely different in their origin.

## CHAPTER II.

## PSYCHICAL NATURE OF MAN.

THE freedom which the immediately preceding section ascribes to man, over the forces even of his own nature, becomes more marked in psychological life; and therefore that life is sometimes described as if it were independent of natural law to an extent which is wholly inconsistent with the most elementary notions of Psychology. It has been a prominent controversy in Theology, as well as in Philosophy, whether, and to what extent, the psychological nature of man, upon which his morality founds, is affected by hereditary influences. In the Christian Church it has been condemned as a "heresy," and in Philosophy, especially as influenced by the predominant scientific ideas of our own day, it is likewise an untenable theory, that man's nature is independent of the particular race with which he is hereditarily connected. Every department of science which treats of human life is being profoundly modified by the conviction that human nature, as we find it now in all its manifestations, is in some sense an evolution of human nature as it existed in the past. Accordingly the mental life of every man is, in a large measure, hereditarily determined by the narrower influences of his immediate ancestry, by the wider

influences of the particular race to which he belongs. It is impossible therefore, even if it were desirable, to carry out that crude radicalism which would act without any regard to the past history of the individual, of his family, or of his race. No men *can* cut themselves adrift from the past with which they are connected by nature; and this natural fact will be found to be of high moral and political significance, as pointing to the source from which arise the distinctive obligations devolving on every individual and on every people.

In his mental life, therefore, as well as in his physical, there are peculiarities which every individual brings into the world with him.

The influence of these native peculiarities may be traced through all regions of mental activity. They produce idiosyncrasies of intelligence, they determine distinctive emotional temperaments, and they give that peculiar energy to the will which mainly goes to form what is commonly understood by individuality. Regarding the extent to which these influences of "blood" affect the higher life of man, two extreme views have been maintained. One may be described as the aristocratic view, holding, as it does, that nature has established an aristocracy of mind, and that the great movements of human history are mainly directed by the force which issues from the exceptional heroes who form this aristocracy. Another view may be contrasted with this as the

<sup>1</sup> Carlyle, in his works *passim*, but especially in his *Lectures on Heroes, Hero-Worship, and the Heroic in History*, may be taken as the chief representative of this view.

democratic extreme, seeking rather to level heroic natures down to the plane of average humanity, and regarding great men as simply the creatures, and in no true sense the creators, of the epochs which they represent. A sober science will probably steer clear of both doctrines, at least in their extreme form. But the controversy between them is not one which we are called to settle. For us it is sufficient to recognize the general fact, that every man is marked by peculiarities of mind which have their source in his natural constitution.

It is in these inborn peculiarities that the power of natural law over the mind is chiefly manifested. Their influence, like that of other natural forces, is of course limited in normal life, and becomes uncontrollable only under disease. In morbid conditions, however, the purely natural movements of mind often pass beyond the control of intelligent volition, and play the most fantastic freaks. It is a significant fact in this connection, that the achievements of that exceptional native power which is commonly understood by the name of *genius* have often been classed along with the eccentricities of mental disorder.

Still, the true nature of self-conscious mind would be wholly misunderstood, if it were viewed as related to the forces of nature simply in the same way as these are related to one another. The evolution of human consciousness is a growing insight into the laws of nature, external and internal, this insight being accompanied with a growing power over internal feeling as well as external conduct. All mental life draws its natural materials from the sensations

which are excited by the play of external forces on the physical organism. The materials of sense, thus supplied, come under the operation of mental agencies, and by these are organized into those complex combinations that constitute the concrete phenomena of mind. Among these organizing agencies of mind there is one of a lower order, whose laws are in their character akin to those of natural causation in general. This is the agency known as Association, or Suggestion. In appearance at least, suggestion is simply the order in which mental phenomena uniformly follow one another in time, as the laws of nature in general express the uniformities of sequence among natural phenomena. We find accordingly in experience that it is in this procedure of mental life that we are most apt to be dominated by successions of thought and feeling which are more or less independent of our control. Even in moments of the most active mental exertion we are often tormented by the distracting suggestion of thoughts which have only a superficial and extrinsic association with the immediate subject of study; while at times, when the higher energies of mind are dormant, as in the dreams of sleep or even in daydreams, the fantastic riot in the play of conscious life is mainly due to the fact that its course is directed by superficial associations instead of real or logical connections.

But the mental life of man is not wholly ruled by the somewhat mechanical agency of association: there is a higher energy of mind, which is recognized in common language by various names, such as thought, intellect, understanding, reason. In all its

forms this function of mind consists essentially of comparison; and it is by means of it that we become conscious of relations, of the resemblances and differences of things. The evolution of mind in all its manifestations will be found to imply the growing ascendancy of this higher function over the lower. It is this conscious comparison that discovers to us rational, real, or objective connections, and frees thought, emotion, and will from the influence of associations that are purely subjective, non-rational, unreal.

For a detailed exposition of this progressive ascendancy of reason in the mental evolution of man the student must of course refer to some work on Psychology. But without digressing into questions of purely psychological interest, we may notice in the various manifestations of mental life one or two facts which it will be useful for the student of Ethics to keep in mind. It is common among psychologists at the present day to divide the manifestations of mind into three classes, — cognitions, feelings, and volitions. For convenience this classification will be assumed without criticism, at least in its general outline. In all these three forms of activity it will be found that the development of mind means the extension of the control of mere association by reason or reflective comparison; and the evidence of this general law may prepare the way for a recognition of the more particular fact, that the same process of mental development leads to that organization of cognition and feeling and will which is understood as morality.

I. *Cognition*, or knowledge, of course implies the lower process of suggestion ; but it becomes knowledge, that is, it becomes a conscious apprehension of objective reality, only by reflective comparisons. Of the knowledge thus acquired, two uses may be distinguished in human life ; knowledge may be either speculative or practical. It is merely speculative when it is sought for its own sake, without reference to any ulterior purpose for which it may be employed. But knowledge may furnish a rule for the guidance of our conduct by pointing to a result which may be attained by our own activity. Knowledge is then of something more than merely speculative interest ; it becomes practical. It need scarcely be added, that it is in such practical application, that cognition forms a factor of morality.

II. *Feeling*, or emotion, like cognition, finds, of course, its natural origin in sensation ; for sensations are sources not only of information, but also of pleasure and pain. The association of sensations in consciousness gives rise to emotions of a complex character, and these complex feelings enter into more complex combinations. But here again may be traced the general tendency of conscious life to free itself from merely natural associations. For the complexities of emotion are developed not merely by unreflective associations, but also by the higher exercise of reflective thought ; and it is the influence of this higher activity that directs the general course of emotional development. It has often been noticed, with regard to some feelings, like resentment, that they appear not only in the form of hasty, unreason-



ing passions, but also as deliberate or intelligent emotions which tend, with the progress of culture, to supersede the lower stage of feeling. The same tendency may be traced, more or less distinctly, all through the emotional life, at least after it has left the stage of mere sensation. It is among the higher developments of emotional life under the influence of reflective thought, that the strictly moral feelings make their appearance.

III. *Volition* — voluntary action — finds its natural basis and origin in the impulsive power of sensation, that is, its power as a motive to stimulate activity. This impulsive power attaches to all the feelings, those of most intricate complexity as well as those of simple sensation. But here again the mental life may be traced through the same stages of evolution that have been already pointed out. In their lower form motives are merely the unreflective incitements of pleasure and pain,—“blind passions;” but in their higher form they become intelligent directors of conduct towards some end. It is the introduction of this factor of intelligence into the direction of our conduct, that lifts it out of the sphere of mere natural causation to the higher plane of self-conscious volition. By this ὁρεξις becomes προαιρεσις.

Volition properly introduces us to the moral phenomena of human life, and the full discussion of it must therefore be reserved for the next Part of this Book. It has indeed been a moot point among moralists, whether any actions of man are *indifferent*, that is, neutral in regard to morality. This question has been sometimes connected with a doctrine which

formed a prominent feature of Stoical Ethics, and was carried to great extravagance by the Cynics of ancient Greece, as well as by many semi-philosophical and religious sects with a practical code of a severely ascetic type. The doctrine maintains that everything in human life is indifferent to the wise man, except virtue and vice. In this sense of the word, "indifferent" must be understood to denote anything that is neither good nor evil in its essential nature. The question, therefore, which is raised by this doctrine, belongs in strictness to Ethics proper; it is an inquiry into the real nature of the Supreme Good, to which the life of man ought to be devoted.

The doctrine of the Stoics might seem, on a superficial view, to maintain that some of the actions of men are morally indifferent; but on a deeper view this inference appears to be unfounded; for the Stoics held that anything which is beyond the reach of the will—any condition which can neither with certainty be attained nor with certainty avoided by voluntary effort—cannot be called good or evil in any true sense of these terms. Moral good and evil were thus restricted to the sphere of voluntary activity; and it was probably understood as an implication of this doctrine, that all volition partakes of a moral character.

It is true, there is a case in which voluntary actions are commonly and properly spoken of as indifferent. When, as often happens, the same end may be reached by a variety of means, it may be quite indifferent which of the means is selected, even though the obligation to reach the end may render it

imperative to adopt some means for the purpose. With regard to this kind of indifference, there can be no dispute. But, even in this case, action cannot be said to be absolutely indifferent : it is indifferent merely in relation to the choice of means, but not so far as regards the attainment of the end.

It is also true that some phenomena of human life, which are commonly spoken of as actions, are certainly indifferent in a moral point of view. Such is obviously the case with actions that are done without any purpose. But such actions are not voluntary. A voluntary action—a volition—is precisely an action directed by intelligence to the accomplishment of a certain end. It is only then that action becomes moral ; and an action cannot but have a moral character, when it is voluntarily controlled by an intelligent purpose.



## PART II.

### MAN MORAL.

IN the previous Part we have seen, that, even when we approach the study of man from the side of his *natural* constitution, the *moral* aspect of his life obtrudes itself upon our view; for the development of his mind elevates him above the uncontrolled dominion of natural law, into the sphere of an independent moral activity. This was indicated in all the regions of his mental life. First, it was shown that the knowledge which he acquires by the exercise of his cognitive powers, grows to be of more than speculative interest. As an active being, he cannot choose but find, in the truths revealed to his knowledge, rules of practical use for the guidance of his conduct. It was further pointed out, that his actions are thus no longer the results of mere blind impulses, but assume the character of intelligent volitions, to be estimated by reference to the value of the ends which they are designed to serve. And it was also observed, that, among the complicated emotions excited in the conscious life of man, not a few derive their peculiar tone from the moral character of his actions. These general results must now be examined in fuller detail, that we may understand exactly the moral facts of the human constitution.

The moral life of man appears in all the three phases in which his conscious life, in general, is manifested ; and therefore, in analyzing the moral consciousness, it will be convenient to consider it as cognition, as feeling, and as volition. To each aspect we shall devote a separate chapter.

But, before entering on our inquiry, an explanation seems necessary, regarding the method to be pursued. It is evident that there are innumerable differences in the moral consciousness of men, extending over the vast interval between the conscience of an Australian savage, and that which has been developed among the finest types of Christian civilization. It appears, therefore, as if, at the very outset of our inquiry, we were arrested by the formidable, if not insuperable, difficulty of determining where we are to find the moral consciousness in its purest or most distinctive form. It has been a common assumption of empirical thinkers, which still perverts the Empirical Evolutionism of our day, that the *earlier* instances of a phenomenon are the *simpler*, that the later are the more complex, resulting from a combination, in time, of the former. The confused consciousness of the savage or the child is therefore, by an ambiguity of language, described as *simple*, in contrast with the distinct consciousness that characterizes the educated man of civilization ; and, accordingly, the psychologist is referred to the former, rather than the latter, for a knowledge of the precise phenomenon which he may wish to study. Thus, in a work which professes to be an exposition of Æsthetics, from the standpoint of Empirical Evolutionism, the writer observes :

“The worshipper of art . . . will probably regard with contempt every species of æsthetic emotion except those most elevated ones which are capable of gratifying his own fastidious and educated taste. I have been careful, on the contrary, to seek first for an explanation of such simple pleasures in bright color, sweet sound, or rude pictorial imitation, as delight the child and the savage; proceeding from these elementary principles to the more and more complex gratifications of natural scenery, music, painting, and poetry.”<sup>1</sup>

A similar illusion infects to some extent the labors of the so-called historical school, which is doing valuable service in elucidating the historical origin of many phenomena in human life. Even the most eminent representative of the school in English literature seems to be misled at times in expecting from its methods far more than any mere history can possibly yield. “It would seem antecedently,” says Sir Henry Maine, “that we ought to commence with the simplest social forms in a state as near as possible to their rudimentary condition. In other words, if we followed the course usual in such inquiries, we should penetrate as far up as we could in the history of primitive societies. The phenomena which early societies present us with are not easy at first to understand, but the difficulty of grappling with them bears no proportion to the perplexities which beset us in considering the baffling entanglement of modern social organization. It is a difficulty arising

<sup>1</sup> *Physiological Æsthetics*, by Grant Allen, B.A. Preface. Compare pp. 46, 47.

from their strangeness and uncouthness, not from their number and complexity. One does not readily get over the surprise which they occasion when looked at from a modern point of view; but when that is surmounted, they are few and simple enough. But, even if they gave more trouble than they do, no pains would be wasted in ascertaining the germs out of which has assuredly been unfolded every form of moral restraint which controls our actions and shapes our conduct at the present moment.”<sup>1</sup>

If these words are taken in their full import, they would imply that the sublimest moral ideas and feelings and customs of modern civilization contain not a single factor which is not to be found in the ideas and feelings and customs of primitive savage life, the former being, in fact, merely a more or less complex combination of the latter. But there is a fatal confusion lying at the root of such an assumption, — a confusion that seems astonishing enough when it is seen to affect the word *simple*. This term is used in two meanings, which are not only different, but apt to be directly opposed. It is often applied, in contradistinction from *composite*, to denote anything which, though capable of entering into combinations with other things, is itself indecomposable. But it is also frequently employed, especially in the sciences of human life, to describe phenomena which have not been subjected to any complicated artificial analysis, but are left in their original natural unity, even though that unity be merely a confusion of elements

<sup>1</sup> *Ancient Law*, pp. 115, 116 (Amer. ed.).



so manifold and so entangled as to form an object of despair to the scientific analyst.

There is no department of science in which it is not essential to keep this distinction in view. All through the material world, even in the phenomena of mechanism and chemism, the "simplicity" of nature is almost always a combination of so many elements, and a confusion of these so complete, as to have baffled the analysis of scientific thought till comparatively recent times. Sir H. Maine illustrates the doctrine of the passage quoted above by reference to the procedure of Chemistry. "The mistake," he says, meaning the mistake of not commencing with the earliest forms of society, "is analogous to the error of one who, in investigating the laws of the material universe, should commence by contemplating the existing physical world as a whole, instead of beginning with the particles which are its simplest ingredients."<sup>1</sup> True, the chemical combinations of matter, to be completely understood, must be resolved into their constituent elements. But these elements are not found in the forms of matter which nature evolves first in the order of time. On the contrary, they are later products of a complicated and artificial analysis; and the further back we go, there is some reason to believe, we come nearer to a state in which matter appears merely as an indefinite incoherent homogeneous mass. If the historical method, as conceived by Maine, were applied to Chemistry, there might be some justification for the earliest of European thinkers pitching upon water as

<sup>1</sup> *Ancient Law*, pp. 115, 116 (Amer. ed.).

the primal principle of things ; for it is a more simple product of nature than the hydrogen and oxygen into which it is resolved by the complex analysis of the modern chemist.

If this method is inapplicable in the sciences of external nature, can it be applied in the science of mind? Are we to seek, in the so-called simple feelings and thoughts of the child or savage, the really simple elements which enter into, and explain, the complex combinations that make up the activity of the mature mind in civilized life? As already stated, this has in general been an implicit assumption of Empiricism ; and it is perhaps essential to that system of thought. For if the human mind is wholly a product of human experience, then its latest phenomena can be nothing more than aggregations of elementary feelings furnished in earlier life ; and the whole problem of Psychology must be to trace those later aggregations back to the earlier feelings out of which they have been formed in process of time.

This assumption has been announced, as a general principle of philosophical inquiry, perhaps more explicitly by Mr. J. S. Mill than by any previous empiricist. The opponents of Empiricism have often pointed out, in more or less explicit language, that, while it is a proper enough inquiry of empirical Psychology to find out the temporal conditions under which an idea makes its appearance in consciousness, the real source of the idea may be, not in the combination of these conditions, but in the very necessities of a self-conscious intelligence, these conditions forming merely the occasions on which intelligence

calls into play its own intrinsic resources. In the early part of this century, Cousin, in his famous critique of Locke's *Essay*, had expressed this fact somewhat happily by distinguishing between the *chronological* and the *logical* origin of an idea; that is, between its origin in time and its origin in the necessities of thought.<sup>1</sup> In criticising this valuable distinction, Mr. Mill gives explicit utterance to the principle of Empiricism, maintaining that, in the last analysis, Philosophy has no question with regard to the origin of our ideas, except that which concerns their temporal order, — their origin in time.<sup>2</sup>

If this assumption of Empiricism were justified, we should require to resort to the consciousness of primitive man as presenting human ideas in their purest analytic clearness, free from the complexities amid which they are entangled in the syntheses of the cultured mind. The rude delights of barbarism and child-life would present the purest types of æsthetic feeling, the true nature of which is only concealed in the developed consciousness of the civilized artist. The unskilled measurements of the primitive me-

<sup>1</sup> *Course of the History of Modern Philosophy*, Lectures 16 and 17.

<sup>2</sup> See his article on "Bain's Psychology," in the *Edinburgh Review* for October, 1859, reprinted in *Dissertations and Discussions*, Vol. IV., p. 109 (Amer. ed.). Compare also his modes of explaining the laws of nature, all explanation of these being reduced to a mere statement of temporal order (*Logic*, Book III., chapter xii.). Without entering upon the general principles of Empiricism, it may be observed that not only does Mr. Mill's candor lead him at times to recognize necessities of thought which cannot be reduced to a merely historical origin, as, for example, in his treatment of self-consciousness (*Examination of Hamilton's Philosophy*, chapter xii.), but his exposition of the historical method in social science may be taken as a corrective of extreme Empiricism, especially in reference to the particular point at present under discussion (*Logic*, Book VI., chapters x. and xi.).

chanic should then be taken as conveying a "simpler" idea of space and its figures than all the "complexities" which geometrical science has developed since the time of Euclid; modern Astronomy and Chemistry should be regarded as a perplexing departure from the primitive "simplicity" of the astrologer and the alchemist. It would seem also, that, since the belief in ghosts precedes the belief in God, the later belief can be merely a more complex modification of the earlier.<sup>1</sup>

The truth is, therefore, that the whole method of referring to the undeveloped consciousness of the child or savage for the logical type and source of the contents which are to be found in the educated consciousness of civilized life is based on a false psychological theory as to the course which the mind follows in its development. "It is too often fancied," says M. Renan, "that the simplicity which in relation to our analytic processes is anterior to complexity, is so likewise in the order of time. This is a relic of the old habits of scholasticism and of the artificial method which the logicians brought into Psychology. For example, from the fact that a *judgment* can be

<sup>1</sup> It is but due to Mr. Herbert Spencer to observe that, although one of the most prominent representatives of the theory which traces the historical origin of the religious consciousness to the belief in ghosts, he has yet explicitly protested against the assumption that the historical origin of an idea can settle the question of its logical origin, that is, its philosophical foundation. To him the religious consciousness, even at the first, "contained a germ of truth obscured by multitudinous errors;" and as this germ is more fully expanded in the later developments of the religious consciousness, it can be far more clearly comprehended as it appears in these than among the multitudinous errors by which it is obscured in the religious consciousness of primitive man. See his controversy with Mr. F. Harrison in *The Nineteenth Century* for 1884, especially his first article.

decomposed into *ideas* or simple apprehensions stripped of all affirmation, the old logic inferred that simple apprehension precedes the affirmative judgment in the mind. Now, the judgment is, on the contrary, the natural and primitive form of the exercise of the understanding: the idea, as the logicians understand it, is only a fragment of the whole action by which the human mind proceeds. So far from the mind beginning with analysis, the first act which it performs is, on the contrary, complex, obscure, synthetic; everything is huddled together and indistinct. 'Rude men,' says Turgot, "do nothing simple. It requires men of culture to reach that.'" <sup>1</sup>

There is no more satisfactory evidence, especially where historical records fail, with regard to the mental condition of primitive man, than that which is afforded by language; and the remarks just quoted from Renan form the introduction to a number of illustrations which he gives of the quaint syncretism that characterizes early speech. A larger body of evidence on the same subject is collected in Dr. Romanes' recent work on *Mental Evolution in Man*; <sup>2</sup> and this evidence is all the more valuable, as it is given in a work whose primary object is to maintain the most thorough empiricism with regard to the origin of man. All evidence, therefore, goes to show that, as the evolution of the human mind is

<sup>1</sup> Renan's *De l'Origine du Langage*, pp. 151, 152.

<sup>2</sup> Chapter xiv. For details, which are often extremely interesting, the student must refer to Renan and Romanes, and the numerous authorities whom they cite. Earlier recognitions of the same truth with regard to primitive language are noticed in Thomson's *Outline of the Laws of Thought*, §§ 20-22.

towards a more distinct analysis, that must be a mistake in method which seeks the really simplest form of any mental phenomenon in the confused consciousness of the savage or the child. In the cultured mind of the civilized man, a phenomenon like conscience, or taste, or the idea of God, may be so differentiated as to be clearly distinguishable, whereas in the undeveloped mind of the savage or the child it may be so commingled and confounded with other phenomena as to be unrecognizable except in the light of the more analytic consciousness. This principle must therefore determine the method upon which we are to proceed in our present inquiry. Although we must not ignore any form of the moral consciousness which has made its appearance in the moral history of mankind, yet, if we wish to know what the moral consciousness distinctively is, we must study it, not at those stages of an undeveloped moral life in which it is still inextricably confused with other ideas and feelings of a purely natural order; we must examine it rather in the light of that highly differentiated moral activity which forms the latest and noblest fruit of civilization.

## CHAPTER I.

## THE MORAL CONSCIOUSNESS AS COGNITION.

THOUGH the language of some philosophers might seem to imply that they regarded the moral element in our consciousness as exclusively emotional, yet it is impossible to express the moral consciousness in terms which do not imply that it involves a cognition. In its etymology the term *conscience* denotes most prominently the cognitive aspect of the moral consciousness ; and it is by the activity of conscience that we are furnished with those factors of our knowledge which we call moral *ideas* or *notions*, and moral *judgments*. It is these ideas and judgments that we have now to analyze.

Conscience is the cognitive activity called into play when we are consciously in presence of a moral action. If we reflect carefully on this activity, we shall find that it refers to three facts, which it is important to distinguish, in connection with the moral action to which it is directed. (1) We are conscious that the action *ought* or *ought not* to be done. (2) We are conscious of a certain quality in the action, by virtue of which it ought or ought not to be done. (3) We are conscious that the action is one for which the agent deserves a certain requital. The first of these facts is generally spoken

of as *moral obligation*. The quality of an action, upon which moral obligation depends, is denoted by such words as *rightness* and *goodness*, with their opposites, *wrongness* and *badness*; while the third characteristic, to which our moral judgments refer, is briefly described as *desert*. To each of these subjects a separate section will be devoted.

Throughout the whole of this discussion, it is of great importance for the student to bear in mind, that the questions involved are purely psychological, dealing merely with subjective facts, that is, with our consciousness of obligation, of goodness, of desert. These psychological questions must, therefore, be kept at present wholly distinct from the strictly ethical inquiry into what it is that in reality constitutes the obligation, the goodness, and the desert of actions.

### § I. *The Consciousness of Moral Obligation.*

Before attempting to explain any phenomenon, it is necessary to know precisely what the phenomenon is; and therefore we must first endeavor to present clearly the exact *nature* of the consciousness of moral obligation before we inquire into its *origin*.

When the fact of moral obligation is clearly apprehended, it must be felt that scarcely anything in the universe is calculated to fill the mind with deeper awe. The "fearful and wonderful" structure of organic forms, the minuteness of the objects and processes revealed by the microscope, even the vastness of the starry spaces,—these do not awaken more solemnity of thought than the deliverance in our



consciousness of a law, more limitless than the whole material universe, unrestricted in its demands by the limitations of time or of space. For the distinctive characteristic of this consciousness, as it is developed under a pure moral culture, is the unconditionally imperative claim which it makes upon our obedience.

This characteristic of absoluteness is often spoken of as the supremacy of conscience, and it is implied in every conception of the moral consciousness that is worth considering. It is finely embodied, for example, in Plato's comparison of the individual to a state, with his various powers performing different functions corresponding to the functions of the different classes of society, but all subordinate to the governing authority — τὸ ἡγεμονικόν. It is evident, therefore, that the very function of the moral consciousness, even the nature of man as a whole, would be misunderstood, if we failed to recognize the absolute authority with which this consciousness asserts its claim for obedience. The phenomenon, which we require to explain, is the consciousness of an unconditionally imperative demand upon us, — of a duty which we are under an absolute obligation to fulfil. "Duty! thou sublime great name, . . . what is the origin that is worthy of thee, and where are we to find the root of thy noble descent?"<sup>1</sup>

In seeking an answer to this question, we come upon two fundamentally antagonistic views of man. One of these looks upon him as simply one among

<sup>1</sup> Kant's *Kritik der Reinen Praktischen Vernunft*, p. 91 (Hartenstein's ed.).

the manifold phenomena of nature, acted upon by them precisely in the same way as they are acted upon by one another. On this view, all the facts of man's life are merely products resulting from the agency of the forces of nature; and therefore, the consciousness of man, in all its aspects, is shaped entirely by the action of these forces upon his organism. As the consciousness thus produced is due wholly to man's experience of natural phenomena, the theory in question is commonly described as experiential, or empirical, sometimes as naturalistic, sometimes by other equivalent names which will be noticed hereafter.

The opposite theory finds in the consciousness of man a factor or factors transcending the order of natural phenomena, and not to be accounted for by any mere experience of that order. The theory is, therefore, often spoken of as Transcendentalism.

The antagonism between these two views runs more or less prominently through the whole history of Philosophy, and affects the solution of all great philosophical problems. In our present inquiry we come upon this antagonism almost at its very centre, — certainly at a point where the highest interests of human life are most closely involved. Here, therefore, the feelings are apt to be so warmly enlisted, that it is important to put the student on his guard against sacrificing truth to cherished wishes or pre-conceived opinions.

It will be convenient to discuss the two theories separately.

*Subsection I. — Empirical Theory.*

We shall first sketch the explanation which the empirical theory gives of the consciousness of moral obligation. Like all doctrines which have played a conspicuous part in the history of speculation, the theory in question cannot be reduced to one statement embracing all the various forms into which it has been modified by its numerous representatives. Still, these various modifications affect merely details. Under all modifications, the essential drift of the theory remains the same: it is an endeavor to show how, by the natural experience of a being without any ideas of morality, a consciousness of moral obligation is produced. We shall, therefore, sketch the theory in its leading features, noticing a few of the more important modifications as we proceed.

I. *Empirical Theory stated.* — The gist of this theory will perhaps be grasped most clearly by distinguishing three stages through which our consciousness is supposed to pass before it becomes distinctively moral.

1. Seeking the origin of the moral consciousness in a consciousness which is as yet non-moral, the empiricist first inquires, what is the earliest experience which human life brings, that actions are not indifferent, that they do possess a different worth of some kind? In accordance with the general principles of his Philosophy, the empiricist finds this early experience in the more mechanical agency of mind, — in the associations which different actions form in our consciousness. These associations are founded on

the laws of natural causation ; for every action is a natural cause, followed with invariable uniformity by its appropriate effect. The effects of different actions, however, are different ; and it is the association of different kinds of action with different effects, that furnishes the primal experience of a difference in the relative worth of different actions. This association is too obvious to be disputed. The proverb, that a burnt child dreads fire, is merely one of many familiar evidences of the association which the mind forms, even in early life, between our actions and their results.

The peculiar results of action, upon which the consciousness of moral obligation is alleged to be founded, are variously estimated by different empiricists. Yet all these variations in the exposition of the theory unite in maintaining that the results of our actions, which produce the consciousness of moral obligation, are always some form of pleasure or pain. The pleasures and pains resulting from our actions, appeal in the first instance to that regard for our own welfare which is understood by self-love or prudence ; and writers who defend what is known as the Egoistic<sup>1</sup> Theory of Morals, regard conscience as being merely a kind of prudential calculation. Even

<sup>1</sup> It is common among older writers to dub this the Selfish Theory ; but as the term *selfish* is, in common usage, always understood to imply opprobrious practical consequences, it is scarcely fair to use it in reference to a purely speculative doctrine. In ethical controversy it is necessary, in general, to avoid confounding the practical with the speculative ; and when a practical tendency is alleged, it should be alleged rather as a logical inference than as an actual result. It is true that generally in practical life men fall short of their moral theories, but sometimes they rise superior to them ; and there have been speculative egoists, like Helvetius, of conspicuous benevolence in practice,

here there are great differences of detail in the exposition of egoistic systems; some moralists analyzing conscience into a self-love of such a liberal character as to include a regard for others among its indispensable factors, while in all ages there have been a few writers who seem to take a peculiar delight in shocking the common convictions of men by eliminating from the moral consciousness every element of disinterestedness, and reducing it to a more or less concealed craving for some petty personal gratification.<sup>1</sup>

But, with a fuller regard for the demands of Psychology, the most eminent modern expositors of Empiricism give prominence to the fact that we are able to enter, by a fellow-feeling or sympathy, into the pleasures and pains of others, making them for

while among the ancient Epicureans disinterested friendship became a sort of religious cult. After speaking in generous terms of Epicurus and his followers, Cicero remarks, "Ita enim vivunt quidam, ut eorum vita refellatur oratio; atque ut cæteri existimantur dicere melius quam facere, sic hi mihi videntur facere melius quam dicere" (*De Finibus*, II. 25). — It is worth while to add, that the student should never lose sight of the distinction, familiar in the literature of Ethics, between *self-love*, which is a reasonable regard for our own well-being, and *selfishness*, which implies rather an unreasonable disregard of others, that is incompatible with true self-love.

<sup>1</sup> Of this latter class of writers, the English student of Ethics has easy access to one of the most notorious examples in Mandeville's *The Fable of the Bees; or Private Vices, Public Benefits*. In this work, published originally in 1714, or rather in the medley of dissertations by which its subsequent editions were enlarged, and especially in the *Enquiry into the Origin of Moral Virtue*, all the apparent disinterestedness of human life is declared to be in reality merely the sacrifice of one passion in order to gratify another. The particular passion which the so-called virtuous man is said to gratify, is that known variously as *pride*, *vanity*, *honor*, that is, the desire to win the esteem of men for actions which are not only difficult but really impossible, to human nature; so that, instead of hypocrisy being, according to the well-known saying of Rochefoucauld, a homage which vice pays to virtue, virtue is itself rather a homage to the power of hypocrisy.

the time to a certain extent our own; and to this mental power is traced at least that regard for others which forms such a large element in the moral consciousness. In fact, in one eminent instance the influence of sympathy has been over-estimated; for Adam Smith, in his "Theory of Moral Sentiments," analyzes every form of moral consciousness into a modification of sympathy.

Perhaps with a truer Psychology Dr. Bain is not disposed to put any rigid limit on the emotions which may contribute to the formation of the moral consciousness. Fear and love, anger, and æsthetic feeling, may all, he thinks, enter into its composition.<sup>1</sup>

2. But it is admitted, more or less explicitly, by many empiricists, that all such emotional combinations would fail to give to the moral consciousness its peculiar attribute. That attribute is traced rather to the effect of social organization upon our mental development. This organization implies, for every normal human being, an education under government from the very beginning of his existence. Even in childhood, while his life is still limited to the sphere of the family, his actions are governed by the authority of parents, guardians, nurses, tutors. As soon as he wakens to any consciousness of action at all, he learns to connect certain lines of conduct with smiles, caresses, sweetmeats, and other gifts of delight, while the opposite lines of conduct are connected with frowns, deprivations, and positive pains of various kinds; in a word, certain actions are,

<sup>1</sup> See his *Mental and Moral Science*, p. 454; and compare *The Emotions and the Will*, pp. 277, 278 (2d ed.).

in the child's mind, associated with rewards, others with punishments. As he passes beyond the limits of the family, he finds in the community by which he is surrounded a more or less definitely organized custom, prescribing a code to be followed in his conduct, at the risk of bringing down upon him the disapproval of offended opinion, along with all the consequences which such disapproval entails. Besides this vague authority of prevalent usage, there are, in every community with a germ of civilization, the more exact requirements of positive law. These, being associated with the whole power of the community to enforce obedience, imply a strong additional inducement to do the actions commanded, to refrain from those that are forbidden.<sup>1</sup>

3. Even the influence of external government, however, could not afford a complete account of the moral consciousness. At its earlier stages, in the development both of the individual and of the race, it may remain submissive to the behests of external authority; but at a later stage it frees itself from unquestioning subjection to these, and assumes a

<sup>1</sup> The import of the influence of external government on the evolution of the consciousness of moral obligation has been recognized to some extent from the very beginning of speculation on the subject. It is implied, for example, in the teaching of the ancient Sophists, Cyrenaics, and Sceptics, that right and wrong differ from one another, not *ἐν φύσει*, not in nature, but merely *ἐν νόμῳ καὶ ἔθει*, — in the laws and customs of men; for then of course the consciousness of the difference between right and wrong could make its appearance only under the influence of those laws and customs which create the distinction in reality. But it became an essential part of an ethical theory, probably for the first time, in the philosophy of Hobbes. Among writers of the present day, Dr. Bain gives it special prominence in his *Psychology of Ethics*. See *The Emotions and the Will*, pp. 283-288, and *Mental and Moral Science*, pp. 455-459.

tone of independence. How is this new departure to be explained? It arises, the empiricist would say, from the fact, that at a certain period of mental development the child begins to exercise his intelligence upon the facts of life; and thus he comes to learn that the injunctions of his superior and the enactments of law are not meaningless restrictions on his freedom, but have been dictated by a reason. That reason he will probably find in the natural connection between his actions and their effects upon himself as well as upon others. This connection implies that his own well-being and the well-being of those who form the same community with himself are dependent, not only on the private life of each, but also on the conduct of all towards one another. Every human being thus discovers that, besides the rewards and punishments of human invention, there is a system of retribution wrought out by the unerring operation of natural law, so that the obscurest merit is sure of being rewarded by its appropriate blessing, and the skilfullest of crimes is unfailingly tracked till it bears the full measure of its appointed penalty. When a man has reached this discovery in any degree, he is no longer absolutely dependent upon the direction of others for the guidance of his conduct; he has become "a law unto himself." On attaining this stage of development, conscience becomes, to use a phrase of Professor Bain's, "an imitation within ourselves of the government without us." <sup>1</sup>

<sup>1</sup> *The Emotions and the Will*, p. 283 (2d ed.). Compare *Mental and Moral Science*, pp. 457, 458.



It remains to add, that Empiricism in Morals, as in other departments of inquiry, has, in recent times, been powerfully influenced by the theory of evolution. While the old empiricists maintained that every individual comes into the world with a moral consciousness to be wholly developed within the limits of his own experience, out of non-moral elements in his consciousness ; on the other hand, the empirical evolutionists of the present day ridicule the idea that the evolution of the conscience is a process which could possibly be completed within the brief lifetime of an individual, and extend it, accordingly, over the innumerable generations of our ancestry. We, who are the latest offspring of evolution, are born heirs to the moral culture of all the ages of the past. Every individual who has contributed to that culture has thereby introduced some new refinement into his organization ; and this more highly refined organization has been more or less fully inherited by his children. Thus, each new generation has derived a more completely developed moral organization from the culture of those that went before ; and, accordingly, now each individual, at least among the civilized races, comes into the world with a constitution adapted to receive moral impressions whenever the fitting occasion presents itself in experience.

While attention is drawn to the addition which the old empirical theories of the moral consciousness have received from the teachings of Evolutionism, it is, at the same time, important to bear in mind that this addition does not affect the nature of the pro-

cess by which the moral consciousness is said to be evolved. The addition does indeed remove one objection which was frequently urged against the empirical theories of former days, to the effect that moral ideas and sentiments make their appearance all too early in the consciousness of the child, to allow the time necessary for the process which Empiricism implies. But, with the removal of this objectionable feature, the empirical theory remains in its essential drift unaltered; and the problem of Moral Psychology, in reference to the theory, is still the same—whether a moral consciousness could be evolved from a non-moral by any such process as that described, whatever length of time may be allowed for its evolution.

II. *Empirical Theory reviewed.*—To this problem we must address ourselves now. Its solution requires a clear conception of the empirical process by which the moral consciousness is alleged to be developed; and, consequently, it may be worth while to summarize the above description of the process by recalling the three stages of which it consists. First, there is an association being continually formed and strengthened between our actions and the pleasant or painful feelings which they entail; this association forming a powerful inducement to perform pleasure-giving actions, to abstain from those that result in pain. Then, at the second stage, this inducement derives a new character of obligation from the authoritative commands of external government, with the punishments which that government is accustomed to inflict for disobedience. And, finally, this conscious-

ness of obligation reaches its complete development by attaining an insight into the reason of external commands, and thus enabling us to feel that certain actions are obligatory for reasons which are independent of their being enforced by any external power.

It is evident that our problem centres upon the second of these three stages. On the first and third there need be no dispute. As far as the latter is concerned, it is obvious that, if the mind has once attained the idea of moral obligation in connection with external authority, there can be no difficulty in understanding how, by the common process of abstraction, that idea may be separated from the authority with which it was originally associated, and raised by this means into an independent consciousness of obligation in the abstract. In like manner, the first stage implies a fact which is too familiar to be questioned. That our actions lead to pleasant or painful results, and that they become associated with these results in our minds, is a fact, the ethical significance of which will require to be more fully discussed in the sequel. This fact, therefore, is one which must be assumed in any theory of the moral consciousness. The result of the fact is, that, with the moral consciousness proper, there is usually associated a more or less numerous and complicated combination of feelings. In this respect the moral consciousness is not peculiar. One of the first lessons which the student of Psychology is called to learn, is the fact that no form of consciousness is ever actually found in absolute separation from others. For the purposes of scientific abstraction

we seek to isolate phenomena from one another, in order that each may be known in its purity ; but, as in the material world, so likewise in the mental, phenomena are always found in some sort of combination. The state of consciousness with which we contemplate the moral facts of life is no exception to this rule. These facts are capable of calling forth, not merely ideas and feelings which are distinctively moral, but an immense variety of other ideas and feelings as well. Indeed, it would be difficult, if not impossible, to limit the kinds of feeling which may thus enter into combination with the moral consciousness. Accordingly, a certain color may be given to the most inadequate theories of the moral consciousness, even to those of a revolting egoistic type ; for it is always easy to show that, in the complex and imperfect moral development of human nature, selfish feelings often play a conspicuous part in the adulteration of the moral sentiments. This is especially easy in descriptions of human nature, which are not restricted by the demands of scientific exactness ; and it is mainly among popular or semi-philosophical essayists, that such objectionable ethical speculation is to be met.

But in strictness our inquiry has nothing to do with the feelings, selfish or benevolent, which may at times associate with the moral consciousness. Beyond the general fact of their influence in modifying that consciousness, they are of little interest in a scientific Psychology of Ethics, scarcely of any interest in the science of Psychology at all. Their part is rather to be found in general literature, where

they furnish rich material for historical and dramatic portraiture. It is admitted that, in themselves, they form merely *natural* impulses to action; they do not constitute a *moral* consciousness. Its differentiating characteristic must be sought elsewhere. "Although prudence and sympathy, and the various emotions named, are powerful inducements to what is right in action, and although, without these, right would not prevail among mankind, yet they do not stamp the *peculiar attribute* of rightness. For this we must refer to the institution of government, or authority." <sup>1</sup>

We are thus brought to the real question involved in the empirical theory. It is asserted that the fact of "government, authority, law, obligation, punishment," introduces "an entirely distinct motive," <sup>2</sup> and thereby transmutes what was previously a merely natural or non-moral consciousness into one distinctively moral. Is this assertion based on a true analysis of the mental state described? Is the new motive, derived from external authority, something entirely distinct in its nature from other motives of a selfish or benevolent type, which are supposed to prepare the mental soil for the moral consciousness, but fail to produce the specific fruit of morality?

In answering this question, it must be borne in mind that, according to the empirical theory, external government is not at first associated with ideas of moral obligation, inasmuch as these ideas have no existence till they are developed by such government. It is absolutely indispensable not to

<sup>1</sup> Bain's *Mental and Moral Science*, p. 455.

<sup>2</sup> *Ibid.*

lose sight of this fact, in order to understand and estimate the empirical theory ; for the idea of government is so uniformly and therefore indissolubly associated in our minds with the idea of moral authority on its side, and the idea of moral obligation on the side of the governed, that we find it difficult to conceive of the two apart, and are apt to treat them as if they were merely different phases of one and the same idea, or derivative one from the other. It is this that gives a color to the empirical theory which derives the idea of moral obligation from that of government ; but if there is any derivation in the case at all, it is the idea of governmental authority that is derived from the idea of moral obligation. Without this idea all that we understand by government with its authority to command is unintelligible. Under the analyses of Empiricism, the imperative mood becomes a meaningless form of speech, which is found on examination to be a mere indicative, — a mere declaration of empirical facts ; and the authority of government is reduced to the sheer physical power of inflicting threatened penalties. On this theory, therefore, there cannot be for human thought any ideal order of morality different from the actual order of nature ; and any so-called moral law, that we ought to do a certain action, that we ought not to do its opposite, is simply an empirical law of the natural or physical type, to the effect that the latter action will, while the former will not, be followed by some of those pains which we understand by the name of penalties or punishments.

In seeking, therefore, to educe the consciousness

of moral obligation from the effect of external commands upon the mind, it must be kept in view that external commands, from whatever source they come, must, on this theory, appear to our consciousness simply as empirical facts. Now, as an empirical fact, a command is merely a formal declaration that certain actions will be followed by certain penalties. This declaration will, by the laws of our mental nature, call forth feelings varying in kind and degree according to the nature and certainty of the penalties threatened. These feelings may be, now of the selfish, now of the disinterested type; but there is no essential feature in which they can differ from the feelings excited by the prospect of other pains that are consequent upon our actions. An external command, therefore, cannot give us a motive entirely distinct from the feelings which our actions otherwise excite. We are still, in the presence of government, merely impelled by the hopes and fears, by the loves and hates, to which human conduct gives rise; we are as far as ever from the consciousness that an action ought, or ought not, to be done. For this consciousness cannot be identified with the mere knowledge that certain actions will bring upon us penalties inflicted by an external government, any more than it can be dissolved into the knowledge that these actions will bring upon us penalties inflicted by any other cause. The conviction, that I am under an infinite obligation to do an action, is not the consciousness of any merely empirical fact in regard to it at all; it is the consciousness of a principle transcending any fact that may occur in our experience of the action.

It might appear as if the inadequacy of the empirical theory were supplemented by an hypothesis which has played a somewhat prominent part in ethical and theological speculation. It might be urged, that, though the consciousness of an infinite moral obligation could not be explained by the commands of a finite human government, yet it might be given to us by the commands of the Infinite Being. This hypothesis, indeed, belongs rather to Ethics Proper or to Moral Theology : but it implies a psychological theory with regard to the source of the moral consciousness ; for, obviously, if the commands and prohibitions of God create the distinction between right and wrong in reality, they must also originate the distinction in human consciousness.<sup>1</sup>

The additional plausibility, which is apparently given to the empirical doctrine by this hypothesis, is merely apparent. This will be evident at once, if it is observed that the hypothesis gives no new aspect to a command. The Infinite Being who commands is supposed to be, up to the very moment of

The theory that right and wrong are not separated in the nature of things, but have been distinguished merely by the arbitrary fiat of Omnipotence, seems to have taken definite shape for the first time, about the close of the thirteenth century, in the Theology of Joannes Duns Scotus. The name most prominently associated with the theory, however, is that of William Occam, a disciple of Scotus, who went far beyond his master in this as well as in other points. It is essentially a mere extension of the theory of Hobbes to a larger point of view ; and as it is based on the empirical conception of law, it finds a supporter not unnaturally in a lawyer like Puffendorf. Hobbes's theological Agnosticism, in Part IV. of the *Leviathan*, almost passes over into the doctrine of Occam. An Absolutism, like that of Hobbes or that of the Ultramontanes, will find its theological foundation naturally in the same doctrine. The doctrine is also apt to be allied with a theistic Utilitarianism, like Paley's ; and it lurks, as an implied assumption, in many crude representations of popular Theology.



the command, still destitute of moral authority ; for morality is to be originated by that command itself. He is simply a Being of infinite power, — a Being, therefore, who can with unfailing certainty inflict the penalties He threatens on a violation of His commands. But His commands are still, like the commands of any human government, simply empirical facts ; they are simply declarations, made known in some way, that certain actions will be followed by certain penalties. The fact, that His power is infinite, and that therefore the penalties He inflicts are infinitely more severe and certain than those of human governments, does not in itself, apart from the nature of His commands, create any consciousness of moral obligation to obey them. The only consciousness which could be evoked would be the mere knowledge that an Infinite Being will inflict certain pains as a result of doing certain actions, along with the concomitant fear and other emotions which such knowledge would excite.

It has been maintained by some supporters of this hypothesis, that the Infinite Being might have commanded those actions which are now wrong, prohibiting those which are now right, and that the result would have been that right and wrong would be reversed. Language of this drift is essentially meaningless. As will appear more clearly in the next Book, virtue may be described as the law of life, — as an embodiment of those rules of conduct upon which our very life itself ultimately depends. A vicious action, therefore, could never be regarded as an evidence of power, it is always a proof of weakness, on

the part of the vicious agent : any being who is tempted to vice is either not sufficiently intelligent to know what the forces are upon which his existence depends, or not sufficiently powerful to control them. Consequently, to speak of an Infinite Being tampering with vice is to represent an Infinite Being as finite in intelligence or power or both. But, in spite of this contradiction, let it be admitted, for the sake of argument, that the conception is possible. Granted that an Infinite Being might issue an unrighteous command ; would that command become, *ipso facto*, to our intelligence obligatory ? On the contrary, intelligence can assert itself against the caprice of any power, however immense. Recognizing the essentially unreasonable nature of the action commanded, reason may refuse to obey the command, whatever pain may follow disobedience. In fact, one of the sublimest conceptions which human thought can form, is that of moral intelligence vindicating its supreme authority even in the face of infinite power, — a Prometheus defying the vultures of a malignant despot of the universe by his unconquerable resolution to confer upon men the boon of the arts which gladden human life.

*Subsection II. — Transcendental Theory.*

It thus appears that the consciousness of moral obligation cannot be reduced to an experience of non-moral or purely natural facts : it must be sought in some power of consciousness which is not a mere product of the natural sequence of events. The theory, which takes this view of the moral conscious-

ness, has already been spoken of as Transcendentalism. It is also sometimes called Intuitionism or Idealism. This theory, like the empirical, is to be met with in a variety of forms, these being distinguished mainly by the mental power upon which the moral consciousness is made to depend; some connecting it most prominently with the sensibility, others with the intellect. This difference may often be connected with differences of temperament; for the man of keen sensibility will naturally realize more fully the emotional side of the moral life, while to men of calmer or more callous disposition the moral consciousness will appear most distinctively an intellectual act. Both of these types of Intuitionism have received most pronounced representation in English ethical literature.

The theory which gives chief prominence to the emotional aspect of the moral consciousness, has taken its most definite shape in the doctrine of a *moral sense*. According to this doctrine, the mind of man is endowed with a sensibility over and above that of the body, and capable of receiving impressions from other qualities than those of matter. Beauty, for example, is a quality, the power of which we feel in consequence of the impressions that beautiful objects produce upon a peculiar spiritual sensibility which, in common language, is spoken of as *taste*. In like manner there is a spiritual sense which is affected by the moral qualities of actions in the same way as the bodily senses are affected by the qualities of bodies. It is the agreeable impression which some actions produce upon this moral sense,

that makes us feel them to be right or obligatory, while the disagreeable impression of other actions makes us feel them to be wrong. This theory was first definitely taught by the third Earl of Shaftesbury in a number of essays which were subsequently collected under the title, "Characteristics of Men, Manners, Opinions, Times" (1716). The theory was afterwards more fully expanded by Francis Hutcheson, especially in his "Inquiry into the Original of Our Ideas of Beauty and Virtue" (1725).

An obvious objection to this theory, especially when it claims to be transcendental or intuitional, is the fact that, strictly speaking, it makes the moral consciousness depend on a capacity or receptivity of the mind — a capacity of receiving impressions from an outside source; and therefore the moral consciousness could no more be said to be independent of external experience on this theory than on any other, — no more independent of external experience than the sensations which are produced by the action of matter on the bodily senses. It was perhaps to some extent the feeling of this objection that led other transcendental moralists to connect the moral consciousness with the intellectual nature. According to this theory, we are supposed to recognize the rightness and wrongness of actions by the same power by which we learn that one proposition is true and another false. This theory, again, separates into a variety of modifications, according to the various qualities of action which are regarded as constituting rightness. These varieties, however, being based on an ethical rather than a psychological

principle, will require to be noticed more particularly in the next Book.

But even this theory does not always keep clearly in view the fact that reason is not merely the passive recipient of ideas impressed upon it by the agency of external objects. If it were so, it would be merely one among the innumerable phenomena which it reveals; and moral ideas, instead of being derived from a source transcending the order of nature, would be simply results produced by the natural sequence of events. But we have seen that the moral consciousness cannot be interpreted as a mere product of natural causation; the consciousness of what *ought to be* can never be evolved from any combination of consciousnesses that refer merely to what *is*. Instead, therefore, of tracing the moral consciousness to any external cause acting either upon the sensibility or upon the reason, our task is rather to see whether reason, by its very function, does not of necessity evolve a consciousness of moral obligation.

It was explained above,<sup>1</sup> that the knowledge which reason furnishes may be either speculative or practical; that is, it may be sought either for the mere interest of the knowledge itself, or in the interest of some end which is to be attained by its application. It was also observed that it is by this practical application, that knowledge becomes a factor of the moral consciousness. Here, therefore, we find the function of reason, in which the moral consciousness must be involved. It is practical rather than specu-

<sup>1</sup> See p. 24.

lative reason, in other words, it is reason as applied to the regulation of our actions, that demands our attention at present.

But how does practical reason regulate our actions? It does so by enabling us to cognize the results they may produce, and thus to direct them with a view to their producing the results cognized. An unintelligent agent—an agent acting without the guidance of reason—does indeed produce results; but the results are simply produced without being cognized or intended beforehand by the agent. It is this fact that constitutes the distinction and the grandeur of intelligent agents as contrasted with the vastest agencies of an unintelligent force; and it is this also, as we shall see by and by, that forms the difference between a moral and a non-moral or purely natural action.

It will thus be seen that reason, in regulating our conduct, acts in a manner wholly different from that of a purely natural cause producing its natural effect. A natural or non-intelligent cause is itself determined to causality by other causes in its environment, and therefore without any conscious direction by itself: an intelligent agent, on the other hand, sets consciously before himself the effect to be produced by his causation, and directs his causation so as to produce the effect foreseen. The action, therefore, of a non-intelligent cause, is entirely aimless, so far as itself is concerned; it is determined, not by any law of its own enactment, but by the extrinsic laws of nature. On the other hand, in the aim which an intelligent agent sets before his consciousness, he

enacts a law for the direction of his conduct, and his action is governed by his own legislation. By prescribing, therefore, a law for the regulation of our actions, reason does not determine us to act in the same way as a natural force. It does not even move us in the way in which we are driven to act by the force of any passion; for passion in itself, that is, as divorced from reason, is simply a force of nature. There is, therefore, a certain justification for the language of those Intuitionists who insist upon describing moral obligation as a fact *sui generis*, incapable of being analyzed into any other kind of obligation. It is not the compulsion of a physical force, nor is it the impulse of a mere feeling. Such compulsion or impulse, if it is to be spoken of as obligation at all, must be described as a purely natural obligation — the influence of natural law; but this is wholly distinct from the obligation of the moral laws imposed upon us by reason. Their obligation arises from the fact that reason points to a result which may be produced by our action. That result is prescribed as one that is alone consonant with the wants of a reasonable being; but reason does not, like a natural force, compel us to obey or prevent us from disobeying its prescriptions. We retain the power to aim at any other result; we may act as if we were not reasonable beings at all.

This, of course, we should never do if there were no motive power but reason in us. Unhappily, however, there are influences in our nature which are perpetually apt to darken the light of reason, and to oppose their fierce turmoil to its calm sway. The

sensibility, with its passions of joy and woe, may at any moment counteract the directions of reason; and the nature of man becomes thus a battle-field for the unceasing struggle of the two antagonistic forces, — a field on which are fought out all the battles that are really decisive of human destiny. This struggle imparts an imperious tone to the deliverances of practical reason, which would be out of place if they were not in presence of an opposing force.

But not only is there an imperious tone often imparted to the demands of reason by the fact that they are frequently called to assert themselves in defiance of the clamors of sensibility. We have seen that those demands appear in consciousness as making an unconditional claim on our obedience, and we have now to inquire how it is that they come to assume this character. Our inquiry will soon show that the obligations of reason must be conceived as absolute, whenever an appropriate rule of conduct is prescribed. To see this, it must be borne in mind that reason prescribes a rule for action by pointing to the result which action is to produce. A result that is thus cognized beforehand, as the object towards which an action is directed, is commonly spoken of as an *end* (*τέλος*, *finis*). But cognition being a consciousness of relations, it is impossible to cognize one end out of relation to others. The very function of reason as a power of cognition compels us to compare different ends, and to view them as related to one another. In this comparison there is a relation between different ends, that is at once obtruded upon our consciousness. Most usually the



immediate end which we have in view is not the ultimate end; it is simply something that must be done in order to the production of some ulterior result. Thus arises the distinction which is commonly expressed by calling our immediate ends *means*, while the term *end* itself is reserved for those results which are to be attained through the agency of such means. Reason thus reveals to us the relation of means to ends; that is to say, it takes cognizance, not merely of the immediate end of an action, but of the remoter consequences which are connected with it by a chain of causation.

The progress of reason, therefore, in its practical applications, is continually expanding the scope of our actions. But this enlargement of aim takes two directions, — one limited to the agent himself, another affecting his fellow-creatures. The moment reason begins to take into view the consequences of action, it has entered upon a course to which no absolute limit can be assigned. As reason is not satisfied with the results which an action produces at the moment, so it cannot be completely satisfied with purposes that refer to any limited period of life; it finds satisfaction only in purposes that embrace the interests of life as a whole.

But while reason thus lengthens the scope of an individual's actions in relation to his own life, it also widens their scope in relation to others. By the very nature of reason, no being can be conscious of himself as an isolated individual; he is conscious that he is what he is, in virtue of his relation to other persons. As a practical regulator of conduct, there-

fore, reason refuses to let us be satisfied with an end which refers to ourselves alone as individuals; it forces others into our regard. But the same necessity of reason compels us to go beyond any limited circle of other persons, and to embrace in our regard all others who can be conceived to be affected by our conduct.

It thus appears that it is not in accordance with the claims of reason, that any one moment or any one person should alone be considered in action. Reason finds satisfaction only in a rule of conduct which is of universal application, — a rule prescribing to the agent an aim for one moment which is not discordant with the aims of any other, and an aim for himself which does not conflict with the reasonable aims of other persons.

Now, it is true that a vast number — the vast majority — of actions are directed to temporary or limited ends, — ends the value of which is to be found only by reference to larger ends which they subserve. The obligation, therefore, which reason imposes upon us to seek these finite ends, must be a finite obligation. The ends being themselves conditional upon ulterior ends, the obligation they involve must be conditional likewise; that is to say, it is conditioned by the obligation of the higher ends. Thus, if a young man intends to be a physician or a lawyer, it becomes obligatory upon him to prepare himself for the practice of his profession by a certain course of professional study. But the obligation of the preparatory study depends entirely on the end he has in view. That end being abandoned, the obligation which it entailed ceases.

But all the ends of life, as we have seen, are not of this limited nature. On the contrary, reason refuses to be completely satisfied with such ; it seeks an absolutely universal end,—an end which shall hold good at all times and for all reasonable beings. When reason discerns clearly that there must be such a supreme end of life, its practical injunctions are freed from all the limitations which attach to the occasional ends of particular individuals. The end being one to which every reasonable being is directed, just because he is reasonable, there are no restrictions by which reason can limit the obligation to seek this end. Although, therefore, the injunction of reason to seek any temporary end must always be of the nature of a conditional command, yet the injunction to seek the universal end of reasonable beings is of necessity unconditional ; it is a command imposed upon us with absolutely imperative obligation.<sup>1</sup>

We have thus reached the object of our inquiry. The consciousness of an unconditional obligation to do certain actions is seen to be one of which we cannot wholly divest ourselves without ceasing to be reasonable beings ; it is a consciousness involved in the very function of reason, — a law imposed upon reason, not by any external, non-rational power, but by itself. This practical law is imposed upon men, not in virtue of any peculiar modification which reason receives in the consciousness of particular

<sup>1</sup> In distinguishing conditional and unconditional commands, Kant uses language which, though now familiar in philosophical literature, is unnecessarily scholastic. A *conditional command* he calls an *hypothetical imperative*, while *categorical imperative* is the term used for an *unconditional command*.

individuals ; it is a law imposed by reason considered simply as reason, by reason as it is found in all reasonable beings. Accordingly, in minds of the finest moral culture, the practical law, which lays an unconditionally imperative claim on our obedience, is often accepted as a revelation in human consciousness of the Universal Reason, — the reason that is all through the universe. This is not the place to discuss the objective validity of such a representation ; that question will come up for discussion at another stage. Here we are concerned merely with the subjective development of the moral consciousness : and, therefore, it is sufficient to observe that, as a voice or word is, in its essence, simply a medium of communication between one mind and another, that is not an unnatural figure of speech which describes conscience as the voice or word of God speaking to the soul of man,

“ Wie spricht ein Geist zum andern Geist.”

### § 2. *The Consciousness of Goodness.*

In the former section we were occupied solely with that aspect of the moral consciousness in which it implies a conviction that certain actions ought or ought not to be done. But this conviction does not, on the face of it, determine the kind of actions to which it attaches itself. It therefore remains a question, what are the actions of which we are conscious that they ought to be done? in other words, what is the quality which convinces us that an action is obligatory? This quality is what we commonly understand by such words as *goodness* and *rightness*,

while its opposite is distinguished as *badness* or *wrongness*. Here it is well to repeat the caution against confounding psychological and ethical questions. Our present inquiry is not into the real or objective nature of goodness; we are simply seeking to find out what it is that makes an action appear right to our consciousness.

When this distinction is kept in view, it will be seen that the human consciousness presents an infinite diversity of standards for determining the moral quality of actions. Not only the literature of our science, but all literature dealing with human life in any of its phases, affords an inexhaustible fund of material illustrative of this diversity. Even in the ancient world, ethical sceptics, seeking to prove the unreality of the distinction between good and evil, found the most brilliant illustration of their theme in descriptions of the conflicting moral usages that prevailed among the comparatively few peoples known to them; and in the modern world, the vast extension of knowledge regarding every various type of civilization has brought an immense addition to our information about the moral ideas and usages of different races. Any work, dealing with the origin and history of civilization, will supply evidences of this diversity in the moral convictions of men; in some works the evidence is accumulated *usque ad nauseam*.<sup>1</sup> But in truth, it is not necessary to go to the resources of scientific or historical literature for this evidence; it is accessible to every

<sup>1</sup> A useful repertory of facts on this subject is *The Evolution of Morality*, by C. Staniland Wake. London, 1878.

individual in the changes of his own mental life, and obtruded upon him by the most patent facts of the society in which he moves. For there is no subject of private reflection or of social discussion more frequent than the question in regard to certain actions, whether they are right or wrong.

The diversity of moral standards among men may, therefore, be regarded as an admitted fact. It would, however, imply a surrender of all scientific method, to recognize merely the empirical fact of this diversity, without any attempt at an explanation of its origin. An explanation will be found if we can discover any law which comprehends all the facts, giving them an unity amidst their diversity. Such an unity is revealed in the uniform tendency that characterizes all the various forms of moral culture, and this tendency becomes clearly apparent in any attempt to trace the course of the moral history of mankind. This history, indeed, is obviously one which either it is not yet possible, or it is no longer possible, to follow in all its details ; that is to say, either science has not yet collected, or it has forever lost, the data necessary for a full history. Undoubtedly, the course of moral progress has varied greatly in different sections of the race, new stages of civilization being attained through different channels and under the impulse of different events. Here the stream of progress is deflected on one side, there on another ; at one point, it may be seen resting for a while in a clear pool, only to gush on with increased force ; elsewhere, it is driven into a stagnant slough, in which its advance seems permanently

arrested. But every separate current of human life, thus created, is tending in the same direction; and that direction has been generally recognized by all competent observers. The progress of moral culture has been a gradual expansion of the sphere of action embraced by the consciousness of moral obligation.

As long as man is governed merely by the natural impulses of sensibility, his life is simply natural, determined by the natural law of causation. But when he acts from reason, he reflects, not on the interests of the present moment alone, but on those of his life on the whole, and not on himself alone, but on others as well; that is to say, he rises above the individual act and the individual self, towards the universal point of view. Practically, no man lives a purely natural life; the state of nature is a mere fiction of speculation. Assertions, it is true, are sometimes made by travellers with regard to the entire absence of moral consciousness in savage tribes with which they have come into contact; but unqualified statements of this drift have been frequently contradicted by fuller information.<sup>1</sup> In the hypothetical state of nature, man would be a mere animal, non-rational, non-human. Man's moral life, therefore, is involved in his humanity; it begins with the exercise of reason reflecting on his actions.

This reflection, as we have just seen, carries man of necessity towards a more general law of conduct;

<sup>1</sup> A singularly pleasing instance is Darwin's correction of his first impressions and statements with regard to the inhabitants of Tierra del Fuego (*Darwin's Life and Correspondence*, Vol. II. pp. 307, 308, Amer. ed.). If the splendid intellectual virtue of Darwin were more common, undoubtedly such corrections would be more common too.

in other words, it implies a perpetual enlargement of the moral ideal in relation to the individual himself as well as in relation to others, that is, in the direction of the egoistic or personal virtues as well as the altruistic or social.

I. In the first place, a rational self-love is called into play, embracing within the sphere of moral obligation those actions which are essential to the well-being, or even to the very existence, of the agent himself. Probably the earliest form in which man displays an intelligent regard for himself is in procuring the necessaries of life. For he does not find these at every moment furnished to his hand by nature; he must provide them for himself, and *provision* is an exercise of reason directing the conduct of life, so as to attain results that are *foreseen* in a more or less remote future. The reason of man, however, cannot be long confined within this narrow range. It will expand to that longer and wider foresight, commonly understood by *prudence*, which embraces all the interests of life, higher and lower alike; but it need scarcely be observed that *prudence* is essentially the same word as *providence* or *provision*, and denotes the same attitude of mind. It is thus that the way is gradually opened for those personal virtues which look to the highest and broadest culture, intellectual, moral, and religious.

II. But the largest expansion of the moral consciousness must be ascribed to reflection on the interests of others who are affected by our conduct. This reflection, of course, implies that we are able to place ourselves by sympathy in the position of



others ; and, therefore, there is an important truth in the extreme theory of Adam Smith, which analyzed conscience into a mere modification of sympathy. But sympathy, it must be remembered, is not a mere instinct of sensibility ; it is an intellectual or rational act as well ; and the expansion of sympathy is dependent on the growth of intelligence.<sup>1</sup> From this moral sympathy with others arise at once discrepancies of moral standard ; for immediately the question presents itself, How many others, and what others, shall be considered in our actions ? The various divisions of human life impose corresponding limitations of moral view. These limitations are so manifold, that it is impossible even to attempt an exhaustive description. Some of the most important will be noticed by the way, in sketching the advance of moral consciousness to the standard with which alone man as a reasonable being can be completely satisfied.

I. The normal circumstances of man's natural life force upon his reason the problems of his relation to others. He is of necessity member of a community, and his connection with others is a more prominent fact than his isolated individuality. This is especially the case in early stages of civilization. It is only with the development of reason that the full consciousness of selfhood is unfolded ; and the most trustworthy researches into the early conditions of the human race tend to prove that the primitive unit of society was not the individual, but the family.<sup>2</sup>

<sup>1</sup> See my *Handbook of Psychology*, pp. 373-375.

<sup>2</sup> See Sir H. Maine's *Ancient Law*, especially Chapter v. The above statement will scarcely require qualification, even if the theory of Sir H. Maine requires to be modified by that of Mr. McLennan (*Primitive Mar-*

As this is an association necessitated by nature, we find that not only the physical arrangements of society, but its moral and political organizations, gather around the family. The moral relations first recognized in the history of the race, as at present in the history of the individual, are those arising from the natural relations of family life. This entails peculiarities of moral conception, as well as of legal enactment, which can be traced far down into the historical periods of civilization. The vast authority with which, in primitive societies, the head of the family was invested, is evidently but a first attempt of reason to construct a moral organization of society on the basis of the primary relationships established by nature. One of the most startling, as well as familiar, survivals of this early social organization among the great historical nations, was the *patria potestas* of the Romans, — an authority which conferred unlimited power, even of life and death, over wife and children as well as slaves. In the stage of culture which develops such an institution, it can be readily understood, that, while the moral obligations of family relationship may be felt and observed with devout exactness, those extending beyond the family may often be extremely weak.

*riage*). Mr. McLennan contends that, prior to the institution of the family, there is trace of a stage in human history when there was absolute promiscuity in the intercourse of the sexes; and when, therefore, the aggregation of human beings was founded, not on blood-relationship (which could not be known), but on some extrinsic association, like mere neighborhood. But the statement in the text requires merely the recognition of some natural union of human beings, as the primitive unit of society; and certainly all research goes to show that kindred must have been one of the earliest, as it is one of the most obvious, bonds of union among men.

2. The first expansion of social organization seems to have been a mere enlargement of the family model. It is that which is variously known as the Greek *γένος* and *φραιφλα*, the Roman *gens*, the *sept* or *clan*, the *village community*. This organization is found under a great variety of forms, and under various phases of civilization, but everywhere it is based on the same principle, — the assumption of a common origin for all its members ; it is, in fact, simply “the family extended by a variety of fictions, of which the exact nature is lost in antiquity.”<sup>1</sup> Even when a number of clans are united into a tribe, this wider organization is still apt to retain the characteristics of the family. The government is patriarchal, the supreme authority being vested in a chief, whose will becomes an absolute law for the guidance of the whole tribe. Here, however, the moral consciousness exhibits a decided advance. It is no longer restricted by the obligations of mere blood-relationship. Very often customs prevailing in a tribe recognize explicitly the moral ties of a fictitious brotherhood or filiation where no natural relationship exists.<sup>2</sup>

Still, the type of morality developed at this stage of human progress is narrowed essentially by the conditions of life to which it is subject. It is true that very often this moral type has been illustrated by an heroic disinterestedness, which stands out in conspicuous relief against the selfish instincts of nature. The incorruptible loyalty displayed by many a semi-savage to the interests or his clan or

<sup>1</sup> Maine's *Ancient Law*, p. 256 (Amer. ed.).

<sup>2</sup> Wake's *Evolution of Morality*, Vol. I, pp. 391-393, 443-460.

tribe, may point a telling reproof at the selfish corruptions of civilized life. But, unhappily, the narrowness of the moral type is quite as conspicuous. The most loyal respect for the rights of a man's own clan or tribe is quite compatible with an utter disregard of all the rights of others, and even with an utter callousness to the requirements of any virtue that is not demanded by tribal law.

(a) The inter-tribal warfare, which prevails at this stage of human development, is commonly paralleled by a considerable amount of anarchy within the tribe itself. The absence of any central authority, with power sufficient to enforce the obligations of the different members of the tribe to one another, throws upon the members themselves the defence of their rights. The result is those blood-feuds, to which reference has been made, between different families and clans in the same tribe; and even when civilization has sufficiently advanced to adopt a code of written laws, it is not uncommon to find a formal recognition of the old right to avenge the blood of a kinsman or clansman.<sup>1</sup>

In this stage of social development there are many features which give a peculiar character to the prevailing standard of morality. Neighboring tribes, as we have seen, are usually in a chronic state of war with one another, and within the tribe there are often not only transient, but hereditary, feuds between different clans or even between different

<sup>1</sup> The Hebrew laws of blood-revenge are of course familiar. See especially Num. xxxv., Deut. xix. 1-13, Josh. xx. But these laws are paralleled by those of many another nation and tribe.

families. The result is, that the struggle for bare existence under such conditions develops a purely military type of character; and the moral ideal, which forms the sole object of ambition, is composed entirely of those sterner virtues that are essential to success in war. All the gentler qualities of humanity, except in relation to persons of the same kindred or tribe, are apt to be ignored, if not despised. The well-known description of the ancient Thracians, by Herodotus, portrays the moral culture of a large number of other tribes in the modern as well as in the ancient world: "To be idle is accounted the most honorable thing, and to be a tiller of the ground the most dishonorable. To live by war and plunder is, of all things, the most glorious."<sup>1</sup> If in such a moral atmosphere we find men and women alike capable of horrid cruelties and frauds, it is not to be inferred that the moral consciousness approves of cruelty or fraud in itself. It is simply a narrow moral standard, exalting tribal interests into the supreme end of existence, that seems to require an ineradicable hatred towards tribal foes; just as, under a later civilization, the religious fanatic conceives himself to be doing God service in persecuting, with all the cruelties and deceits of a refined ingenuity, the man who will not assent to his religious opinions.

(*b*) All the conditions of such a society, enhancing the value of mere brute strength and brute courage, necessarily tend to a moral overestimate of the male sex, and a proportional underestimate of the female. It is this that leads to that degradation of women

<sup>1</sup> Herodotus, V. 6.

which forms such a marked feature of the defective moral attainments of all early civilizations. The same conditions of society render difficult, if not impossible, the permanent local settlement which forms a home, with all its intellectual and moral influences upon family life; and without a permanent home all the labors connected with the rearing of a family become enormously increased. It is obviously this cause that has led to the practice of infanticide. This is proved by the fact that it is almost always the female children that are sacrificed, the males being considered of sufficient value to repay the trouble of bringing them up. This is further confirmed by the additional fact, that sometimes other considerations interfere to prevent the sacrifice, as, *e. g.*, among the ancient Thracians, the Bedouins, the Afghans, the Zulus, as well as many other races, where wives are obtained by purchase rather than capture, and it becomes therefore the interest of parents to rear girls for the sake of the price they bring when sold as wives. All these circumstances tend to disturb the natural relations of the sexes in such a way as leads not only to polyandry and other abnormal usages of married life, but to an absence of any reasonable restriction in the intercourse of the sexes, which has sometimes induced the civilized missionary and traveller to conclude that chastity is among such people a virtue wholly unknown.

(c) Other circumstances connected with earlier forms of social organization tend also to impose peculiar limitations on prevailing moral ideas or to give them a peculiar bias. Thus slavery, which is

an almost universal institution among uncivilized peoples, excludes a large portion of the human race from the rights which conscience would otherwise accord. Then, again, as social usages are often created by moral ideas, they often react upon these also, retaining their sway over the consciences of men long after the social circumstances which gave rise to them have passed away. The influence of social usages is often intensified by combination with religious ideas. For, unfortunately, the history of religion contains many a startling proof of its influence, not only in enlarging, but also in cramping and perverting, the moral standard. The grossest sensual excesses and the most fiendish cruelties have alike been perpetrated with the object of courting the favor of some god. A striking combination of a comparatively high morality with a hideously perverted religious requirement is found in the Mexican precept: "Clothe the naked and feed the hungry, whatever privations it may cost thee; for remember their flesh is like thine, and they are men like thee." This is immediately preceded by various ritualistic injunctions, and especially the injunction, *above all things, to procure a slave to sacrifice to the deity.*<sup>1</sup>

(d) But against all these narrowings and distortions of the moral ideal there has been a constant protest, not only from the social instincts of our sensibility, but also from the demands of reason. Consequently, even in low grades of civilization, there are to be found not only occasional outbursts of larger sentiment, but even established customs, hold-

<sup>1</sup> Prescott's *Conquest of Mexico*, Book I. chapter iii. note 16.

ing a strong grasp over the moral consciousness, which point towards a law of moral guidance transcending the limitations of tribal life, and embracing the common humanity of all tribes. One of the most interesting of these customs is that of hospitality, the inviolable obligation of which is illustrated by many a touching incident in the life of savages, and continued to influence even the usages of Greek and Roman civilization.

Still, the narrowing influence of tribal organization held sway long, and it dies hard even among the peoples of modern Christendom. With the expansion of political life from the petty tribe into the great nation, the passions of tribal attachment have evolved into the grander sentiment of patriotism. Yet it is but few who understand by patriotism a grateful loyalty to the beneficent institutions and traditions of their own country, rather than a pugnacious attitude towards foreigners. The patriotic standard was almost the sole ideal of early Hellenic and Roman civilization; and it was only at a late period, and among minds of peculiar culture, that Hellenic and Roman thought began to rise above the restrictions of that ideal.

3. The emancipation of the ancient Pagan mind from the moral fetters of mere nationalism may be said to have begun with the first direction of reflective thought on the problems of moral life. This beginning of ethical speculation must be referred to the long years of comparative peace which the Greeks enjoyed after the great victory of Salamis in 480 B.C. The student of that period is at once



struck with numerous evidences of rapid revolution changing the old order of Greek life, especially in Athens, which became the recognized centre of intellectual activity for all the Greek states. It was inevitable that during such a revolution new moral ideas should force their way into men's thoughts. On the one side there arose an ethical scepticism, professed by many of the sophists, which denied for moral laws any foundation in nature; on the other side, there was an effort, especially among the following of Socrates, to find a deeper foundation for morality than the mere authority of ancient custom. From both sides of speculation the principle of patriotism as an absolute ideal received a shock from which it never recovered. It was probably towards the close of the fifth or the beginning of the fourth century B.C., and apparently in the Socratic school, that the word *κοσμοπολιτης*<sup>1</sup> began to be used by advanced thinkers to describe their relation to the rest of mankind, whether as an expression of cynical indifference to civic obligations or of a larger sentiment of humanity.

But even in the fourth century the two most influential thinkers of the ancient world continued still to be influenced by Hellenic prejudices. Plato's ideal of a state was evidently shaped by the most contracted features in the actual condition of Greece. Mankind is conceived, even in its ideal condition, as still split up into a number of separate states maintain-

<sup>1</sup> If this word was not used by Socrates himself, it seems evident that the idea which it embodies was long remembered as a favorite thought of his. See Cicero's *Tusc. Disp.*, I. 37; and Arrian's *Epictetus*, I. 9.

ing an attitude of permanent hostility to one another, with provision for the maintenance of this attitude by the institution of a permanent military caste. Still more astonishing is it to find Aristotle, though he seemed to sympathize with the Macedonian effort to embrace all the Greek states under one government, yet speaking as if the Greek owed no more obligation to the barbarian than to the lower animals.

It was, in fact, the great historical events attendant upon the career of Aristotle's pupil, the Macedonian conqueror, that struck the most crushing blow at the system of Hellenic nationalism. At the death of Aristotle the old Hellenic world, with the barbaric world of the East against which it had fought so long, became absorbed in the Macedonian empire under Alexander and his successors. The moral ideas of ancient Hellenism could not survive such a total ruin of the old order in which they had taken their origin. The world outside of Greece began to assert itself in the literature, even of the Greek language, which had extended itself over the East in the wake of the Macedonian conquests. This intrusion of a wider humanity was fostered by a line of thinkers who first appeared at the commencement of the Macedonian ascendancy, under the ruder form of Cynics, but developed afterwards into the nobler proportions of Stoicism. It was fortunate that, among both Cynics and Stoics, there were men like Antisthenes and Diogenes, Zeno and Chrysippus, who, if not Barbarians, were at least not of pure Hellenic blood, and were therefore able to look at moral and social questions from a standpoint out-

side of Hellenism. It was among the Stoics that the duty of man to man, without restriction by the limitations of nationality, was first taught as an integral part of a philosophical system.

But while the Macedonian empire was crumbling to pieces, the effect which it had produced upon the old order of things was being intensified by a stronger power of military and political organization which had arisen in the West. During the three centuries succeeding the death of Alexander, the Romans had gradually absorbed all the nations of the civilized world, and carried the order of their civilization even into many of the uncivilized tribes by which the civilized world was skirted. The fact, suggested by all the hostile nations of antiquity being thus brought under one central government, was among the most valuable lessons which the course of events can proclaim to the mind of man; it indicated a possibility that the old relations of hostility between the nationalities of the world might give way before a new order of "peace on earth, and good will among men."

4. There was one condition necessary to give its full practical force to this lesson, and thereby to introduce the renovating energy of a new civilization. Strangely enough, but significantly enough, too, the power, which was thus to transform the young empire, proceeded, not from the circle of brilliant soldiers and men of letters who gathered around the Imperial City, nor from any of the philosophical teachers in the intellectual centres of the ancient world, but from a life which passed unnoticed by the

great world mainly in homely teachings and quiet deeds of beneficence in the obscure province of Galilee. To the Stoical theory of a philanthropy which should embrace the whole of mankind, there was thus added the inspiring force of a life sacrificed in the realization of the theory; and it was proclaimed to the world, not merely as the speculative tenet of a philosophical school, but as an intensely practical faith, that in the aims of the moral life there is to be neither Jew nor Greek, circumcision nor uncircumcision, Barbarian, Scythian, bond nor free, but all men are to be united in the one kingdom of God.

5. There was another direction in which the moral consciousness found freedom to expand, when extricated from the trammels of nationalism. As long as the supreme object of moral culture is supposed to be virtue within the limits of the state, the obligations of life are apt to be conceived merely in their civic or legal aspect. In this aspect, however, as will appear more fully in the sequel, obligation affects merely the external conduct, and takes no account of the internal life,—of the spirit by which external conduct is governed. Virtue is therefore understood as simply civic justice with its negative enactments against external injuries, while the higher virtues, which aim at culture of the heart and the doing of positive good to others, are either entirely ignored or but imperfectly recognized. But here, again, the expansion of the moral consciousness may be traced through a similar course. With the decay of the moral prejudices of nationalism a less exclusive

regard is paid to the sterner virtues of the military character and the external obligations of civic life. Men find in personal culture an object worthy of moral endeavor; the individual is regarded as of infinite worth in himself, apart from his external relations; and this opens the mind to the obligation of virtues which are not included in the civic code. This moral movement, too, has received its highest expression in Christianity, teaching, as it does, that the moral law is fulfilled, not by a slavish obedience to rules, but by a free spirit; not by any rigid external observances, but by such a moral inspiration of the whole life as can be properly described only as a new or higher birth.

We entered upon this sketch of the development of moral consciousness with the view of showing its uniform tendency. We now see, that all through its development the moral consciousness continually expands its sphere till it brings every field of human conduct under its decisions. But this is precisely what we should expect. The moral consciousness, as explained in the previous section, is practical reason, that is, reason directing practice, and directing it by an unconditionally imperative command. But what is it that reason commands unconditionally? Not an end which holds good merely for a particular period of time or a particular class of individuals. As we have seen, practical reason refuses to be completely satisfied with any rule of conduct which conflicts with others, and cannot therefore be of universal validity, just as speculative reason cannot accept as truth any theory which is

not in perfect harmony with all other truths. It is evident, therefore, that the moral consciousness, in all its manifestations, must be groping, however blindly, after a rule of conduct which possesses universal validity; and every advance in the evolution of that consciousness must be an emancipation from restrictions to which it had been previously subject, or, in other words, an expansion of the sphere of conduct which it embraces.

### § 3. *The Consciousness of Desert.*

Besides the fact that an action ought or ought not to be done, and the quality in an action with which this fact is associated, there is another aspect which moral actions present. In its general form, this aspect may perhaps be most conveniently expressed by the term *desert*, though there are many other words, like *credit*, *reward*, *recompense*, *meed*, *guerdon*, *compensation*, *requital*, *retribution*, *amends*, *atonement*, which convey more or less clearly the same idea. The opposite sides, also, of the idea are denoted by a variety of familiar expressions: *merit*, *worth*, *worthy*, *praiseworthy*, *commendable*, on the one hand; *demerit*, *ill-desert*, *guilt*, *blameworthy*, *culpable*, *censurable*, *reprehensible*, *objectionable*, on the other. It is the cognition expressed in such terms, that we are now called to investigate.

At the outset it is evident that desert points to something that follows action: merit anticipates *reward*; demerit or guilt, *punishment*. Now, some consequents of action are purely natural; they are effects brought about by the forces of nature without

reference to the moral character of the actions which they follow. Thus, a bout of drunkenness will produce indigestion, headache, nervous depression : but these results depend upon the physical action of the excess ; and consequently they are often produced by other physical causes, over which the sufferer may have no moral control. In like manner, the virtue of thrift, unless counteracted by other causes, will lead to an accumulation of wealth ; but it is not the sole road to this end. The laws of inheritance, a turn of the dice, a caprice of fashion, or some other accident, causing an increased demand for certain commodities, and a consequent enhancement of their price, — these and other natural events often pour wealth into a man's lap without the slightest regard to his moral character.

But when results are viewed as following upon an action merely by natural causation, they are not rewards or punishments in the strict sense of these terms. To be such, they must be viewed as dependent on the voluntary act of the agent. The consciousness, therefore, of desert implies that acts are connected with their consequences, not merely by natural, but by moral law ; in other words, that, over and above the physical or natural government, there is also a moral government of the world.

There is another fact connected with this consciousness, which also deserves attention. In natural causation there is a definite proportion between cause and effect, which has received exact expression in the modern physical doctrine of the correlation of forces. So, too, in moral causation, merit and guilt are corre-

lated to the moral qualities of actions ; or, to put it more exactly, there is a definite proportion between the moral reward or punishment of an action, and the merit or demerit by which it is characterized. This fact is sometimes lost sight of in the subtleties of philosophical and theological speculation, which have attempted to identify on various grounds all degrees of guilt. But the correspondence between moral action and its deserts is too clear to the common sense of mankind, to admit of its being permanently ignored. Criminal jurisprudence has in fact generally proceeded on the assumption of this correspondence. The early history of law especially furnishes some quaintly elaborate attempts to specify the different amounts of penalty which should be apportioned to different degrees of crime ; and in our day the moral correspondence is only the more clearly recognized by the fact, that now legislation generally shrinks from the practical problem of determining the different degrees of guilt that may attach to different offences which come under the same technical definition, and leaves a wide discrimination of penalties to the discretion of criminal courts.<sup>1</sup>

An additional fact connected with the consciousness of desert is the diversity by which it is characterized. In this respect it resembles the other facts of moral cognition which have been already discussed, and the diversity may be traced through a similar history. The history cannot of course be followed in all its details ; but its general outlines are not difficult to discover, and they furnish an explanation

<sup>1</sup> Maine's *Ancient Law*, pp. 365-368 (Amer. ed.).



of the consciousness whose development they indicate. It is evident that this development must depend on the conception of real merit and guilt on the one hand, of real reward and punishment on the other.

I. The educated mind of the present day has no difficulty in realizing that merit and guilt can attach only to intentional acts, that is, to acts which are in the strictest sense moral, as being within the complete control of the will. But to understand the evolution of this phase of moral consciousness, we must carry ourselves back to stages of civilization at which this sharply defined conception of merit and guilt was still far from being attained. The conception was then confused; and the confusion has generally arisen from the fact, that real desert, like everything else in the world, forms associations which are apt to become essentially connected with it in the mind of the indistinct thinker.

1. In the life of the *agent* himself there are often incidents associated with his action, — at times even causally connected with it, — which, yet, cannot be considered as forming an integral part of the moral action itself, for which alone he is to be held responsible. For example, the agent may be ignorant of certain facts, such as his relation to the persons concerned, which render his action wrong in its outward or legal aspect, although, having been done without any knowledge of the facts, it is in its intrinsic moral aspect blameless. Such an action may properly excite the natural feeling of regret, even in its keenest bitterness; but only a confusion

of moral cognition can allow it to excite the distinctively moral feeling of remorse. Yet, a rude moral culture furnishes numerous instances of this confusion. In early Greek life some of the mythical tragedies, like that of *Œdipus*, afford a memorable proof of the fact, that the mental condition represented by such myths had yet but imperfectly discriminated between the guilt of the intentional wrongdoer and the pitiable misfortune of the man who falls unwittingly into a transgression of law.

Again, it frequently happens that an action is followed by results which the agent never intended, and could not possibly have foreseen. Now, obviously our readiest judgment regarding an action is founded on its most obtrusive feature ; that is, of course, its overt result. It is only a later reflection that separates the external fact from its internal motive ; and men's judgments with regard to their fellows are continually led astray, either by ascribing an unhappy accident to an evil intention, or by failing to detect such an intention under the mask of a harmless or beneficent act.

To take another case, a man may be the unhappy victim of some purely natural impulse derived either from the constitution which he has inherited or from some other source beyond his control. Persons of quick natural sensibility are in general much more liable than others to be carried away at any moment by emotional storms of all sorts. There are also peculiar hereditary taints, like the alcoholic mania, which amount to practical insanity, rendering the victim for the moment morally irresponsible. In such

cases it is necessary to avoid attributing to deliberate intention actions which result rather from some overpowering passion excited by a tyrannous irritability of nature. In our estimate of human conduct,

“What’s done we partly may compute,  
But know not what’s resisted.”

2. A still more glaring confusion of the same sort is exhibited when desert is extended to *other persons* besides the agent whose conduct forms the subject of judgment. This confusion may probably have been suggested by the fact, that, owing to the organic unity of mankind, relatives, comrades, and other persons are more or less involved in the *natural* effects of any man’s action; but the illusion which clothes any person with the moral desert of another has led to some of the most flagrant perversions of justice. This illusion has been frequently exhibited in those tragedies which have overwhelmed in the same condemnation innocent persons who had the misfortune to be connected with guilty men by kindred or even by some slighter association. Jurisprudence itself has, with a barbarous confusion of justice, sometimes involved in his punishment the whole family of an offender, if not also his remoter relatives.<sup>1</sup> A similar confusion of justice may be traced in the cruel warfare of former times, which, instead of confining its ravages to the responsible combatants, put to the sword all the inhabitants of a hostile town or country, or carried off those who were spared into slavery.

<sup>1</sup> The Book of Esther furnishes, in the slaughter of Haman and his sons, a well-known illustration, which is merely a type of the treatment the Jews themselves might have received at the hands of the Persians.

But at no stage of moral development is there a complete failure to discriminate between the moral desert and the purely natural aspects of conduct. Even in extremely savage tribes a rigid and elaborate discipline is commonly enforced for the purpose of educating those virtues which are found to be most useful to the tribe; and though these may form but a rude representation of morality, yet their culture implies a certain recognition of their worth or merit. Even law, though it does not represent the highest moral conceptions of the society which it regulates, must have recognized at an early period the necessity of taking into consideration the motives of action in order to pronounce a just judgment on its character. This recognition is peculiarly marked in the ancient Hebrew provision to protect from the avenger of blood the slayer who kills "at unawares, without enmity, without laying of wait."<sup>1</sup>

II. But the development of the conception of desert has also been retarded by indistinct ideas of what constitutes the real reward and punishment of moral actions. While it is probably evident to most minds of ordinary intelligence at the present day, that merit and guilt attach only to the moral character of actions, it can scarcely be said to be so generally evident that the true reward and punishment of moral action cannot be anything extrinsic to morality. The rewards or goods of life must be for every man whatever is for him most desirable; the punishments or evils, whatever is most undesirable.

<sup>1</sup> See above, p. 76, note. Similar provisions existed in many other countries in early times. Athenian law appears, at an early period, to have drawn the distinction explicitly between *φόνος ἐκούσιος* and *φόνος ἀκούσιος*.

But what is desirable must of course for all men be determined by the nature of the desires which have been evoked in them by their individual culture engrafted upon the general civilization in which they have grown up. As these desires differ enormously at different stages of human development, the conceptions of reward and punishment which have prevailed among men exhibit a corresponding diversity. An illustration of this general fact may be found in the variously colored pictures of the heaven and hell to which the diverse generations of men have looked forward as the reward or punishment of earthly life. The heaven of all races and of all individuals is essentially a prolongation of the life which on earth has been regarded as the fullest gratification of the best desires.

As long as the struggle for bare existence absorbs the entire energies of men, as it almost always does in the savage state, the rewards of life are simply those external goods which relieve in any degree the hardships and horrors of that struggle. Abundance of food, obtained by success in the chase or by freedom from blighted crops and murrain among cattle, victory over enemies, revenge against injurers,—such are the ideals by which uncivilized man hopes to get merit rewarded. All through the history of the imperfect civilization which man has as yet attained, a similarly inadequate conception may be traced. It is the goods of physical life that are thought of as the rewards of moral goodness; it is material disaster that is held up as a warning penalty of vice. This has originated two illusions which

have sometimes presented the fallacious reasonings of the human mind in a comic aspect, but have also not infrequently led to appalling tragedies.

1. An illusory belief is created, that temporal calamities necessarily imply some guilt on the part of the sufferer. If a calamity cannot be obviously connected by natural law with any individual misdeed, it is often attributed to the direct agency of some offended god ; and religion or superstition plies its rude devices for penetrating the secret of the divine counsels in order to find out the cause of offence. From this have arisen those cruel expiatory sacrifices in which the terrified imagination has endeavored to appease an angry deity by offering the fairest victims and the bloodiest rites. Even in the latest years of ancient Paganism this superstitious association of calamity with divine anger occasionally burst out in a tragic form. For some of the persecutions of the early Church were connected with contemporary calamities which the Pagan mind ascribed to the wrath of the gods at the Christians who denied their existence. Unfortunately the superstition survived in Christendom ; and in several instances great calamities, like the plague of the fourteenth century, were ascribed to the anger of God at the sins of men, — an anger which the people sought to appease, not by moral reformation, but either by horrid self-torture as in the case of the Flagellants, or by the still more horrid torture and massacre of the obnoxious but unoffending Jews.<sup>1</sup>

<sup>1</sup> A harrowing picture of these mental and moral effects of the Black Death is given by Hecker in *Epidemics of the Middle Ages*, No. I. chapter v. (Eng. trans.).

The superstition infects even literary art, producing the numerous fictions with a moral after the type of Richardson's "Pamela, or Virtue rewarded," or of Defoe's "Molly Flanders," in which its author declared, "There is not a wicked action in any part but is first or last rendered unhappy or unfortunate." Even at the present day, among fairly educated men, it is not uncommon to meet with persons who arrogate to themselves a minute acquaintance with the details of the Divine Government by pronouncing any petty misfortune to be a "judgment of God" against the sufferer.

2. In these moral fallacies, however, there is often involved another illusion which follows the hypothetical association between moral desert and material retribution in the opposite direction, — not from real calamity to hypothetical guilt, but from real guilt to hypothetical calamity. This illusion could not be more vividly illustrated than in the practice of trial by ordeal, which has prevailed under many different systems of civilization, — a practice obviously based on the conviction that the laws of the universe, if not by their *general*, yet by some *special* operation, will connect guilt or innocence with an appropriate physical retribution. A similar remark applies to another feature of mediæval jurisprudence, — the judicial combat, of which a survival has continued to our own day in the slowly dying practice of duelling.

Both these forms of trial implied an obscure conviction that, if guilt is not obviously discovered by natural law, it will be tracked unerringly by some

supernatural agency. This conviction becomes more explicit in the fiction of divine or semi-divine personages, whose special function it is to superintend the righteous requital of human deeds. Perhaps the most primitive form of this fancy is one for which there is an obvious psychological explanation,—the ghost of a victim haunting the man by whom he was murdered or otherwise wronged. The Nemesis and Erinnyes of Greek, the Furies of Latin, mythology, are of course familiar from their frequent introduction as figures of modern language; but nearly all mythologies are enriched with fictitious beings, to whom a similar function, though it may be a less artistic form, is ascribed.

In general also polytheistic religions indicate some grasp of the truth, that all wrong is a violation of divine law, by representing different wrongs, according to their nature, as offences against particular deities. This representation has even affected the criminal jurisprudence of primitive ages, in which *crimes* are often conceived as *sins*, and punished as offences not against the state, but against the gods. "At the very core of the Latin religion," says Mommsen, "lay that profound moral impulse which leads men to bring earthly guilt and earthly punishment into relation with the world of the gods, and to view the former as a crime against the gods, and the latter as its expiation. The execution of the criminal condemned to death was as much an expiatory sacrifice offered to the divinity as the killing of an enemy in just war; the thief who by night stole the fruits of the field, paid the penalty to Ceres on the



gallows, just as the enemy paid it to mother earth and the good spirits on the field of battle.”<sup>1</sup>

From these facts it must be evident that the conception of desert forms one of the most potent factors of the moral consciousness; and, however capricious the various forms of the conception may appear, it is also evident that they must follow the course through which the development of the moral consciousness has been already traced in the two preceding sections. Reason can never regard as the real requital of moral desert any extrinsic result which happens to follow from an action without reference to its moral character. The real retribution of an action must be its unfailing result, and its only unfailing result is one that is determined by its intrinsic nature, that is, its morality. It is not difficult, therefore, to see the direction in which the conception of moral retribution must be developed. It must tend to attach itself ever more clearly to those rewards and punishments which flow, not from the peculiar accidents of any particular action, but from the morality of actions universally. Accordingly our task is to find out what are the universal consequences of moral action.

An action, once it is done, becomes a fact; act and fact (*actum* and *factum*) are, indeed, one and the same idea. Our actions are thus issued from our will into the control of the general law of causation, by which other facts in the universe are governed; they become causal agencies — forces — in the devel-

<sup>1</sup> Mommsen's *History of Rome*, Vol. I. p.192 (Eng. ed.). Compare Maine's *Ancient Law*, pp. 359, 360 (Amer. ed.).

opment of events; and no force ever dies. The deed therefore which has been done can never be *undone*; no word that has been spoken can ever be *unspoken*. We may stand aghast at the havoc which our deeds or words are working; we may feel willing to make any sacrifice in order to have them recalled. But it may not be. They have entered into the history of earthly transactions, and no power can abolish them from that history. So true is the fine saying of George Eliot: "Our deeds are like our children that are born to us; they live and act apart from our own will. Nay, children may be strangled, but deeds never; they have an indestructible life both in and out of our consciousness." <sup>1</sup>

It is in the certainty of this causal energy with which our actions are endowed, that reason finds the reality of an inevitable moral retribution. "In the burning and magnifying reflector of results," says Richter, "fate shows us the light, playful vermin of our inner life grown into armed furies and snakes." <sup>2</sup> Now, what are the results which the irresistible destiny of Nature draws from the causal energy of our actions? These results follow that deeper identity which underlies all differentiation, and makes the changes of natural phenomena merely transmigrations of force from one form into another that is exactly equivalent. In their results our actions themselves reappear. This reappearance of the causal action in its retributive effects has often been expressed, with singular fitness, in the figure which compares the former to the sowing of seed, and the latter to the reaping of

<sup>1</sup> *Romola*, chapter xvi.

<sup>2</sup> *Titan*, Zykel, 82.

fruit. As in the field of external nature, so in that of his own life, it is an invariable law, that whatsoever a man soweth, that precisely and that only shall he reap. The moral requital, therefore, of every action, is certain to be found in other actions which are identical with it in moral character.

This requital of our actions is due to those laws of body and mind, in accordance with which habits and dexterities are formed. Through the operation of these laws an action, which is at first performed with slow and deliberate effort, comes, after each repetition, to be performed with greater ease, till at last not only may it be performed without any conscious effort at all, but the tendency to perform it in suggestive circumstances may become so strong as to require an effort more or less strenuous to resist it. As a result of this general process, every virtuous act creates in the agent a tendency to act in the same way with greater ease again, while every vicious act inevitably dooms the offender to a more irresistible vicious impulse in the same direction. Every moral action thus finds its moral retribution, the moment it is done, by confirming, in one direction or another, the moral habits of the agent. Not a single act issues from his will without leaving him morally better or worse than he was before. Every deed done and every word spoken, even the thoughts and feelings that are merely cherished in consciousness, all go to form those moral habits which together constitute the permanent character, that is, the unalterable fate, of every man. It is therefore but a sober truth of ethical teaching, that every idle word

that men shall speak, they shall give account thereof in that final summation of their lives, which forms for all the Day of Judgment.

With a growing insight into this law the moral consciousness abandons more and more all expectation of rewards and punishments that are not essentially connected with the morality of life, and learns to rest in that moral government described by an ancient rabbi: "One good deed draws another after it, and one sin another; for the reward of virtue is virtue, and the punishment of sin is a new sin."<sup>1</sup>

<sup>1</sup> Simon ben Azai, a rabbi of the first century, in Jost's *Geschichte des Judenthums und seiner Secte*, Vol. II. p. 98. Compare *Daniel Deronda*, Book VI. chapter xlvi. The proverb that "virtue is its own reward," is thus *literally* true. Goethe has expressed the counterpart of the proverb:—

"Das eben ist der Fluch der bösen That,  
Dass sie fortzeugend immer Böses muss gebären."

## CHAPTER II.

## THE MORAL CONSCIOUSNESS AS EMOTION.

THE fact, that the moral consciousness has an emotional as well as an intellectual phase, is too evident to require explicit demonstration. As already observed, this phase is so prominent, that with some writers it seems to exclude every other view, and the moral consciousness is described as if it were wholly an offspring of sensibility. The prominence of this phase in the daily consciousness of men is also indicated by the fact, that ordinary language supplies numerous expressions to denote the feelings that have their source in the moral life. To describe a peculiarly acute sensibility of the mind to moral impressions, we speak of a *tender* conscience, or sometimes, with a pithy vulgarism, of a conscience that is *squeamish*. *Qualms, stings, pangs, prickings, twinges* of conscience, are some of the terms used for the painful affections of our moral nature, while a person suffering from these is often pictured as conscience-*smitten*.

The presence of the emotional factor in moral consciousness may be illustrated from another point of view. The moral life is a conscious activity, and such activity is inexplicable except under the impulse of feeling. Pure cognition—even the contempla-

tion of a practical truth — is conceivable without any stirring of emotion. In all departments of human inquiry the thinker is apt to be taken by surprise at times if he reflects on the callous insensibility with which, in purely speculative moods, the intellect can deal with facts which, in a more practical mood, may rouse the soul to impassioned exertion. The mere cognition of moral law therefore is not sufficient for moral action. "Axioms are not axioms," said Keats, "till they have been felt upon our pulses;" and the saying embodies an important psychological truth, at least when it is referred, as was evidently intended, to axioms of conduct. Moral axioms are not really apprehended in their essential nature as practical truths till they have sent a thrill through the emotional life; it is only then that they become motives of action. It thus appears from the full analysis of his moral activity, that the intellect of man is swayed by his feelings.

"Reason the card, but passion is the gale."

It is therefore pointed out by Hume, that in scientific accuracy the common expression is indefensible, which speaks of reason and passion counteracting each other.<sup>1</sup> The real fact intended is, that the more violent emotions, to which the name of passion is often confined, come into conflict with those less intense feelings which draw their character from the guidance of reason, and under which the mental condition seems more akin to calm intellectual activity than to emotional excitement. The moral

<sup>1</sup> *Treatise of Human Nature*, Book II. part iii. § 3.

feelings, it need scarcely be explained, take their place among this latter class, that is, among those which find their origin or their peculiar bias in reason. Yet it is worth noting that their intensity is often such as, on first thought at least, to appear a perplexing psychological problem. Many of the most tragic events, both in the inner and in the outer life of men, may be traced to the overpowering anguish of the moral feelings.

This intensity of emotional excitement would certainly be mysterious, if it were referred exclusively to moral emotion, in the strictest sense of the expression. But the truth is, that the emotional elements of the moral consciousness form an extremely complicated phenomenon. The complication, too, is extremely varied. Not only does this appear in comparing different persons at different stages of moral culture; even the same person is subject to great variations of moral sentiment, which are determined partly by his own subjective moods, partly by various objective causes.

Of these determining influences, to which the variations of moral sentiment are due, probably the most powerful in general are the objective causes. The external circumstances, in which a person is placed, commonly give rise to a variety of natural emotions, which mingle with the strictly moral feelings, and give a peculiar tone to the whole emotional state excited. Thus the relation, in which any one stands to others, may be forced into such prominence in his thoughts as to determine very largely the nature of the feelings with which he regards his own

conduct. He may be stirred with all the exulting excitement of successful ambition, or endure the mortification of being baffled in his pursuits ; he may be exhilarated by the fame of recognized merit, or may cringe under the terror of detection and punishment ; the sympathy which finds pleasure in making others pleased, or pain in giving pain, may form an important element in the feelings aroused. And the emotional agitation may be exalted or modified by religious ideas. A man may be moved by desire to please God, or by the fear of His displeasure, by the hope of heaven, or the dread of hell ; these prospective emotions being very variously tinged by the coloring given to the prospect hoped or feared.

In fact, the abstract analyses of science can never completely exhibit the emotions which may thus alter the complexion of the moral consciousness. It is only in general literature, with its concrete portraits of human character, that we can find anything approaching to an adequate representation of the infinite shades of difference in the moral feelings of different individuals or of the same individual at different times. All literature that gives play to the dramatic imagination draws its materials largely from this class of feelings, and founds its deepest plot-interest on the developments which these feelings undergo. It is on this account, as already stated, that a certain plausibility is given to empirical or naturalistic theories of the moral consciousness, because it is always easy to show that certain natural feelings take a more or less prominent place among its associations.



But the question still remains, Is moral sentiment simply a complexus of sentiments which in themselves are purely natural, non-moral? or is there, over and above the natural sentiments that may mingle with the moral consciousness, an emotional factor *sui generis*, that is distinctively moral? This question has been implicitly answered in the previous chapter, and all that is now required is to point out the inference which follows from the argument of that chapter with regard to the nature of moral emotion.

The general drift of the chapter was to show that the moral consciousness, in so far as it is a cognition, cannot be merely a product of natural causation, — that, on the contrary, it implies a principle in our consciousness transcending the natural course of events. What bearing has this upon the emotional aspect of the moral consciousness? This question must be answered by referring to the source of emotions in general. All emotions, that is, all our feelings in so far as they are more than simple sensations, arise from ideas. It is the consciousness of motherhood that evokes the emotion of motherly love; it is the idea of his relation to his parents that awakens filial affection in the child; the thought of a favor conferred stirs a feeling of gratitude; reflection on an injury inflicted rouses the passion of anger. In like manner moral emotions must find their origin in moral ideas. Now, as these are not mere products of nature, neither are those. After eliminating from the moral consciousness all hopes and fears, all loves and hates, and other emotions,

that arise from the pleasures and pains of natural life, there remains a residuum of feeling that is distinctively moral.

This strictly moral phase of feeling itself varies according to the various aspects in which the moral law may be viewed. One great difference in the attitude of the mind to the moral law arises from its being viewed in the abstract or in the concrete.

In minds of larger culture the abstract moral law is in itself calculated to awaken a peculiar emotion ; and most of the great writers, who have undertaken to expound its infinite and imperative claims, manifest in the tone of their language the glow of feeling with which they touch their theme. Even poetic sentiment, though founding of necessity mainly on concrete facts, is stirred at times to almost rapturous overflow by this "stern Daughter of the Voice of God."

"Stern Lawgiver ! Yet thou dost wear  
The Godhead's most benignant grace ;  
Nor know we anything so fair  
As is the smile upon thy face :  
Flowers laugh before thee on their beds,  
And fragrance in thy footing treads ;  
Thou dost preserve the stars from wrong,

And the most ancient heavens through thee are fresh and strong."<sup>1</sup>

Such a distinctively moral emotion — an emotion excited by the pure moral law — implies of course

<sup>1</sup> Wordsworth's *Ode to Duty*. The Greek dramatists, especially in their choruses, often rise to the same range of thought. With the splendid imagination which illuminates his fragments, Herakleitos connects the laws that rule the great cosmic movements with those that govern the moral world: "The sun may not transgress his bounds, else the Erinnyes, who are the ministers of justice, shall find him out."

a distinctively moral sensibility; but this sensibility must not be confounded with the moral sense as conceived by those philosophers who ascribe to it the origin of moral ideas. The so-called moral sense would not be essentially different from the modes of natural sensibility; it would be excited by natural agency in a manner precisely similar to that in which the bodily senses are stimulated, and moral ideas would be simply the empirical impressions of this sense. But in reality the moral feelings are not the source, they are rather the issue, of moral ideas. The conception of a law imposing an absolutely imperative obligation strikes our sensibility in a peculiar way. Other aspects of the moral law may excite various appropriate emotions, such as those of order, beauty, sublimity; but the consciousness of an unconditional Ought has its own peculiar feeling. As this law has its source in reason alone applied to the government of our conduct, the feeling it excites is properly a sentiment of pure reason. The emotional factors of the moral life are thus shown to draw their inspiration from a transcendental origin; the love of duty is strictly an "*amor intellectualis*." <sup>1</sup>

But the widest field for the play of moral emotion is of course to be found in the concrete applications of moral law in human life. The actions of men, whether our own or those of others, afford a perpetual stimulus to the moral sensibility. In the first place, the actions of others may, indeed, excite many nat-

"Light intellectual replete with love,  
Love of true good replete with ecstasy,  
Ecstasy that transcendeth every sweetness."

DANTE'S *Paradiso*, XXX. 40-43.

ural feelings that have nothing in them distinctively moral, — love, admiration, reverence, devotion, on the one hand, and hatred, indignation, fear, scorn, disgust, on the other ; but, in addition to these purely natural feelings, there may be also the distinctively moral sentiments of approbation and disapprobation, that is, sentiments due entirely to the moral character of actions, — to the consciousness that actions are in harmony or in conflict with the moral law.

In the second place, our own actions give rise to feelings that are strictly moral, over and above any natural feelings by which these may be accompanied. On the one hand, there is a certain feeling of self-complacency connected with the consciousness of having acted rightly, — a feeling that has no distinctively expressive name in ordinary language, perhaps because it is not very prominent in human consciousness. But, on the other hand, it is probably a significant indication of the moral condition of mankind, that the opposite feeling is known by a term which is at once so familiar, so distinctive, and so expressive, as *remorse*.

## CHAPTER III.

## THE MORAL CONSCIOUSNESS AS VOLITION.

THIS chapter introduces us to one of the most perplexing questions in the whole domain of Ethics, — a question which involves the radical problem of all philosophy. It may therefore be found expedient to clear the ground for the discussion of this question, by explaining, first of all, the facts which are generally admitted in reference to the nature of volition.

§ 1. *Facts generally admitted regarding Volition.*

It has been already remarked (p. 27) that volition or voluntary action is identical with moral action. In other words, no action can be charged with a moral character if it is not within the control of the will; but every action acquires a moral character in so far as it is within such control.

Here, then, we come upon the characteristic by which moral actions are differentiated from actions that are non-moral. It is admitted, in one form or another, by all moralists, that the moral element in an action is purely mental, is strictly a fact of consciousness. By this is meant that, in order to be moral, an action must be done with an *intention*, that is, an end towards which the action is consciously directed.

'Tis true, the objective tendencies or results of an action have greater importance attached to them by some thinkers than by others. This is apt to be the view especially of those who find the goodness of an action in its utility, that is, its tendency to promote happiness.<sup>1</sup> But utilitarians usually distinguish themselves by their earnestness in insisting that the utility of an action must be intended by the agent in order to make his action morally good; and no one maintains that a result, which is brought about simply by the natural causation of an action, in spite of the agent's intention or even wholly apart from that intention, is one for which he can be either morally praised or morally blamed. "I did not intend it," is the spontaneous defence of every man against being held responsible for any unforeseen effect of an action.

Moral action, then, in its essential nature, is always the mental or conscious action by which we aim at the attainment of a certain end. This general doctrine is, indeed, interpreted differently in different ethical schools, and these differences of interpretation will come under review, and be more easily intelligible, when we proceed to the discussion of Ethics proper. But the general doctrine itself is an essential principle of ethical science. The firm grasp of the principle, however, as was pointed out

<sup>1</sup> Bentham seems specially pronounced in referring to the consequences of an action the factor which determines its moral character (*Principles of Morals and Legislation*, chapters vii.-xi. inclusive). But in his elaborate distinctions, though he deals somewhat roughly with many usages of common speech, yet he does not appear essentially in conflict with the common doctrine of moralists as explained in the text.

in the third section of the previous chapter, has been a gradual gain of moral civilization; for, in the development of the individual as well as of the race, there is evidently a time when it is not so obvious as it seems to the educated mind of the present day, that moral desert can attach only to intentional or voluntary acts. It may therefore be of service to the student to linger for a moment over the exposition of this truth.

I. The truth is, first of all, strikingly illustrated by the fact, that actions, which in their external aspect are perfectly similar, may yet be diametrically opposite in moral character, owing to the total difference in the intentions with which they are severally done. Suppose, for example, a sum of money given on two different occasions by the same person to the same person, and applied in both cases to the same object; but in the one case let the intention of the giver be to confer some benefit, in the other case to bribe. Here are two actions in all their overt circumstances indistinguishable, and yet separated by the whole diameter of the moral universe. Now, what is the difference between them? By hypothesis, only the intention.

II. The same truth is further illustrated by the fact, that a moral action is often prevented by physical causes from passing beyond the intention, or at least from reaching the intended result. Whatever freedom may be claimed for human volition, it is still on all sides restricted by the physical forces employed in producing the effects that are willed. Not only must the agent's own nervous and muscular force be

sufficient for the work he undertakes, but in general a variety of conditions in his environment must be fulfilled in order to the attainment of the end which he has in view. There may thus be often a whole chain of physical conditions between the originating volition and its ultimate object. This chain may embrace merely a few circumstances that must be realized on the spot, but sometimes it connects a long series of events extending over days, or months, or years. The interval, which stretches in this way between the first conception of an act and its ultimate fulfilment, gives scope for many a vacillation of purpose, many a conflict of contending motives; and if the prospective action is calculated to awe the soul, the internal struggle may form one of the most terrible experiences in the mental life of man.

“Between the acting of a dreadful thing  
And the first motion, all the interim is  
Like a phantasma or a hideous dream :  
The Genius and the mortal instruments  
Are then in council ; and the state of man,  
Like to a little kingdom, suffers then  
The nature of an insurrection.”

In the chain of events filling up this interval, every link may be indispensable to the accomplishment of the result intended, and yet the chain is liable to snap at any link. In fact, all men are being frequently baffled in their best endeavors by unforeseen contingencies, and often also an evil intention is defeated by the happy interposition of some unexpected hindrance. It is on this account that men have, in all ages, been conscious that their designs



are overruled by a Power beyond their control, — a Power which has been pictured, at one time as a pitiless Fate working out its results without regard to the interests of man, at another as a kindly Providence that “shapes our ends, rough-hew them how we will.”

As an inference from this it has been a commonplace of ethical teaching, that a man’s moral actions — the actions for which alone he can be held morally responsible — do not necessarily extend to the results accomplished, but merely to those intended. All that the moral law, therefore, demands of any man is to will what is good, that is, to act so as to accomplish what is good, so far as it is within his power.

It is for this reason that we must always be on our guard against estimating the moral achievements of men by the external extent or splendor of the stage on which they are transacted. Nor can the moral significance of an action be measured by what is commonly called success. As it implies the execution in the outer world of purposes mentally planned, success depends on forces that are often beyond the agent’s control. Consequently all human experience, both on the large scale displayed in historical literature, and in the little incidents that make up the unrecorded lives of obscure men, contains numerous instances in which efforts of heroic morality appear to be frustrated, and a noble cause appears to go down in total defeat. But it is precisely here that moral intelligence finds scope in piercing through the vanishing appearances of the sensible world to dis-

cern the unfailing operation of the eternal laws by which the moral world is sustained.

III. The essential nature of moral action is perhaps still more clearly indicated by the fact, that often it is not directed to any overt result at all, and therefore does not betray itself in any overt movement. In other words, the actions for which men are morally praised or blamed are sometimes merely thoughts, feelings, desires. It is true, that, in so far as these are suggested by causes beyond our control, we cannot be held morally responsible for them; they must then be accounted for by the natural Laws of Suggestion. But they are not wholly beyond voluntary control. Not to dwell on the fact, that that control may be carried back, in many cases, to the formation of habits, by which the suggestion of particular thoughts and passions is rendered easier or more difficult; even when these have been suggested involuntarily, we hold them still under voluntary control, inasmuch as we may cherish them into irresistible activity, or crush them into impotence. The masterful suggestiveness of unwelcome thoughts or desires, and the endeavor to repress them, give rise to the sternest warfare of human life; and it is in this internal warfare that all our decisive conflicts are fought. For the external character of men's actions, and therefore all the movements of human history, are decided beforehand by the previous internal triumph or defeat.

It is upon this principle also that the noblest moral teaching has always enjoined the necessity of guarding the internal springs of action, rather than

the mere observance of external rules, and has always insisted that the moral law is broken in reality, because it is broken in its spirit, when a man desires to do an evil act, even though external circumstances may prevent him from carrying out his desire.

On these grounds, then, it is maintained that the morality of an action is essentially dependent on the intention with which it is done. But this doctrine is liable to a misunderstanding, against which it is necessary to provide by some further explanation. It may be urged, and has in fact been maintained by some moralists, that, since the moral character of an action depends on the intention of the agent, any action, whatever its external character may be, will be rendered morally good or bad according to the goodness or badness of the intention by which the agent is guided. Thus, an action which from its baneful results must commonly involve immorality on the part of the agent — lying, stealing, murdering — would become morally good if the agent could only succeed for the moment in conjuring a mental outlook beyond the immediate baneful act — beyond the lie, the theft, or the murder — towards a remoter good end which the act may be the means of attaining. This is the inference implied in the principle that “the end justifies the means,” — that “it is allowable to do evil, that good may come.” But it has been the unequivocal teaching of a sound morality in all ages, that such a principle would corrupt the very sources of our moral life; and therefore it becomes necessary to understand why the subjective

goodness of intention cannot make an action good, which is evil in its objective nature.

To see this, it must be kept in mind that an intention is not a purely subjective fact. It is a commonplace among psychologists, to distinguish volitions, as well as cognitions, from feelings, by the fact that they necessarily have an objective reference. A volition is obviously impossible without a cognition of the end which the person willing intends to attain, and this end is, in fact, often spoken of as the *object* of his action. It is only, therefore, by an artificial abstraction of thought, that a good intention can be separated from its object, and treated as if it were a purely subjective phenomenon. Sometimes, indeed, in the popular use of the word, a purely subjective phenomenon seems to be meant. Thus a plan, with which a man allows his imagination to dally now and then as a possibility that may some day be realized, but which he never takes any effective steps to carry out, is occasionally spoken of as something which he *intends* to do; and it was obviously in reference to this use of the term, that Johnson spoke of hell being paved with good intentions. But even here, and in general when intention is viewed as a concrete fact of the moral life, it has an objective as well as a subjective side. Not only must the agent "mean well," so far as his conscious purpose — his subjective intention — is concerned; but he must have a "good object" in view. In accordance with the more pronounced distinctions of popular thought it may be said, that two conditions are required to make an action good. One of these is objective, —

the conformity of the action with the moral law as the objective standard of goodness. The other condition is subjective,—a good intention on the part of the agent.

When an action fulfils both of these conditions, it is said to be *perfectly* or *absolutely* good. But it is admitted that human goodness rarely, if ever, attains this absolute perfection ; and, therefore, to recognize any goodness at all in human life, it is necessary to allow a certain *relative, imperfect, or partial* goodness in actions, even when they do not completely fulfil the conditions of absolute goodness. Accordingly it becomes a matter of some importance to discover what is the effect upon the moral character of an action, when the one or the other of these conditions is not realized.

1. We shall take first, as the simpler of the two alternatives, that in which the subjective condition is a-wanting, or, in other words, the case in which an action is done, not with a good, but with a bad intention. Here there can be no room for casuistical complications. The object which an agent intends to accomplish by his action is that for which he must be held morally responsible,—that for which he is to be morally praised or morally blamed. It matters not therefore what the real result of an action may be, if the result intended by the agent was something which he knew to be bad, the action takes its moral character entirely from that intention. It has been already observed, that the chain of physical conditions, by which our remoter ends are reached, may slip from our control at any link ; and conse-

quently, while we must endure at times the mortification of seeing our best endeavors defeated by insuperable obstacles, fortunately also many a criminal intention is frustrated by a happy accident unforeseen. It is thus an every-day occurrence, that actions, whose sole motive was an intention to gratify some evil passion, may be turned to beneficent results; yet the evil intention of the agent strips his action of all moral goodness, only its natural goodness remains. If this natural goodness can in any sense be spoken of as moral, its moral character must be ascribed, not to the human agent with his evil intentions, but to the Infinite Agent who works in accordance with natural laws.

A great historical illustration of the necessity for distinguishing between the natural goodness and the moral goodness of an action is to be found in connection with the history of modern slavery in the New World. In general, this particular phase of slavery has been defended on the alleged improvement of the slave's condition physically, mentally, morally; and it has been especially maintained that by means of this institution a larger number of the lower races have been brought within the influence of Christian civilization than by all the efforts of Christian missionaries put together. This was a plea of the first Spanish conquerors in Mexico, in Peru, and in other parts of New Spain.<sup>1</sup> Among the English race it continued to be a common defence of slavery

<sup>1</sup> Prescott, *Conquest of Mexico*, Book II. chapter i.; *Conquest of Peru*, Book III. chapter iii. It is to the credit of the Spanish Dominicans, that they seem to have been unanimous, unequivocal, earnest, in their denunciation of the system (*Conquest of Mexico*, Book VII. chapter v.).

from the time of Elizabeth to the American Civil War in which the institution went down; and the plea was specious enough to impose upon Whitefield and the Moravian missionaries in Georgia during last century.<sup>1</sup> But whatever beneficent purpose slavery may have served in the plan of human history, it is impossible in general to trace such a purpose in the intentions of slave-trader or slaveholder; and the moral character of the slave-trader's or slaveholder's actions must be determined, not by the ultimate results to which these led by natural causation, but by the immediate object which each intended to attain.

The reason of this is obvious. To intend or not to intend a certain result is always within the power of the agent's will; and therefore, if he knows or believes a certain result to be inconsistent with goodness, and yet proceeds to work out that result, his action must be morally estimated by the fact that he intended to perpetrate what he knew to be a violation of the moral law.

2. But so far intention has been viewed on its purely subjective side, on which it is under the control of the individual subject. It has, however, as already stated, an objective phase as well; and in this aspect it falls under the conditions of the objective world, which are beyond the individual's control. It is always within the individual's power to regulate his intentions according to his knowledge of what is right; but his knowledge, being necessarily know-

<sup>1</sup> Bancroft's *History of the United States*, Vol. II. p. 1024 (Routledge's ed.).

ledge of an object, is dependent on the conditions of the objective world to which it refers. It may thus happen, that, while fully and earnestly intending what is right so far as his subjective purpose is concerned, an agent may yet fail to intend what is right as an objective fact. His intention is subjectively right, he means well; but it is objectively wrong, he has not had a good object in view: or, to express it by the crasser distinction given above, he has fulfilled the subjective condition of goodness by acting with a good intention; but he has failed to fulfil the objective condition in so far as his action is not in conformity with the objective standard of goodness, the moral law.

But this defect does not, like the former, necessarily make an action morally bad. It may still retain a certain imperfect moral goodness, just because its imperfection is an imperfection of knowledge, and our knowledge on all subjects is limited by conditions which are often, though not always, beyond our control. This peculiar imperfection in our morality, therefore, is complicated by the fact that it may be due either to voluntary or to involuntary causes. These alternatives must be considered separately.

(1) The failure of an individual to find out the highest requirements of the moral law may be due to causes which are beyond his control. The evolution of human intelligence is conditioned by numerous influences of time and space. This is recognized in all departments of knowledge. The most splendid intelligence of the ancient world could not pos-



sibly become acquainted with numerous scientific truths which, after being evolved by the labors of many subsequent inquirers, are now made familiar to every child at school. Moral truths are not exempt from this general law. In fact, there is probably no phase of the human mind, in which the conditions of evolution are more strikingly manifested than the moral intelligence; and every form of historical study draws much of its interest, as well as its difficulty, from the necessity of tracing the changes that almost every new generation brings about in the moral conceptions and customs of men. This affects whole sections of mankind, as well as individuals.

(a) At certain stages in the evolution of moral intelligence entire races or classes may be precluded from knowing the highest, or even a moderately high, standard of duty. In fact, some savage tribes seem so utterly destitute of the ideas, so utterly regardless of the usages, which we associate indissolubly with the moral life, that many, who have had opportunities of forming an acquaintance with their condition, have pronounced them absolutely void of moral consciousness. The average human being can never rise much above the prevalent conceptions of his social environment; and it is due, not to any voluntary shortcoming so much as to the force of natural conditions, that the members of a degraded tribe are under the influence of defective and perverted conceptions of morality. Even in the midst of the highest moral civilization that the world has ever attained, every class of society may have its moral

ideas stunted or distorted by its peculiar code of honor on particular questions; and thus the various relations of life — the relations of the sexes, of master and slave, of employer and employee, of buyer and seller, of political partisans — are often, in one social circle, the subject of moral judgments that are scarcely intelligible to another.

(*b*) In like manner, particular individuals, even amid social surroundings that are generally favorable to morality, may be placed at times under peculiar conditions that warp or repress the development of moral consciousness in certain directions. Sometimes the bodily constitution, as inherited or as accidentally modified, may develop or intensify various moral prejudices of more or less baneful power. Even the most unprejudiced moral intelligence may, on particular occasions, be prevented by isolated circumstances or incidents, from knowing what is best to be done; and it is this fact which leads us often to the reflection, that we should have acted differently *if we had known better*.

It is evident, therefore, that a man cannot in all circumstances be held responsible for his ignorance of the highest requirements of the moral law; and his action attains that relative goodness which is alone possible to humanity, if it accords with the highest ideal which, in his circumstances, he was capable of knowing, even though this ideal may be far short of that which, in more favorable circumstances, he might have conceived. That the guilt of an offence is qualified by the circumstances of the offender, is a principle recognized in the administra-

tion of human justice by the variation of penalties at the discretion of a court ; while the highest religious teaching pronounces it to be a law of divine justice, that, "to whomsoever much is given, of him shall be much required," and that in the "Day of Judgment" it will be more tolerable for men who have fallen into evil ways amid a profound moral gloom, than for those who, in the enjoyment of a clearer moral light, have yet refused to accept its guidance.<sup>1</sup>

(2) But all this implies that, when we are not to be blamed for our ignorance of the highest moral requirements, that ignorance must be due to causes which are beyond our control. Ignorance, however, on any subject, is not of necessity involuntary. Cognition is far from being a purely passive or receptive state of mind ; it is essentially a voluntary activity, and comes thereby within the moral sphere. If this is the case with cognition in general, obviously it must be the case *a fortiori* with those cognitions whose special object is to provide rules of action for the guidance of life. It is, therefore, a commonplace, not only of scientific Psychology, but even of popular experience, that, in the affairs of practical life far more than in the region of purely speculative truth, judgment is apt to be prejudicially biassed by every influence by which intelligence can be impaired.

(a) The prejudicial influence may at times be a general defect, either of that negative character which arises from an inadequate training of the conscience, or of that positive character which is due to the

<sup>1</sup> Luke xii. 47, 48 ; Matt. xi. 20-24.

searing effect of a vicious life. Or (*b*) it may be a more special cause that is at work to deprave the judgment. We may, for example, fail from some disinclination to inform ourselves fully of all the interests which are involved in a particular case, and a knowledge of which may be absolutely indispensable for our moral guidance. Or, again, we may allow some particular passion — envy, jealousy, ambition, avarice, or even love itself — so to dazzle or blind our moral vision, as to render us incapable of seeing clearly the path of duty.

It is, therefore, often the fact, that a man may be blamed, not only for failing to practise, but also for failing to know, the requirements of the moral law; and while such ignorance is at times admitted as a valid excuse for an imperfect morality, there are occasions on which the offender, who pleads his ignorance as an excuse, must be met by the retort that *he ought to have known better*.

Of course it is generally impossible for us to determine with certainty, in the case of any individual, whether his ignorance of the highest morality is due to his own fault or to causes over which he had no control. The intermingling of human motives in almost every action of life is so complicated, that no human being can, as a rule, disentangle the complication even in his own mind, while this complication forms an unfailing plea for the most liberal generosity in our judgment of others.

“ Who made the heart, 'tis He alone  
Decidedly can try us;  
He knows each chord — its various tone,  
Each spring — its various bias.

Then at the balance let's be mute,  
 We never can adjust it;  
 What's done we partly may compute,  
 But know not what's resisted."

The fact, then, that there is an objective standard to which our actions should conform, does not militate against the doctrine with which this section opened, that the moral element of an action resides in the intention with which it is done; for conformity to the standard of duty can be required of any man merely in so far as by voluntary intention he is capable of knowing what the standard is. Moral action is therefore simply action with an intention with an end in view. It is, in other words, the act of a self-conscious being who is cognizant of an end for himself, and capable of directing the powers at his disposal so as to attain that end. To express it in still another form, moral action is the moral consciousness considered not merely as the cognition of a law, or as emotionally excited by its contemplation, but as willing an object in relation to that law.

### § 2. *The Problem of Volition.*

So far there is general agreement in regard to the nature of volition or moral action; it is an intention *in actu* — a conscious action with a view to some end. But with this definition it still remains a question whether the nature of moral action is made sufficiently distinct; whether, in fact, there is not a profounder difference, which has not yet been touched, between volition and every other form of action. All action is conceived as an event in time,

bearing to other events a temporal relation, — a relation of before or after. When an action is conceived under this relation alone, it is conceived still further, not only as exercising a determining influence upon events that come after, but also as itself determined by events that have gone before. The question therefore arises, whether the actions of a self-conscious being are fully explained when they are represented, like those of an unconscious thing, simply as events in time, or whether they do not bear some higher relation which prevents them from being conceived merely as temporal phenomena, absolutely determined by their antecedents.

As already stated, we are often made aware that our purposes may be baffled by an overruling Power that works through the world of external circumstance, and shuts us up at times to a fate against which all our voluntary exertions are vain. All through human life there is thus apt to appear a conflict between man and his circumstances, and this conflict probably forms the source of the deepest interest that human history can excite. For all the tragedy of life, it has been said, derives its pathos — its power of touching the heart — from picturing the victory either of man over circumstances, or of circumstances over man. What is the nature of the victory which may thus crown the struggles of man? Does it imply a veritable independence on the circumstances of his temporal environment?

In discussing this question we must be limited to its psychological and ethical aspects, avoiding theological implications with which it is often need-

lessly perplexed. The relation of the Infinite Being to His finite creatures cannot, except for popular illustration, be compared to the relation between a finite cause and its finite effect. To describe the agency of the Infinite Being in terms of finite causation would imply that He enters, as a temporal phenomenon, into the stream of temporal phenomena, not only to determine consequents, but also to be Himself determined by antecedents. Such an implication, however, contradicts the conception of an Infinite Being; and consequently He cannot be introduced here as a *Deus ex machina* to prove that the actions of man are absolutely determined by a cause external to themselves. Moreover, the creation of a moral world, as distinct from the world of nature, implies such an arrangement on the part of the Infinite Creator as at least to leave scope for the agency of beings who are not absolutely determined to act merely as He wills, and can therefore be by Him held to account for the actions which they have themselves determined. Nor does it require any difficult or unreasonable hypothesis to conceive that a great variety of alternatives may be left open to the freedom of moral agents, and yet Infinite Wisdom and Power may so order the general plan of the moral world as to secure with absolute certainty the final realization of that plan in the event of any possible alternative. Consequently, so far as the problem of volition bears upon the relation between the finite activity of man and the infinite activity of God, we may fairly leave it to the science of Theology; and we shall therefore treat it here simply as a problem in the Psychology of Ethics.

In the solution of this problem we come upon two antagonistic theories which are radically identical with those two divergent tendencies of speculation that have been already described as running through the whole history of human thought. It must not be supposed, however, that the adherents of the opposite theories always cling to their logical allies; on the contrary, they will often be found on both sides in alliances of the most unexpected kind.

(A) One theory, then, holds that, whatever distinction may be drawn between volitions and other actions, there is no difference so far as the law of causality is concerned. According to this law, every phenomenon is absolutely determined by some antecedent phenomenon or phenomena; and consequently this theory holds that every action of man receives its definite character from the immediately antecedent circumstances in which it was done, it being understood that antecedent circumstances comprehend the condition of the agent himself as well as the condition of his environment. The manifold agencies in the physical world excite their multitudinous tremors in the nervous system: these are followed by appropriate states of consciousness, — feelings, cognitions, desires; and the phenomena, which we call volitions, are merely further links of the same chain. Every volition, therefore, on this theory, is regarded simply as an event in time, wholly determined, like any other event, by events preceding.

This has been commonly called in former times the Theory of Necessity, and its supporters Neces-



sitarrians or Necessarians. Recent advocates of the theory, however, generally object to the term Necessity, as implying compulsion without consent, whereas the theory regards the consent of the agent, though a consent caused by antecedent events, as one of the conditions of a voluntary action. On this account Determinism has been suggested, and is now generally adopted, as a preferable designation of the theory. It is perhaps worth while to add that the objections to Fatalism and cognate expressions are stronger than to any terms involving *necessity*; for Fatalism is commonly associated, not so much with a speculative theory as with a practical attitude in reference to futurities supposed to be so certain as to render all antagonistic effort unavailable, even when their certainty depends obviously on the absence of any such effort.

Without going into the older literature of the subject the student will find, among more modern discussions, perhaps the most satisfactory exposition of Determinism in Mill's "Logic" (Book VI., especially chapter ii.), with which may be compared his "Examination of Hamilton's Philosophy" (chapter xxvi.), and Bain's "Emotions and Will" (Part II., chapter ii.).

(B) The opposite theory maintains, in one form or another, that there is an essential difference between volitions and other events, and that their character is not to be interpreted, like that of other events, solely by referring to the antecedent circumstances in which they were done. Recognizing thus a certain freedom from the determinations of natural law, this theory is spoken of as the doctrine of Liberty, or of

the Freedom of the Will; while its supporters are sometimes called Libertarians. This theory must not, however, be confounded with a doctrine, with which it has unfortunately allied itself at times, but which may be discarded at once as not only untenable, but even meaningless. The doctrine in question contends for a sort of freedom which has been styled the "liberty of indifference," that is, a power to act free from the influence of any motive whatever. Whether such a freedom can be claimed for man or not, it is not worth claiming; for a motiveless act cannot be an intelligent act, since it implies no intelligence of the end which the act is designed to accomplish. It is thus evident that liberty of indifference, even if it exists, can have no connection with the problem of volition; for a volition is precisely an act with a conscious motive, and a motiveless volition would, therefore, be a contradiction in terms.

One of the fullest and ablest expositions of the Libertarian theory, as it is held at the present day, will be found in Green's "Prolegomena to Ethics," especially Book I., chapter iii., and Book II.

As the problem of these rival theories is for us a problem in the Psychology of Ethics, our interest in it may perhaps be most effectively served by looking at it in its psychological and ethical aspects.

1. The psychological aspect of this controversy presents it as one affecting the nature and origin of human consciousness in general.

(1) Take, first of all, the view of this subject which is enforced by Determinism. Though a cer-

tain form of this theory has often been maintained by theologians of the Augustinian and Calvinistic schools, and though it has often formed a prominent conviction in minds attached to a morality of a most pronounced religious type, yet the doctrine tends at the present day to ally itself more distinctly with that general theory of man's origin which regards him as, in mind and body alike, merely the last evolution of organic nature on our planet. According to this view, man's consciousness is simply the product of the forces in his environment acting on his complicated sensible organism, and of that organism reacting on the environment. His consciousness, therefore, stands related to other phenomena precisely as these are related to one another, each being acted upon by the rest, and reacting upon them so that all are absolutely determined by this reciprocity of action. On this view man's self is not a real unity that, by its unifying power, forms, out of an unintelligible multiplicity of sensations, the intelligible order of his sensible world; it is a mere name for a factitious aggregate of mental states that happen to come together. The only actual self is the sum of the feelings which make up the consciousness of any moment; and the actual self therefore differs with all the variation of our feelings. Such a self evidently offers no conceivable source of any activity that is not determined absolutely by natural causation.

(2) On the other hand, the doctrine of Liberty, while maintaining that voluntary action is not absolutely determined or completely explained by the laws of nature, does not, as already observed, contend

for that freedom from law which seems to be meant by the so-called liberty of indifference. The actions which are commonly spoken of as lawless,—as arbitrary, capricious, licentious,—so far from being vindications of freedom, in reality involve a surrender of true freedom,—the freedom of a self-conscious, rational activity,—and a subjection to the impulse of unreasoning passion, or perhaps of mere physical stimulation. The sway of law is not a negation of freedom, unless it is imposed on the self-conscious agent by some power foreign to his will; if the law is consciously adopted by himself for the governance of his life, then his subjection to the law is a practical assertion—a realization—of his freedom as a rational agent.

In like manner, the Freedom of the Will, though opposed to any purely empirical theory of evolution, is by no means hostile to Evolutionism when freed from its empirical associations. On the contrary, the Libertarian cannot but represent the process of the universe as an orderly progression; and that is the fundamental idea conveyed by evolution or development. For the doctrine, which asserts the independence of intelligent activity on the order of nature, must hold that intelligence is not to be interpreted by that order, but that that order is to be interpreted in terms of intelligence. On this view, the whole process of nature must be conceived as the unfolding of the sublime plan of a Supreme Intelligence, so that each new stage in the process is a rational consequence from the preceding. But while the order of nature is thus represented as the revelation

of intelligence, it is impossible that intelligence can ever, in any form, be the mere product of that order. That order may be conceived to have been so directed through countless millenniums as to prepare a fit stage for the activity of finite intelligences like man ; but, in so far as these are intelligences, they cannot be the mere products of any order of forces which are themselves unintelligent. As intelligences, they are made in the image of the Creative Intelligence, and must, to that extent, transcend the order of nature. In truth, man does in reality transcend the order of nature in the very fact that he is conscious of it. To think and speak consciously of that order implies that he is not merely a part of it, but that he contemplates it from a standpoint from which he is able to survey it as a whole distinct from himself.

The self-conscious intelligence, therefore, stands related to the objects of the natural world, not simply as these are related to each other ; he is contradistinguished from the whole of them in a way in which each is not contradistinguished from the others, as the intelligent interpreter without whom they could form no intelligible system. This system is formed of parts which are construed as holding relations of reciprocal causality ; but the intelligence, that construes the system, is not simply one of the parts, whose action is absolutely determined by the action of the rest.

It is this distinction of self from the universe of not-selves, that alone renders intelligible the cognition of that universe. It is also the independence of self on the universe of not-selves, that alone renders

intelligible its voluntary action on that universe. For a volition is not an act in which I am impelled by natural forces beating on my sensitive organism; it is an act in which I consciously set before myself an end, and determine myself towards its attainment. The very nature, therefore, of volition would be contradicted by a description of it in terms which would bring it under the category of causality.

This freedom of the self from determination by the world of objects is the fact which alone explains, without explaining away, the consciousness that there is within us a centre of intelligent activity which is, in the last resort, impregnable by any assaults of mere force. You may apply to my organism superior forces of organic or inorganic bodies, and compel *it* to act as you wish, or prevent *it* from acting as I wish. But there is one thing which mere force — force without reason — cannot do: it cannot compel ME.<sup>1</sup>

2. The ethical significance of this controversy can, of course, be fully elucidated only by explaining the fundamental conceptions of morality, which form the subject of the next Book: but the questions at issue in the controversy will be better understood by a brief indication of their bearing on those moral conceptions. It requires but little reflection to discover that these conceptions must be understood in a totally different sense by the adherents of the two theories.

<sup>1</sup> In the above discussion on the psychological aspect of this controversy, I have here and there adopted, with slight modification, a few sentences from my *Handbook of Psychology*, pp. 427-430.

All the facts of moral life gather around the principle of moral obligation or responsibility. This principle implies that, as I am under an obligation to act in a particular way, I must be held responsible, answerable, accountable, for the fulfilment of this obligation. In other words, when any question is raised as to the character of my action, it is *I* who must answer or respond; when the action is to be accounted for, the account must be given by *me*. This is the fact to be explained: what are the explanations of the Determinist and the Libertarian respectively?

(1) Some Determinists, recognizing the full significance of their theory that all actions are simply natural events, bluntly deny responsibility altogether. This was the position of Robert Owen; and many of the social reforms which he advocated were based on the assumption that crime and all kinds of moral imperfection are simply misfortunes — diseases to be cured by an application of the proper remedies. With this view all punishment, as commonly understood, must be abolished from society, and in its place must be substituted various educative disciplines adapted to cultivate proper moral habits.

If, however, Determinists shrink from such an absolute denial of responsibility, this extreme can be avoided only by explaining responsibility in a peculiar manner, — in a manner which can scarcely be regarded in any other light than as explaining away the meaning usually attached to the term. The Determinist, of course, cannot understand obligation or responsibility as implying that any moral agent

could ever, in the circumstances in which he was placed, have done a different action from that which he actually did ; he cannot admit any real obligation to act otherwise, or any real responsibility for not having fulfilled such an impossible obligation. But most Determinists seek some meaning in the common language of morality ; and, as partly indicated already, they find that meaning in the actual consequences of moral action. They are sometimes caught by popular phrases in which responsibility is connected with threatened consequences, such as, "You shall be called to account," or "You shall answer for it ;" and, overlooking the fact that these very phrases point to the character of a past action as something which calls for punishment, they interpret the phrases as meaning merely that painful consequences will follow. As Mr. Mill briefly puts it, "responsibility means punishment."<sup>1</sup>

Obviously on this explanation punishment itself assumes, as with those who deny responsibility altogether, a peculiar meaning. The Determinists would not blame an offender for having broken a moral law, as if he could have acted otherwise. They would address him in this strain: "Your action is unpleasant to others, if not to yourself. You are acting, it is true, in obedience to existing forces ; but as the effect of these forces is unpleasant, we are determined by the forces acting upon us to bring an additional force to play upon you, — we will try to form an association in your mind between your action and a painful result to yourself, in the

<sup>1</sup> *Examination of Hamilton's Philosophy*, p. 506 (1st ed.).



hope that this may create a sufficient motive to prevent you from such action in future.”

(2) To the Libertarian, on the other hand, moral obligation and responsibility assume a wholly different meaning. He recognizes as a reality a law which ought to be obeyed, whether it is actually obeyed or not, — a state of things which ought to be, even if the laws of natural causation do not bring it about. He recognizes also, as we have seen, a power in man transcending the order of natural causes, and able to assert the ideal order which ought to be. It is by this transcendental power, according to the theory of Liberty, and not merely by natural causation, that the actions of man are to be accounted for ; and consequently he can be held really accountable for any failure to assert the transcendental moral order.



## BOOK II.

### ETHICS PROPER.

WE now pass to a region of inquiry which is no longer purely psychological, which forms the distinct subject of the science called Ethics in the strictest use of the name. The phenomena, with which we have been occupied hitherto, have indeed been spoken of as ethical or moral; but they have been treated simply as matter of psychological inquiry. That is to say, they have been viewed in their purely subjective aspect, with reference to the innumerable varieties of form under which they appear in the moral consciousness of different individuals, as well as of different races and classes, of mankind. But now it is our task, leaving behind the subjective and particular variations in the moral life of men, to find out its objective and universal standard.

The fulfilment of this task implies, first of all, an inquiry into the Supreme Law of Duty. But this law cannot be understood when it is viewed merely in its abstract universality. Its significance can be realized only by a scientific examination, and that means some systematic classification of the duties which flow from the law when it is applied to the special relations of human life. But the significance of this law implies something more. As a moral

law, it possesses not only the speculative interest which belongs to any mere law of nature ; its interest is rather essentially practical. Although it is the objective standard of human life, it yet cannot be treated as if it were wholly external ; on the contrary, its significance lies in the fact that it is to be adopted as the internal motive by which our actions are to be governed, and our entire lives are to be shaped. When it is thus assumed into the internal regulation of human life, it is no longer a mere *duty* to be observed, it has become a *virtue* achieved. There are thus three topics which are naturally suggested by the science of Ethics Proper — (1) the Supreme Law of Duty, (2) the Classification of the Special Duties of Life, and (3) the Realization of Duty in Virtue. We shall accordingly divide this Book into three Parts.

## PART I.

### THE SUPREME LAW OF DUTY.

WHAT is duty? Literally, of course, the word means anything which is *due*,—anything which is *owing*; and it is, therefore, applied to an action which *ought* to be done.<sup>1</sup>

<sup>1</sup> *Due* is obviously the French *dû*, participle of *devoir*; and this again is the French representative of the Latin *debere* (*de-habere, de-avoir*, to have or hold from another, to owe). *Due, debt, and debit*, all representing the participle *debitum*, are, therefore, all originally the same word. *Ought* is obviously the preterite of *owe*, used as a present. The preterite *should* is used in the same way to express a present obligation, though in the technical language of laws the grammatical present *shall* retains its place: "Thou shalt not steal." *Shall* (A. S. *sceal*) meant originally to *owe*, and was, in fact, used in that sense so late as by Chaucer: "By the faith I shall to God" ("The Court of Love"). In Greek, τὸ καθήκον ("what is fit or proper") is said to have received its ethical application first from Zeno the Stoic (*Diog. Laërt.*, VII. 25); but the Stoics used also a word of higher import, *κατ'ῄθωμα*, to denote an action which is right in the fullest sense of the term, as being not only in accordance with external requirements, but done with a right intention. In Latin, Cicero translated *καθήκον* by *officium* (*De Officiis*, I. 3). In English ethical literature, Bentham coined the term Deontology for the Science of Duty, taking τὸ δέον rather than τὸ καθήκον as the proper word to express obligation. The term is also used by the modern Italian philosopher Rosmini, though in a much wider sense than by Bentham (Davidson's "Philosophical System of Antonio Rosmini," pp. 350-389). Like Mill's "Ethology," however, the coinage of Bentham and Rosmini has never gained currency in philosophical literature.

We have already seen that, to the moral consciousness, the distinctive aspect under which moral actions present themselves is as actions which ought or ought not to be done. We have also seen, however, that in the moral consciousness of different individuals, as well as of different races and classes, there is a variety of opinion as to the quality or standard by which actions that ought to be done are differentiated from others. Accordingly a scientific study of moral action requires that we should eliminate all these subjective variations in regard to the morality of actions, and arrive at an objective standard which can be applied equally to all men.

We have seen further, that a moral action is an action done with a view to some end; and we have also seen that a law or rule for the guidance of action is given by pointing to an end which the action may attain. This results from the fact that a moral action is an action of a self-conscious intelligence, of a being who is not simply impelled to act like an unintelligent thing, but who, being conscious of the ends which his actions are adapted to produce, can direct his actions so as to secure the ends he desires.

Now, a distinction has been already drawn between the immediate ends to which our actions are primarily directed, and the remoter ends to which these serve as mere means. But it is evident that in the last analysis there must be some end of human action which is supreme, — some object of human intelligence which must be conceived as an end in itself, and not merely as a means to some ulterior object.

Consequently scientific inquiry into the supreme standard or law by which our actions ought to be governed has from the first taken the form of an inquiry into the supreme end — the *τέλος* or *finis* — to which all our actions should ultimately point.

Further, all the ends of human action are, of course, objects of intelligence; and such objects of intelligence become ends of action simply because they commend themselves in some way to intelligent beings. But an object, which thus commends itself by giving any kind of satisfaction to an intelligent being, is conceived by him as *good*; and therefore the Chief End of Man is commonly also spoken of as the Sovereign Good — *τὸ ἀγαθόν* or *summum bonum* — of human life.

The problem, then, which we are here called to solve, reduces itself to the question, What is the Sovereign Good which, as forming the ultimate end of all human endeavor, prescribes the Supreme Law of Duty, by which all our actions should be governed? On this question speculation has from the beginning diverged in very various lines; but through all these divergent lines two main directions may be traced, according as they do, or do not, point to pleasure as that which is alone capable of giving absolute satisfaction to man, and which is, therefore, the essential constituent of all goodness in human action. These two antagonistic directions of ethical speculation were for centuries represented mainly by two great schools which arose in Athens almost contemporaneously towards the close of the fourth century B.C., — the Epicurean and the Stoical. There

is, therefore, a certain appropriateness, while there is an obvious convenience, in classifying the various theories of morality under these two heads. We shall accordingly divide the present Part into two chapters.



## CHAPTER I.

### EPICUREAN THEORIES.

THE common characteristic of the Epicurean Theories of Morals is, that they make the goodness of an action consist in its power of giving pleasure. But this general doctrine admits of numerous modifications on special points.

I. Perhaps the most radical divergence among the adherents of the general theory is in the conception of pleasure by which they determine the value of human life. Some find the only real good, if not in the gratifications of sense, at least in the transient delights of the moment; while others recognize no real good, except in a happiness so general as to embrace the whole of human nature, and so permanent as to extend through the whole of human life. These two forms of Epicurean speculation are not always distinguished in the language of Ethics; but there are two terms often used interchangeably, which might, with great propriety, be employed to express this distinction. The theory, which founds the good of man on the pleasure of the moment, might be named Hedonism (a term formed from the ordinary Greek word for pleasure, *ἡδονή*); while Eudemonism (from *εὐδαιμονία*, happiness), might be reserved for the theory which adopts the nobler con-

ception of pleasure. In this latter form it will be found that the Epicurean ideal approaches that satisfaction of reason which forms the ideal of the Stoic. It is the ideal of Epicurus himself, and probably of most Epicurean thinkers, ancient and modern.

II. Another radical difference between different representatives of Epicurean Ethics arises in answering the question, Whose pleasure is it that constitutes the goodness of an action? Is it the pleasure of the agent himself that is to be considered; or is it the pleasure, if not of all mankind, at least of all who are affected by his action? The adoption of the former alternative characterizes the various theories which older writers described as Selfish, but which, for reasons already explained,<sup>1</sup> are now spoken of rather as Egoistic. Theories representing the latter alternative are often distinguished as Altruistic or Universalistic.

Altruistic theories have commonly associated themselves with that loftier conception of pleasure, which has been characterized as Eudemonism; and the ethical theory thus formed has in modern times, and especially in English literature, come to be known by the name of Utilitarianism.<sup>2</sup> This theory

<sup>1</sup> See note on p. 44.

<sup>2</sup> With reference to this term, Mr. J. S. Mill says that he "has reason for believing himself to be the first person who brought the word 'utilitarian' into use. He did not invent it, but adopted it from a passing expression in Mr. Galt's *Annals of the Parish*." (*Utilitarianism*, p. 308, note, Amer. ed.) This little treatise may be recommended to the student as probably the most convenient exposition of Utilitarianism for introducing him to the theory. It is reprinted in the third volume of the American edition of Mill's *Dissertations and Discussions*.

may therefore be taken as the most favorable form of Epicurean Ethics ; and consequently any study of Epicureanism, except in a purely historical interest, — any study, whether for defence or for attack, — must be directed mainly to the form which it has assumed in the Utilitarianism of modern times. Accordingly, we must endeavor to comprehend the Utilitarian Theory in its leading features.

### § I. *Utilitarianism Expounded.*

The following propositions embody the substance of the theory.

I. The Sovereign Good, which forms the Chief End of man, is that which is most desirable. Now, the only way to find out what is most desirable is by experience, that is, by observing what is actually most desired by men.<sup>1</sup> This is undoubtedly pleasure. To find pleasure in a thing, and to find it desirable, are merely different ways of expressing the same fact. Pleasure, therefore, is the only thing absolutely desirable — the only thing of absolute worth — in human life.

II. As the sole object that is absolutely desirable, pleasure is that which alone gives value to everything else. All things — all actions — are desirable only in proportion to the quantity of pleasure they give. This, however, requires a standard for calcu-

<sup>1</sup> The supporters of this theory have been commonly empiricists; and this appeal to the experience of mankind, sometimes even to that of the whole animal kingdom, is the argument of the earliest thinkers who sought the value of life in pleasure. It was the argument of the Cyrenaics (*Diog. Laërt.*, II. 86), of Eudoxus (Aristotle, *Nic. Eth.*, X. 2), of Epicurus (*Diog. Laërt.*, X. 29), and of the Epicureans generally (Cicero, *De Fin.*, I. 9).

lating different quantities of pleasure ; and here we come upon one of the most formidable problems of Utilitarianism.

1. The older Utilitarians disposed of the problem somewhat summarily. To Paley, for example, "pleasures differ in nothing but continuance and intensity."<sup>1</sup> But later Utilitarians see clearly that the problem is not by any means so simple as Paley supposed ; that is to say, the quantitative comparison of different pleasures is complicated by the fact that other qualities besides intensity and continuance must be taken into the calculation.

2. Thus, Bentham had already pointed out that, even when a pleasure is considered by itself, and with reference to the person alone by whom it is enjoyed, it is to be estimated by four different "circumstances," viz., *intensity, duration, certainty, propinquity* ; while, if the pleasure is viewed in connection with other pleasures, we must consider also its *fecundity* and *purity*, and if more than the person enjoying it are affected by it, we must calculate its *extent*.<sup>2</sup>

3. The progress of Psychology since Bentham's time has given greater exactness to the study of human feelings in all their various aspects, but has certainly not simplified the problem of their commensuration. Without attempting to discuss in all its bearings the psychological question of the various qualities by which pleasures and pains may be discriminated, it may here be observed that, even when we leave out of consideration the effects of a

<sup>1</sup> *Moral and Political Philosophy*, Book I. chapter vi.

<sup>2</sup> *Principles of Morals and Legislation*, chapter iv.

feeling whether on the person who is the subject of it or on others, there are two distinct aspects under which it may be viewed.

(a) In the first place, every feeling has a *sensible* side; it is an excitement of the sensibility, pleasurable or painful. It was evidently on this side alone, that our feelings were regarded by Paley; for as simple facts of sensibility, it may be said with truth that they are distinguishable merely by the length of time during which they continue to excite us, and by the intensity of their excitement while it lasts. But even under this limited aspect the commensuration of different pleasures and pains is complicated by the fact, that the two qualities of intensity and durability seem to have no relation but one which looks like an inverse proportion.

(b) It is obvious, however, that for all the purposes of mental and moral life, there is another aspect of human feelings, which is of higher importance. This may be spoken of as their *intellectual* side; it is that side on which the feelings are viewed as factors that enter more or less readily into the upbuilding of our mental life. Now, a feeling contributes to our mental growth by the readiness with which it admits of being associated and compared with other facts; that is to say, there are, on this side of our feelings also, two qualities to be considered, — Associability and Comparability. As Association means the suggestion or revival of previous mental states, and Comparison implies the power of distinguishing the things compared, the two qualities of Associability and Comparability may be

conveniently described by the expression, Distinct Representability. It is evident, that, although this aspect of our feelings was overlooked by Paley, it must largely determine their value as influences in the moral life. In fact, the qualities of certainty and propinquity, brought into prominence by Bentham, must depend for their effect on the distinctness with which a feeling can be represented to the mind as certain or uncertain, as near or remote. Considered merely as sensible excitements, the feelings may form unreflective impulses to action; but it is only by being distinctly representable, that they can form the ends of intelligent purpose. This aspect of the feelings, therefore, alters completely the conception of their value which we should derive from their sensible qualities. It values a feeling not only while it lasts, but when it is afterwards revived in memory or imagination to form an object of intelligent reflection. In such a valuation of our feelings it appears that their distinct representability is generally in direct proportion to their durability, and therefore in inverse proportion to their intensity; in other words, the calmer feelings are not only more durable, but also more distinctly revivable in idea.

But the subject need not be followed further.<sup>1</sup> It is introduced here merely for the purpose of illustrating the difficulty of arriving at any common measure of our pleasures and pains, owing to the various aspects under which they may be regarded.

4. But a new difficulty has been introduced into

<sup>1</sup> The subject is treated at some length in my *Handbook of Psychology*, pp. 410-418.

this problem by Mr. Mill, who maintains that pleasures are to be estimated, not by their *quantity* alone, but also by their *quality*. "It is," he says, "quite compatible with the principle of utility to recognize the fact, that some *kinds* of pleasure are more desirable and more valuable than others. It would be absurd, that while, in estimating all other things, quality is considered as well as quantity, the estimation of pleasures should be supposed to depend on quantity alone."<sup>1</sup>

This doctrine has exposed Mr. Mill to hostile criticism, not from his opponents alone, but even from his friends. In truth a strict Utilitarian might very fairly complain that Mr. Mill's contention is an open retreat from the central position of Utilitarianism. The question at issue in any ethical theory is, by what quality is the value of human actions to be estimated? and the Utilitarian answer is, that the quality required is pleasure. For the Utilitarian, therefore, the comparative values of different actions must be estimated by their having more or less of this quality; in other words, by the quantity of the pleasure which they yield. Mr. Mill's doctrine, however amounts to the assertion, that the quality, by which in the last analysis the value of actions must be calculated, is not pleasure, but some other quality or qualities by which different pleasures are distinguished from one another.

Now, if Mr. Mill's language be strictly interpreted, such a criticism, whether from friend or foe, is unanswerable. Imagine a man committing himself to

<sup>1</sup> *Utilitarianism*, p. 310. (Amer. ed.).

the paradox, that substances are to be valued solely in proportion to the quantity of matter which they contain, as estimated by their weight, and then, on finding that men prefer a pound of gold to a pound of lead, seeking to bring his paradox into accordance with this fact by a qualification: — “But the value of a substance must be estimated, not by its weight or quantity alone, but by its quality also; we must consider, not only how much of the substance there is, but also what sort of a substance it is.” Of the same purport essentially is Mr. Mill’s qualification of the Utilitarian theory.

But whatever may be thought of Mr. Mill’s consistency as an Utilitarian, his doctrine is based on a very simple psychological fact. In reality, we are never conscious of pleasure in the abstract, — a feeling which is estimated merely by the quantity of its pleasantness; every real pleasure is a concrete feeling of a particular kind; and, therefore, as a matter of fact, we do judge of pleasures by their qualities, not by their quantity alone. This fact, however, was not ignored by Mr. Mill’s predecessors in the Utilitarian School. They, too, as we have seen, recognized the fact, that in our estimate of pleasures we must take their qualities into account. But the recognition of this fact was not allowed by the older Utilitarians to conflict with the fundamental principle of their theory. They held, that, when we do take the qualities of any feeling into account, it is merely for the purpose of calculating the quantity of pleasure which it yields. And therefore the representatives of this theory, ancient and modern, are in



general agreed that, as the sole good is pleasure, every pleasure is in itself good, of whatever kind or quality it may be. Thus, among the ancients, the Cyrenaics held that "pleasure is a good, even if it is derived from the most unseemly sources."<sup>1</sup> And — to take the most famous of modern Utilitarians — Bentham argues that, as every motive in prospect must be the procuring of pleasure or the avoidance of pain, "there is no such thing as any sort of motive that is in itself a bad one;" and in a footnote he illustrates his statement by the pleasure of ill-will: "This wretched pleasure, taken by itself, is good; . . . while it lasts, and before any bad consequences arise, it is as good as any other that is not more intense."<sup>2</sup>

5. It is obvious then that the problem involved in the commensuration of different quantities of pleasure becomes extremely complicated from the fact, that the calculation must include various qualities of pleasure that are very different. How, for example, are we to determine whether a *brief* pleasure of acute *intensity* is greater or less than a more *sober* pleasure of longer *continuance* and more vivid *representability*? All such questions with regard to the relative value of particular pleasures, the Utilitarian answers by the same empirical method by which he determines the absolute value of pleasure in general. He appeals to experience in order to find out what pleasures are actually most desired by men.

But here a difficulty arises. There is many a man

<sup>1</sup> *Diog. Laërt.*, II. 88.

<sup>2</sup> *Principles of Morals and Legislation*, chapter x. § 9.

of gross ignorance or sensuality, who experiences a more complete satisfaction in his low and narrow range of pleasures than the most spiritual intelligence commonly finds in his life. In fact, it may be said with truth, that the majority of men, in practice at least, prefer the coarse and ephemeral pleasures of sense to the permanent gratifications of intellect and taste and conscience. Are we then shut up to the verdict which seems to be founded on the experience of the majority? No; for the majority have not in reality had the necessary experience. They know only the coarser forms of pleasure, and are not therefore in a position to compare these with others; whereas the man of moral and intellectual refinement knows the higher as well as the lower pleasures of human life, and, knowing both, prefers the former. His judgment, as alone based on adequate experience, is decisive of the question at issue. The contentment of the low pleasure-seeker proves nothing to the point. For, as Mr. Mill puts it in an often-quoted passage, "it is better to be a human being dissatisfied than to be a pig satisfied; better to be Socrates dissatisfied than a fool satisfied. And if the fool or the pig are of a different opinion, it is because they only know their own side of the question. The other party to the comparison knows both sides."<sup>1</sup>

<sup>1</sup> Mill's *Utilitarianism*, p. 313 (Amer. ed.). The passage has excited more admiration than seems to be called for on the ground either of originality or of literary merit. In the *Republic* of Plato (IX. 582), there is a passage which is curiously similar in its general line of thought; and not many years before the appearance of Mr. Mill's treatise, the same sentiment had found a perfect expression in the familiar ode of *In Memoriam*, beginning, "I envy not in any moods," etc. (27).

The Utilitarian, then, would be guided in his selection of pleasures by the experience of those who have had the best opportunities of judging. And this brings us to his definition of rightness in action.

III. A *right* or *good* action is one that is adapted to produce the greatest quantity of pleasure to all concerned. This adaptation is called *utility*. In connection with this definition a few explanatory remarks may be made.

1. The utility of an action consists in its giving pleasure, not merely to the agent, but to all who are affected by his action. This it became common among Utilitarians to express by the phrase, "the greatest happiness of the greatest number."<sup>1</sup> There seems to be a greater practical as well as speculative definiteness attained by limiting the view, as Bentham does, to "the greatest happiness of all those whose interest is in question."<sup>2</sup>

2. As pleasure is a good, and pain an evil, wherever they can be excited, it becomes a duty to avoid the infliction of unnecessary pain on any sentient being; and Utilitarianism, therefore, encourages the amiable sentiment which leads to the kindly treatment of the lower animals. In fact, although the sentiment was not without its influence even in the ancient world among Pagans and Jews as well as among Christians,<sup>3</sup> it has undergone an energetic revival in recent times, leading to the establishment of numerous Societies

<sup>1</sup> The origin of the phrase is commonly ascribed to Priestley; but it seems to have been used before by Hutcheson. See Sidgwick's *History of Ethics*, p. 302.

<sup>2</sup> *Principles of Morals and Legislation*, chapter i. § 1.

<sup>3</sup> See Lecky's *History of European Morals*, vol. ii. pp. 171-188.

for the Prevention of Cruelty to Animals; and it would perhaps be no more than historical justice to accord to the influence of Utilitarianism an important share in this revival.

3. The purport of the Utilitarian definition of rightness would be misunderstood if it were supposed to imply that each individual is required to ascertain, by inquiry for himself with regard to every action, whether it is adapted to promote "the greatest happiness of the greatest number." On the contrary, certain great outlines of human conduct, represented by such terms as justice, benevolence, temperance, chastity, have been found by overwhelming accumulations of experience to be utterly indispensable to human happiness.<sup>1</sup> Very properly, therefore, men act on the assumptions of this experience, and children are very properly brought up under the teaching that such conduct is essential to their own well-being and that of others. Any human being, therefore, who undergoes a proper moral training, may be schooled into the habit of doing what is right simply because it is right, without any thought of the utility which alone constitutes rightness; and this habitual — this apparently instinctive — recognition of duty ought to be the end of all moral education.<sup>2</sup>

This result, producing the semblance of an unreflecting instinct in the devotion of many minds to duty, the Empirical Utilitarian commonly explains by one of those mental processes that are very famil-

<sup>1</sup> Mill's *Utilitarianism*, pp. 332-334 (Amer. ed.).

<sup>2</sup> *Ibid.*, pp. 349-353.

iar in the cultivation of habits. It very often happens that an object is desired, in the first instance, not for its own sake, but for the sake of something else. That is merely another way of saying, that the object gives pleasure, not in virtue of its own intrinsic properties, but from its association with other objects which are intrinsically pleasant. After a while, however, owing to the long habit of desiring the object, or finding pleasure in it, from its associations, it comes to be desired, to give pleasure, by itself, without any conscious reference to the objects which originally made it pleasant. Desires, produced in this way, were often by the old Psychologists named *secondary*, to distinguish them from the *primary desires* of our nature, that is, those which are directed to objects intrinsically desirable. Of such secondary desires it has been common, among Empirical Psychologists since the time of Hartley,<sup>1</sup> to use the passion of avarice as a stock-example by way of illustration. Money, the object of this passion, possesses no intrinsic properties by

<sup>1</sup> See Hartley's *Observations on Man*, Part I. chapter iv. § 3. In the spirit of Hartley's own candor it may be observed that the illustration is used by Gay in that Introduction to his translation of King's *De Origine Mali*, to which Hartley generously ascribed the first suggestion of his own Associational Psychology. It may be added, however, that the associational explanation of the disinterestedness of virtue was not unknown to the ancient Epicureans. Cicero puts it into the mouth of Torquatus, specially as the Epicurean explanation of friendship (*De Finibus*, I. 20). Here a reminder may be necessary, that I am merely the expositor of Utilitarianism, and that I do not discuss the reality of the process by which association is supposed to produce the so-called secondary desires. An extremely searching criticism of the theory, with special reference to the case of avarice, and its bearing on the disinterested love of virtue, will be found in an article by Professor Flint in *Mind*, vol. i. pp. 321-334.

which it is fitted to excite an absorbing emotion like this, if any emotion at all. But in all communities, sufficiently advanced in civilization to use it, money comes to be associated with the numberless gratifications which it can purchase. This vast aggregate of pleasures is, in *all* minds more or less readily, in *some* very powerfully, suggested by the thought of money; and in cases of extreme devotion to the pursuit of money, they become fused into one vague feeling intensely pleasurable, without reference to the feelings out of which it originally grew. Money then comes to be desired, to give pleasure, for its own sake, though in reality it is desirable merely for the sake of the pleasures it can procure; and the miser, as his name implies, will even make himself miserable by sacrificing all the real delights which money can buy, in order to enjoy a purely fictitious delight in money itself. In like manner, though virtue is in reality desirable only as a means to happiness, yet continued discipline in the practice of virtue may at last produce in relation to it an habitual attitude similar to that of the miser in relation to money. "It is in this manner," says Mr. Mill, "that the habit of willing to persevere in the course which he has chosen, does not desert the moral hero, even when the reward, however real, which he doubtless receives from the consciousness of well-doing, is anything but an equivalent for the sufferings he undergoes, or the wishes which he may have to renounce."<sup>1</sup>

<sup>1</sup> *Logic*, Book VI. chapter ii. § 4. Compare his *Utilitarianism*, p. 351 (Amer. ed.).

This result was by the older Utilitarians supposed to be produced within the lifetime of any individual. But in recent times Utilitarianism has on this point been profoundly affected by the Theory of Evolution. Realizing the difficulty of proving that the supposed process of Association is ever actually gone through in the moral training of any mind, or the still greater difficulty of proving that the process could produce its results so rapidly as to account for the moral habits which men form, the Evolutionists of our day ascribe to heredity an important influence in the formation of these habits. The nature of this influence has been sufficiently explained in the account of the Empirical theory of the moral consciousness.<sup>1</sup>

### § 2. *Utilitarianism Reviewed.*

The Utilitarian theory of the moral life suggests four questions:—(1) Does the allegation, that men desire pleasure above all things, accord with the facts of experience? (2) If it be true that men actually desire pleasure, would this fact prove that they ought to desire it above all things? (3) If it were proved that pleasure is the object which ought to be desired in preference to everything else, could such a criterion of right conduct be applied in practice? (4) Even if it could be applied in practice, would it yield such a code of morality as is adopted among civilized nations?

<sup>1</sup> See ante, p. 49.

(i.) *Is Pleasure actually the Ultimate Object of all Human Action?*

In approaching the Utilitarian theory for the purposes of critical examination, one is naturally attracted first by the empirical allegation upon which its supporters generally found. They commonly assert, as a fact evinced in the universal experience of men, if not of all sentient beings, that, whatever may be their immediate object, the ultimate object of all in every pursuit is the attainment of some pleasure or the avoidance of some pain. This assertion implies a generalization of the motives of human life, which it is of supreme importance to estimate. In order to do this it is necessary to distinguish two very different meanings in which the word *motive* is employed.

1. In the first place, it is often applied to any unintelligent impulse, such as a purely instinctive passion by which we may be incited to act before we have time to reflect. Even in this sense it may be questioned whether the allegation of the Utilitarians accords with the facts of experience. That allegation would imply that, when we yield to any sudden outburst of anger or pity, or other unreflecting emotion, it is the pleasantness of yielding, the painfulness of restraint, that forms the sole motive force impelling us to action. This may be, though a psychologist might fairly question whether in many such cases the stimulating energy of the passion does not run along lines which have no necessary or uniform connection with the attainment of pleasure or the



avoidance of pain. It would appear, that, as natural suggestion often forces into our consciousness painful thoughts and feelings of which we cannot get rid, so it impels at times to overt activities that are essentially unpleasant. This seems obviously the case with those suggestions which reach the intensity that is sometimes spoken of as maddening, and is in fact akin to veritable madness. Under such impulses the agent, or (more properly) the patient, may be conscious, in the very crisis of his action, or passion, that he is being driven on by a power which, for the attainment of pleasure or the avoidance of pain, he would resist if he could, but under which nevertheless he feels himself helpless. This is the teaching of one of the most eminent of living psychologists, who was certainly not inclined to weaken the foundation of Utilitarianism. "A pleasure, present or prospective," says Dr. Bain,<sup>1</sup> "makes me go forth in a course of active pursuit; an impending evil makes me alike active in a career of avoidance. A neutral feeling spurs me in neither way by the proper stimulus of the will; nevertheless, by keeping a certain object fixed in the view, it is liable to set me to work, according to a law of the constitution different from the laws of volition, namely, the tendency to convert into actuality whatever strongly possesses us in idea. I am possessed with the

<sup>1</sup> *The Emotions and the Will*, p. 16. The subject is illustrated more fully in *The Senses and the Intellect*, pp. 336-348 (3d ed.). Compare Dr. Carpenter's account of Ideo-motor Actions in *Human Physiology*, § 655-664 (*Mental Physiology*, chapter vi.), and James's *Principles of Psychology*, Vol. II. pp. 522-5. The last-named work (Vol. II. pp. 549-559) contains a singularly clear and forcible critique of the hedonistic theory of motives.

notion of becoming acquainted with a secret, which, when revealed, would add nothing to my pleasure; yet, by virtue of a sort of morbid occupation of my mind on the subject, the idea shuts out my more relevant concerns, and so works itself into action."

But this whole subject is one of psychological rather than of ethical interest. For actions that are due to motives of the nature of unintelligent impulses are not volitions, not moral actions. We are therefore led to confine our attention to those motives which are of the nature of intelligent purposes, and with which alone our moral activity has to do.

2. In this sense the motive of an action is the object which the agent has in view as the end to be attained, and the Utilitarian allegation would mean that the only end which a human being can ever seek to reach is the enjoyment of some pleasure or the avoidance of some pain. This doctrine, however, seems, on the face of it, to conflict with a fact which has been noticed above as an essential part of the Utilitarian theory. It is admitted by Utilitarians, that, as a result of prolonged moral training, a man may learn the habit of doing what is right simply because it is right, and in disregard of the fact that in doing it he may be called to sacrifice pleasures or endure pains. This result is maintained to be merely a special instance of a more general effect which is observed in the cultivation of all our habits. Mr. Mill, in fact, attaches so much importance to this phenomenon, that he devotes to it a whole section of his "Logic," — a section which is

significantly headed: — “A motive not always the anticipation of a pleasure or pain.”<sup>1</sup> Here, among other remarks, he observes: “As we proceed in the formation of habits, and become accustomed to will a particular act or a particular course of conduct because it is pleasurable, we at last continue to will it without any reference to its being pleasurable. Although, from some change in us or in our circumstances, we have ceased to find any pleasure in the action, or perhaps to anticipate any pleasure as the consequence of it, we still continue to desire the action, and consequently to do it. In this manner it is that habits of hurtful excess continue to be practised although they have ceased to be pleasurable.” And then Mill adds the illustration from the case of the moral hero, which has been cited a few pages above. It is obvious, therefore, that, according to the teaching of Utilitarians themselves, the human mind is not so constituted as to be incapable of seeking any object but pleasure. Whatever may be the case with human beings at birth, all admit of being trained to develop a faculty of acting without any regard to the pleasure or pain by which their activity may be accompanied.

Nor is this doctrine to be regarded as an unessential adjunct of Utilitarianism, which may be dropped without affecting the theory as a whole, and which, therefore, it is unfair to press into service as a weapon against the theory. On the contrary, the object which Utilitarianism holds forth as the chief end of human existence, assumes that every man is

<sup>1</sup> *Logic*, Book VI., chapter ii. § 4.

capable of being actuated by other motives besides the desire of pleasure or aversion to pain. Any form of Epicurean Ethics, indeed, except the very grossest Hedonism, involves an assumption of the same purport. Even Egoistic Eudemonism takes for granted that I can seek, not merely the pleasure involved in my present action, but my permanent happiness. My permanent happiness, however, is not an excitement of sensibility; it is an idea, formed (it may be) from a generalization of sensible excitements, but still an idea formed by a somewhat lofty and complicated process of reason: so that, when I aim at a happiness extending through life, I am seeking, not to excite a mere feeling of pleasure, but to realize an idea which reason has formed.

But while this is more or less obviously implied in every system of Epicurean Ethics, it becomes prominently obtrusive in modern Utilitarianism. For its ideal is unmistakably altruistic. It contends that the individual can seek, not merely his own pleasure at the moment of action, not merely his own permanent happiness, but the happiness of men in general, at least so far as they are affected by his action. But the pleasure of others, resulting from an action, is not necessarily pleasure to the agent himself; on the contrary, in consequence of an unfortunate effect of antipathy,<sup>1</sup> it may even be pain to him. Every man, therefore, who acts up to the Utilitarian ideal, however imperfectly, is asserting practically that pleasure is not the sole motive of human conduct, the sole object of human desire.

<sup>1</sup> See my *Handbook of Psychology*, p. 375.

It may perhaps be urged in reply to this, that an agent seeks the pleasure of others only because it is the sole road to his own. But, waiving all question as to whether this is actually the case or not, the plea must be ruled out of the Utilitarian court. For the advocate of Utilitarianism, who should adopt this plea, would thereby abandon all that is distinctively noble in his cause, and degrade it to the position of sheer Egoism. Whether such a degradation of the Utilitarian theory is a logical result of its fundamental principle, need not be discussed at this point. It is sufficient to note the fact that, whatever may have been the tendency to Egoism among the Epicurean moralists of an older date, the Utilitarianism of our day, as represented by its ablest exponents, explicitly refuses the advocacy of any Egoistic plea. Mr. Mill is specially explicit on this point. "Unquestionably," he says, "it is possible to do without happiness: it is done involuntarily by nineteen-twentieths of mankind, even in those parts of our present world which are least sunk in barbarism; and it often has to be done voluntarily by the hero or the martyr, for the sake of something which he prizes more than his individual happiness. . . . All honor to those who can abnegate for themselves the personal enjoyment of life, when by such renunciation they contribute worthily to increase the amount of happiness in the world; but he who does it, or professes to do it, for any other purpose, is no more deserving of admiration than the ascetic mounted on his pillar. He may be an inspiring proof of what men *can* do, but assuredly not an example of what they *should*. . . ."

The Utilitarian morality does recognize in human beings the power of sacrificing their own greatest good for the good of others.”<sup>1</sup>

There could not be a clearer denial than these words contain, of the allegation that pleasure is the sole motive by which men can be induced to act. Even if it could be shown that those motives, which are merely unreasoning impulses, are simply pleasant or painful excitements of sensibility, yet motives of an entirely different character are called into play, when a man comes to the use of reason in the government of his conduct. Then the object, which stimulates him to activity, must commend itself to him for some *reason*, must be conceived, however obscurely and confusedly, as a *reasonable* object. Even the cool, calculating selfishness, which deliberately plans life for the sake of personal enjoyment alone, not only conceives the object of its pursuit to be reasonable, but often flatters itself with the conviction that this object represents an immeasurably sounder reason than the ideals of a disinterested philanthropy. But when a man adopts these ideals for his guidance, it is obvious that the motive inspiring him can in no sense be spoken of as pleasure, or indeed as having anything whatever to do with his natural sensibility. And there are cases, like that of “the ascetic mounted on his pillar,” in which the intensest force of will is called into play to sustain an exertion prolonged throughout many years, which implies a renunciation, not only of all personal enjoyment, but even of all practical interest in the

<sup>1</sup> *Utilitarianism*, pp. 321-323 (Amer. ed.).

enjoyments of others. Every cause, in fact, as is often remarked, has had its martyrs ; and there are on record instances of profoundly tragic pathos, in which death itself was bravely met for the sake of what was believed to be true, even when that belief precluded the hope of any compensation in a future life for the sacrifice of the present.<sup>1</sup>

It appears, therefore, that the empirical allegation, which limits the motives of human action to the influence of pleasure and pain, would render Utilitarian morality itself impossible. But the allegation is based on a very superficial experience. Whenever we look below the surface of human life, we find that men are in reality hunting after far other ideals than those of personal pleasure. Painful toil and hardship, and the martyr's death, are conceptions which exercise a veritable power over the human will, and are the objects of real aspiration and endeavor. Even among the lowliest ranks of men, our common life is every day ennobled by deeds which display the genuine spirit of an heroic martyrdom.

(ii.) *Does the Empirical Fact of what is actually most desired prove what ought to be most desired by Men ?*

These facts in regard to the actuality of self-sacrifice force upon us another aspect in which the Utilitarian theory offers a point for critical inquiry. Let us waive the previous objection, and suppose the allegation regarding the motives of human conduct

<sup>1</sup> Even the author of *The Fable of the Bees* has given a prominent place to Giordano Bruno, and Vanini, and Mahomet Effendi, though in painting their martyrdom he has dipped his brush in colors of the coarsest Egoism (Vol. I. p. 238).

to be proved by the facts of experience; to what, after all, would the allegation amount? It would merely show what men actually *do* desire, not what they *ought to* desire, above all things. The inference from the former to the latter involves the assumption that men's actions are an authority without appeal on the question at issue. But this assumption is doubly unwarranted. It claims (1) that the votes of men can decide such a question, (2) that their votes have been obtained.

1. The reference to a majority of votes is a convenient artifice in social organizations for attaining such a settlement of practical problems as will form a guide to action in order to avoid the evils of anarchy. But even those who accept most loyally such a solution of social problems for practical purposes, do not allow it to bind their speculative convictions on the problems which are thus decided.<sup>1</sup>

In a purely speculative interest opinions are authoritative only in proportion to the special qualifications which the men who hold them possess for arriving at the truth; and for authority over our speculative convictions the saying of Herakleitos can never lose its force: — ‘*Ο εἰς μύθους, ἐάν ἀριστος ᾖ.*’<sup>2</sup> It is on this principle, that Mr. Mill very properly refuses to

<sup>1</sup> It is not necessary to qualify this statement by excepting the authority ascribed to oecumenical councils. Not to mention that they are assumed to be composed of specialists, — of men selected from the whole world as being precisely those who are best qualified to determine the question at issue; not to mention, moreover, that their authority is by speculative minds often explained away so as to strip it of all speculative value; it is obvious that that authority rests on a purely theological dogma which cannot be discussed on strictly philosophical grounds.

<sup>2</sup> Compare: “One, on God’s side, is a majority.”



accept the opinions of unqualified minds as determining the relative value of different pleasures. There is no ground for supposing that men in general have peculiar qualifications for reaching the truth in regard to the absolute value of pleasure, any more than in reference to other questions of a very abstract nature. Why then should we be asked to accept the opinions of men in general as decisive on such a question, even if these opinions were obtained?

2. *Even if they were obtained*; for an appeal to the experience of men assumes that you have ascertained the convictions which they have deliberately formed from that experience in regard to the subject of appeal. In taking by vote the opinion of any society on a practical issue, the question is usually put in a distinct form before the voters; but no attempt has ever been made to ascertain what are the opinions, even of men in general, and still less of men specially qualified to decide, in regard to the theory that pleasure is the Sovereign Good of human life. The utmost that can be claimed is, that the opinions of men have been gathered from their actions. But even if their actions uniformly pointed to the same end, this could not be taken as an unequivocal indication of their genuine convictions. In fact, the contrast between the actions of men and their deepest convictions forms a familiar theme in all literature. The saying of Ovid,<sup>1</sup> —

“Video meliora proboque,  
Deteriora sequor,” —

<sup>1</sup> *Metamorph.*, VII. 20, 21. The contrast has never been more powerfully expressed than in the well-known words of St. Paul (Rom. vii. 14-23); and the commentators have collected from ancient literature various passages like the above in illustration.

is frequently quoted as one of the most vivid expressions of this contrast in the literature of the ancient Pagan world. Fortunately among the moderns Mr. Mill has touched the same theme in singularly explicit language. Immediately after the passage cited above, in which he points out that a man must know the higher as well as the lower pleasures of life in order to institute any comparison between them, Mr. Mill adds, "It may be objected, that many who are capable of higher pleasures, occasionally, under the influence of temptation, postpone them to the lower. But this is quite compatible with a full appreciation of the intrinsic superiority of the higher. Men often, from infirmity of character, make their election for the nearer good, though they know it to be the less valuable, and this no less when the choice is between two bodily pleasures than when it is between bodily and mental. They pursue sensual indulgences to the injury of health, though perfectly aware that health is the greater good." And so on to the same effect.<sup>1</sup>

The preference, then, which even educated men show in their conduct at times for the grosser pleasures of sense, does not by any means imply a corresponding preference in speculative conviction. In like manner, even if it could be shown that in their actions men always prefer pleasure to everything else, this empirical fact would be wholly inadequate to prove that in their deliberate convictions they believed pleasure to be preferable to every other object of human pursuit. So far from this being the

<sup>1</sup> *Utilitarianism*, p. 313 (Amer. ed.).

belief either of men in general or of specially qualified men in particular, a great body of evidence indicates a very deep-seated conviction to the contrary. In the first place, if we take the great thinkers who fill up the history of Moral Science, as specially competent judges, it will probably be admitted without hesitation that by a great majority they have refused to recognize pleasure as being the Sovereign Good of human life. Or, again, we may take those persons of humbler pretensions, who may yet be considered in some sense experts on moral questions, because they have devotedly applied their intelligence to the moral direction of their lives.<sup>1</sup> From this noble army of the true benefactors of the world, there has come in all ages a protest, more or less distinct, against any principle of conduct which would make pleasure the only absolute good, and pain the only unmitigated evil, in human life. This protest has found a very varied utterance especially in a tone of thought, running through all the higher literature of the world, which recognizes the beneficent discipline of pain in the culture of human character. This tone of thought, while opposed to any Epicurean theory of life, is certainly not less opposed to those monstrosities of asceticism, which treat pleasure as if it were in itself an evil, and pain as if it were in itself a good; but it does imply a conviction gathered from the purest moral experience of the human race, that the noblest fruits of the moral life cannot be produced except by self-renunciation and

<sup>1</sup> Aristotle very properly holds, that, to study moral science with advantage, a man must be morally well-trained (*Eth. Nic.*, I. 4, 7).

endurance, — that all men must be “made perfect through sufferings.”

“ His bread in tears who never ate,  
He who throughout the night’s sad hours  
Upon his bed ne’er weeping sate,  
He knows you not, ye Heavenly Powers ! ”<sup>1</sup>

It appears, then, that an appeal to the facts of human experience cannot, from any point of view, be regarded as proving either that men in general, or that competent judges in particular, have decided that pleasure is their greatest good. At best it could merely prove, — and (as we have seen) it does not even prove this, — that men in general do, as a matter of fact, seek pleasure in preference to everything else. But what is in itself desirable cannot be ascertained by merely observing what men actually do desire. An appeal to such empirical observations involves all the imperfections of that purely experimental or chemical method, which Mr. Mill rejects as wholly inapplicable to the problems of Social Science, and which is equally inapplicable to the problems of Ethics. The true method for the solution of all such problems is that which Mr. Mill describes under the name of the Historical Method. It is essentially the method which governs the Ethics of Aristotle, and which has guided the greatest ethical thinkers since his time. It starts from the universal laws of human nature, and verifies by an appeal to experience the *a priori* inferences derived from these. The life that is most desirable for man

<sup>1</sup> Goethe: *Wilhelm Meister*.

must obviously be a life adapted to his constitution ; and, clearly, therefore, our constitution must be studied first in order to find out our Sovereign Good. But the Sovereign Good of man can never be reached by a life in which he is assumed to be merely or even primarily a sensitive organism, however refined. Man is essentially a reasonable being, and he can find no complete satisfaction except in a life adapted to his reason. This explains why it is that in the common experience of men the pursuit of pleasure, as a mere gratification of sensibility, is found to be utterly disappointing.

The Utilitarian method, therefore, even if it were successful so far as we have examined it critically, has failed to carry us beyond empirical facts. Its success would merely imply that men in general do, as a matter of fact, prefer pleasure to every thing else, and that those who are best qualified to judge do, as a matter of fact, prefer certain pleasures to others. But this scarcely brings us within sight of the problem, what is the Sovereign Good that man, as a reasonable being, ought to prefer above every other object of pursuit ? And consequently it need not be matter of surprise, that many representatives of Epicurean Ethics, as we shall see more fully again, are content to accept the empirical fact of men's preferences, and frankly abandon the idea of any real obligation to preferences different from those which are actually made.

(iii.) *Can the Utilitarian Criterion of Rightness in Conduct be practically applied?*

But even if this were not the logical result of Utilitarianism, — even if it succeeded in proving, not only that men actually do seek, but also that they ought to seek, the greatest quantity of pleasure as their Sovereign Good, it still remains a question whether this standard of morality is one that could be applied in practice. The difficulty of application arises from more causes than one.

(A) We have nothing of the nature of an “hedonometer,” — no measure by which the quantities of different pleasures can be determined.

I. This difficulty is practically insuperable even when the problem is confined to its simpler form, — to a calculation regarding the pleasures of *individuals*.

1. The simplest form of all, indeed, in which the problem could be treated, would be that which tries to calculate merely the *intensity* of a feeling while it lasts. But even in this limited view there is no uniform standard upon which to found a calculation. A feeling is of a particular intensity to the person who feels it, and at the time when he feels it; but it is not necessarily of the same intensity to any other person, or even to himself at any other time. It is therefore a familiar fact, that, when a man summons a friend to participate in his enjoyments, he may be mortified by finding that the friend fails to show the slightest sympathy with the feelings which had given the intensest pleasure to himself. It is equally well

known to every man of reflection, that, if he seeks to prolong a pleasure unduly or to repeat it at some other time, he may have to endure a bitter disappointment in consequence of the varying moods of his sensibility, upon which the intensity, and therefore even the pleasantness, of all his feelings depend.

2. The problem, however, becomes obviously more complicated, if we take into account, as even Paley admitted we must do, duration as well as intensity in the measurement of our feelings; and what calculus could possibly furnish a common measure for all those qualities of feeling which Bentham and other modern Utilitarians have introduced into the problem?

3. But the truth is, that quantity is a category which cannot be applied to feelings as such. A quantitative calculation requires for its standard of comparison an absolutely homogeneous unit, or rather a series of such units. For quantities in general this is found by taking a determinate part of space. For space, being the most simple, the most easily defined, the most invariable, is the most measurable, of all quantities, and becomes thus a convenient standard by which other quantities may be compared. Thus the quantity of heat is measured on the thermometer by taking as an unit — as *one degree* of heat — a definite space occupied by a certain quantity of mercury or alcohol; and the quantity of heat in any other body is calculated by referring to the number of these spaces which it causes the mercury or alcohol to fill. But by this process the quantity of heat is measured merely as an objective fact; that is,

the physical condition of one body is determined by comparison with the physical condition — the expansion or contraction — of another. We may thus define, in quantitative terms, the temperature of our bodies; but it requires no profound Psychology, it requires only a moderate reflection on common experience, to learn that our feelings of heat show no exact or uniform correspondence with the readings of the thermometer. On the contrary, the same objective temperature may be accompanied with very different thermal sensations in different persons at the same time or even in the same person at different times: and consequently the scientific physician does not accept the sensations of temperature experienced by his patient as indicating exactly the real temperature of the patient's body; but he corrects the inexact indications of a varying sensibility by the unerring indications of the thermometer.

What is thus found to be true of the simplest feelings, such as the sensations of temperature, holds equally, or rather still more strongly, of our complex emotions. As Mr. Leslie Stephen remarks, "No judgment of pleasure proceeding by this method of direct inspection can have much authority. We are very bad judges even of our own pleasures, and we have innumerable temptations to give a colored judgment. We may therefore always appeal from a man's avowed sentiments to his practice."<sup>1</sup> This appeal to the practice of men, as explained in the above exposition of Utilitarianism, is the only test by which the Utilitarian professes to be able to esti-

<sup>1</sup> *Science of Ethics*, p. 400.



mate the quantities of different pleasures. "What means are there," asks Mr. Mill, "of determining which is the acutest of two pains, or the intensest of two pleasurable sensations, except the general suffrage of those who are familiar with both? Neither pains nor pleasures are homogeneous, and pain is always heterogeneous with pleasure. What is there to decide whether a particular pleasure is worth purchasing at the cost of a particular pain, except the feelings and judgment of the experienced?"<sup>1</sup>

We have now, therefore, to inquire into the validity of this test. At the very outset the test becomes somewhat perplexing in view of the fact, admitted by Mr. Mill in a passage quoted above, that many men, who are capable of higher pleasures, do occasionally in practice prefer the lower. But even if this difficulty be set aside, there are other perplexities involved in an appeal to men's preference of certain pleasures as being a decisive test of the value of these. Such an appeal implies a triple comparison.

(1) The comparison may be between different feelings of the same person at the same time. It is always important to bear in mind that the quantitative estimate of our pleasures and pains is not simply the mensuration of a single feeling, but the commensuration of different feelings. Now, even if the different feelings were of the same order, their commensuration would be practically impossible. Can the most accomplished epicure always decide between the pleasures derived respectively from a

<sup>1</sup> *Utilitarianism*, p. 314 (Amer. ed.).

bottle of sparkling hock and a *pâté de foie gras*? or a poetical critic determine with certainty whether "Hamlet" or "Faust" will give the greater quantity of æsthetic enjoyment? But for the purposes of the moral life the feelings to be compared are often, on the face of them, absolutely heterogeneous, nor are there any conceivable homogeneous units with which they may be compared in common; so that for human thought they must be treated as absolutely incommensurable. How can you bring into intelligible comparison the pleasure of eating a good dinner with that of doing a kind act or reading a beautiful poem or hearing a beautiful song? The very language of such a comparison, as Mr. Leslie Stephen truly remarks, is essentially "nonsensical. Only an infant compares his love for his cousin with his love for jam-tart."<sup>1</sup> The truth is, that all such comparisons involve an absurdity of the same kind with that of weighing what is imponderable or of measuring by the same standard things that are incommensurable. To calculate the value of our pleasures by their quantity is like an attempt to lay a sunbeam on our scales, or to estimate the genius embodied in the Laocöon by the weight of its marble.

(2) But this calculation implies not merely a comparison between the feelings of a person at any one moment: it is complicated by a necessary reference to the changes in his sensibility, that are produced by time. We are thus brought again to the fact, which has been referred to already, and the full significance of which will appear more

<sup>1</sup> *Science of Ethics*, pp. 400, 401.

clearly hereafter, that a feeling has a particular degree of pleasantness to any individual merely at the time when he feels it, but that he can never predicate of it an uniform degree of pleasantness, even for himself.

(3) There is, however, still another comparison involved in the commensuration of pleasures,—a comparison between different persons. This comparison, as we have seen, often leads to disappointment in practical life, when we expect the sympathies of others; and, consequently, it involves a corresponding perplexity in theory. “If I prefer Shakespeare to a mutton-chop” (Mr. Leslie Stephen is quoted again), “I may say that I so far judge the pleasures of imagination to be preferable for me to those of the senses. But how can I leap from that proposition to the proposition that they are preferable for others? They are clearly not preferable for the pig, or to the Patagonian, or even to those civilized men who are in this matter of the pig’s way of thinking. At most, I may infer that certain cultivated minds find more pleasure in poetry than in eating, but still it does not follow that the cultivated man finds more pleasure in poetry than the sensual man finds in eating.”<sup>1</sup>

What, then, is the conclusion to which we are forced in regard to the practicability of applying the Utilitarian theory by a computation of different quantities of pleasure? As the nature of the problem at issue has come to be more clearly defined, any attempt to grapple with it thoroughly has led

<sup>1</sup> *Science of Ethics*, pp. 400, 401.

the expositors of Utilitarianism themselves to point out that a direct quantitative calculation by a process at all resembling the calculation of quantities in general is out of the question in reference to our feelings of pleasure and pain.\* Every attempt to give a quantitative definition to these feelings reduces itself to the bare fact of certain feelings being, under certain conditions, preferred. Even this preference is a fact of very limited significance. It means simply that the person who chooses a certain pleasure prefers it at the time, not that even he will prefer it always, and still less that it will always, or even at any time, be preferred by all other persons. There must of course be some reason for the preferences which men display ; but the supposition that these preferences are based on any calculation of different quantities of pleasantness is a perfectly gratuitous assumption.

II. We have taken the problem of calculating the quantities of different pleasures in its simplest form, as confined to the life of the individual ; and we have seen that, even in this form, the problem is practically insoluble. It needs not many words, therefore, to confirm this conclusion by pointing out the numerous additional complications which are introduced into the problem when we pass from the individual to society. For here not only must the general problem of Ethics be solved by determining the comparative quantities of pleasure which different feelings yield in any individual, but, in addition to this, individual must be poised against individual, nation against nation, the society of the present against

that of the future, in order to decide between their competing interests; while all the various forms of political and social and domestic organization obtrude their rival claims to be considered the best means for securing the greatest quantity of pleasure to the greatest number of persons. It would not be fair, indeed, to Utilitarians to suppose that the complexity of social problems is avoided by abandoning their ethical theory. But the unravelling of that complexity becomes a hopeless task, if it has to be approached through a simpler individualistic problem which is itself practically insoluble.

(*B*) But there is another aspect under which the difficulty of applying the Utilitarian standard is forced upon the mind. The conditions under which pleasure is excited are such, that an effort which makes pleasure its supreme end is very apt to defeat itself. Those conditions are twofold, objective as well as subjective.

I. Pleasure is obviously excited in the exercise of our various powers, and these are themselves called into play by being furnished with appropriate objects. For the promotion of happiness this fact becomes of special importance, not so much in the case of our passive sensations, as rather with regard to those active exertions, whether of body or of mind, upon which it is acknowledged that our happiness mainly depends. It is obvious that the pleasure to be derived from these exertions requires the stimulation of a free and full activity, and that such an activity cannot be called forth except by the mind being occupied with the object to which the activity

is directed. This is perhaps particularly clear in such familiar and simple exertions as those of the chase or any other form of sport. The pleasure evoked is always dependent on the complete self-forgetfulness with which we surrender ourselves to the immediate object of the game; and any self-gratulation over the pleasantness of our subjective condition is essentially a distraction which tends to mar the purity of that pleasantness itself. Life has often been compared to the chase, because all its activities imply the pursuit of some object; and the conditions of pleasurable pursuit are the same, whether the object be among the loftiest to which the mind can be devoted, or merely the ephemeral success of winning a simple game. We are thus brought, by another road, to an explanation of the fact, which has been already referred to as obtruded in the universal experience of the world, that the pursuit of pleasure as an end in itself is inevitably disappointing; and we are thus forced to look beyond pleasure for a larger good which can comprehend pleasure itself.

II. But this conclusion is confirmed by referring to the subjective condition of pleasure, that is, the state of the sensibility.<sup>1</sup> This condition reminds us that even the pursuit of an object which is generally pleasurable does not in every particular case yield pleasure. In fact, the subjective condition of pleasure is so obvious, that it forced itself on the atten-

<sup>1</sup> This subject is treated with great fulness by Mr. Spencer in his *Data of Ethics* (chapter x., on the *Relativity of Pleasures and Pains*). He exaggerates, I think, the extent to which this relativity of feeling has been ignored; but he gives many novel illustrations, especially of its bearing on the evolution of the moral life, both in the individual and in the race.

tion of the earliest thinkers who reflected on the subject, and received an exaggerated recognition in one of the oldest theories of pleasure and pain, — a theory which maintains that nothing is pleasant or painful in itself, but derives its pleasantness or painfulness wholly from the state of our sensibility — our want or satiety — at the time.<sup>1</sup> It is this fact, also, that has sometimes brought the extreme of Hedonism to meet the extreme of Stoicism, by inculcating the practical wisdom of treating external things as indifferent, and seeking our real happiness in our internal condition.<sup>2</sup>

But without going to any extreme, it is obvious, that, as objects derive their pleasantness, not from their own properties alone, but from the state of our sensibility also, and as the state of the sensibility is extremely vacillating, the pursuit of pleasure is beset with a serious uncertainty. Change of stimulation is an essential law of sensibility; for a prolonged impression upon any sense produces a numbness which destroys sensation. This leads to a twofold result. In the first place, every excitement of the sensibility, however pleasant, is more or less fleeting; and, as we have seen, the most intense pleasures are precisely those which endure for the shortest time. But a second result is, that, owing to changes in the state of our sensibility, objects are perpetually disappointing us by failing to yield an expected pleasure, such as they had given before.

<sup>1</sup> The theory was held, among the Cýrenaics, by Hegesias and his followers (*Diog. Laërt.*, II. 94), and seems to be countenanced by Plato in the *Philebus*.

<sup>2</sup> See, for example, the doctrine of Hegesias again in *Diog. Laërt.* (*Ibid.*)

It was facts like these that led some of the old Greeks<sup>1</sup> to bring pleasure, considered merely as an excitement of sensibility, under a category which we find it sometimes difficult to express in the language of modern thought, — the category of τὸ μὴ ὂν, the meaning of which is, for our purposes, perhaps sufficiently indicated by such terms as *nothingness, non-entity, unreality, a mere sham*. And thus once more we are brought to the old experience, that the pursuit of pleasure, as if it were in itself satisfactory, is doomed to disappointment. The pursuit inevitably realizes the evanescence of the pleasurable excitements in which satisfaction has been sought, and the intolerable weariness of a sated sensibility that will not be roused by any of its old stimulants. In the literature of all ages, therefore, it is your deliberate voluptuary who, after exhausting the round of earthly pleasures, appears to point a moral by his tormenting discovery of the utter emptiness of the pursuits in which his life has been thrown away. And this experience of the practical voluptuary has, not infrequently, found its counterpart in the speculative issue of theoretical Hedonism. If pleasure is the supreme

<sup>1</sup> For example, Plato in the *Philebus* and the *Republic* (Book IX.). The sentiment gives a tone to many of the more earnest strains of modern literature. Burns has given it as vivid expression as any writer: —

“ But pleasures are like poppies spread,  
 You seize the flower, its bloom is shed ;  
 Or like the snowfall in the river,  
 A moment white, then melts forever ;  
 Or like the borealis race,  
 That flit ere you can point their place ;  
 Or like the rainbow’s lovely form,  
 Evanishing amid the storm.”



end of existence, — the only real boon which life has to bestow upon men, — then it is not altogether surprising that some thinkers, who start from this assumption, should feel themselves at times logically driven to a point of view which sees in natural laws but a very imperfect adaptation to serve the only valuable purpose of human life. And from the time of Hegesias among the ancient Greeks, down to our own day, it stands an historical fact, that Pessimism has commonly been built on the foundation of Hedonism.

*(iv.) Would the Utilitarian Criterion of Rightness yield such a Code of Morality as is inculcated among Civilized Nations ?*

But now, waiving all the difficulties which have hitherto been urged against Utilitarianism, we are brought to the question, whether it would yield such a code of morality as is recognized in the highest moral civilization. This question must always form the ultimate test of any ethical theory, for every such theory must furnish at least a philosophical explanation of the moral life which has been developed in the world.

The Utilitarian theory at once obtrudes on the speculative inquirer the relation between virtue on the one hand, and pleasure or happiness on the other. Now, on the face of it, this relation cannot be described as a direct proportion either of mathematical exactness or even of practical uniformity. On the one hand, it cannot be said either that every pleasant action is virtuous, or that every virtuous action is pleasant ; while, on the other hand, it is equally im-

possible to affirm that every painful action is vicious, or that every vicious action is painful. It is true, there is obviously a certain general coincidence between virtue and the true happiness of a man whose moral sensibility is sufficiently refined to enjoy the pleasure of virtuous living; while for such a man it may also be admitted that vicious conduct will usually be accompanied with suffering. This general coincidence of virtue and happiness has been a commonplace among moralists of all ages and of every school. But it is a theme adapted rather for the popular exposition and practical enforcement of virtue than for the satisfaction of speculative reason. However useful for its purposes, the theme is based on a superficial truth, and cannot therefore be rigidly applied as if it expressed an uniform law.

(A) In the first place, it does not always hold for the *individual*: it does not hold either in the sphere of his social or in that of his private virtues.

I. A community, indeed, in which *social morality* is so high that a large number can always be found ready to sacrifice their private interests for the public weal, will, of course, stand a good chance in the struggle for existence with any community in which the virtue of self-sacrificing patriotism is feeble. But this implies that in such a community the individual must often go to the wall as a result of his virtuous action. Is there any Utilitarian vindication of his self-sacrifice?

Very often the conflict of Egoism and Altruism is simply slurred over. It is assumed, in a vague sort of way, that I attain the Utilitarian end of life,

if I secure pleasure to any man or men, without regard to my own. This seems to be the indefinite assumption even of Mr. Mill's *Utilitarianism*: at least he makes no definite attempt to grapple with the problem. Sometimes, however, the assumption takes a more definite form, which serves only to bring out more clearly its unsatisfactory character. It is asserted, that, owing to our social dispositions, the happiness of others is necessary to our own, and that this forms the Utilitarian vindication of the disinterested virtues. This plea, which is met with all through the history of Epicurean speculation, even from the time of the ancient Cyrenaics, seems to indicate the logical tendency of Utilitarianism to degenerate into Egoism. But, as we have already seen,<sup>1</sup> such an Egoistic plea is incompetent before the tribunal of Utilitarianism; and whatever may have been the common doctrine of Epicurean moralists in former times, certainly the most eminent Utilitarians of recent date show no hesitancy in admitting disinterested self-sacrifice to be a fact in the moral life of the world.

It is thus admitted that there is a veritable conflict between the claims of individual enjoyment and those of the general happiness, and that the moral life often requires a partial, if not a complete, surrender of the former for the sake of the latter. If, therefore, Utilitarianism is to be regarded as a satisfactory theory of the moral life, it must offer some vindication of those disinterested virtues which hold the noblest place in the moral code of the civil-

<sup>1</sup> Above, p. 164.

ized world. Now, there are three modes which have been suggested for explaining the disinterestedness of social virtue. These may be distinguished as the psychological, the theological, and the evolutionary.

1. A *psychological* explanation of disinterestedness has, as we have seen, been rendered by Epicurean moralists from very ancient times. They point to the fact that, by the strength of the associations which habitual actions engender, we may bring ourselves at last to love, for its own sake, something which is not intrinsically lovable, and which, therefore, in the first instance, is loved only for the sake of something else. But this is obviously no solution of the ethical problem which the altruistic virtues present. It is merely a psychological explanation of Altruism, — an account of the psychical process by which altruistic affections may be developed in a psychical constitution that is primarily and intrinsically egoistic. It is no ethical vindication of Altruism; that is to say, although it may prove the possibility of unselfish affection and unselfish action, it cannot pretend to touch the real problem at issue, Why is it reasonable to sacrifice our happiness for any conceivable object, if happiness is the only object for which it is reasonable to live?

2. But there is a second method of solving this problem, which appears to harmonize with the fundamental principle of Epicurean Ethics, since it assumes that pleasure is the Sovereign Good. This is the method of solution adopted by the school who may be called Theological Utilitarians, of whom English literature affords an eminent representative

in Paley. They admit, implicitly or explicitly, that within the range of experience, the conflict between Egoism and Altruism cannot be reconciled, and accordingly they seek a conciliation in a transcendental sphere. This solution finds peculiarly distinct expression in Paley's definition of virtue as "the doing good to mankind, in obedience to the will of God, and for the sake of everlasting happiness. According to which definition," he adds, "'the good of mankind' is the subject; 'the will of God' the rule; and 'everlasting happiness' the motive of human virtue."<sup>1</sup> This is certainly frank. What the Accuser of mankind is described as merely insinuating with regard to Job, is here bluntly asserted in a scientific formula with regard to all men. Human virtue, on this theory, is never disinterested. If "the doing good to mankind in accordance with the will of God" does occasionally entail a sacrifice of happiness at the time, that is merely a very limited expenditure which is more than amply repaid by an unlimited return. Now, whatever purpose such statements may serve in popular illustrations of the moral life, it is obvious that, if they are taken with scientific exactness, they imply a desertion of the imposing fortress of Utilitarianism, a retreat into the petty fort of Egoism. The only distinction of the Theological Egoist, as contrasted with the Empirical, is, that he substitutes for the pleasures of this world those of another.

This lapse towards the egoistic point of view has been already referred to as representing a natural

<sup>1</sup> *Moral and Political Philosophy*, Book I. chapter vii.

tendency of Epicurean Ethics. For Egoism shows, on a superficial view at least, a logical self-consistency which does not readily appear in any system that attempts to vindicate an altruistic morality on the theory that pleasure is the only object for which it is reasonable to live. But, whatever real or apparent self-consistency Egoism may possess, even if it can be described as a theory of morality at all, it is certainly irreconcilable with the facts of the moral life among the most civilized races of the world.

This is perhaps especially clear in the case of Theological Egoism. For this system is beset with a double difficulty, — one on its ethical, the other on its theological, side. In the first place, it assumes that disinterested virtue is impossible; that, when the virtuous man appears to act unselfishly, he is in reality merely giving up a petty gratification of the moment for the sake of one that is infinitely greater. Now, no unprejudiced observation of moral experience justifies such an assumption. Not to mention again those instances of a peculiarly tragic martyrdom which have been noticed above, the common life of men is illuminated every hour with deeds of self-denying kindness, in which there is obviously no thought of compensation, either here or hereafter; and it would certainly be straining a theory beyond the limits of logical cohesion, if these actions were to be stigmatized as merely *splendida vitia*, because the agents, while doing them, had not an eye to the main chance in a future life. But on its theological side, also, this system of Egoism is open to an objection which is equally formidable. For an alliance between

Theology and Egoistic Hedonism is one that cannot continue under the close acquaintance into which the allies are thrown. As each learns more thoroughly the character of the other, it becomes more clearly evident that the two occupy opposite poles in the intellectual world, and can never receive any real aid from one another. The theory which finds the Sovereign Good of man in a pleasant state of his sensibility, cannot recognize any life in man transcending his sensible experience, and is obliged, therefore, to deny the possibility of any such communion with an Infinite Spirit as must be admitted in order to form a basis for Theology.

It is natural, therefore, to find the clearest Epicurean thinkers commonly occupying an attitude, if not of negation, at least of suspended judgment, — Scepticism or Agnosticism, — in relation to all questions which issue beyond the sphere of sensible experience. Now, within this sphere, — from the standpoint of pure Empiricism, — there can be no pretence that happiness and virtue always coincide; and we are therefore led to inquire whether there is any other explanation by which the claims of an altruistic morality can be reconciled with the fundamental principle of Epicurean Ethics.

3. Such an explanation is suggested in a plea which runs in the line of recent Evolutionism. It is admitted that, owing to the imperfect adjustments between the individual and his environment, social and individual happiness do not always harmonize; but it is maintained that the tendency of evolution is to perfect this adjustment, and that, when the

adjustment is perfect, all the selfish instincts, from which men derive their unsocial pleasures at present, will be eliminated, and the unselfish instincts will be so developed that men will find their greatest pleasure in promoting the happiness of others. A certain lofty aspect even is given to this view by connecting the alleged tendency of evolution with the end of the Supreme Power in the universe. "If," says Mr. Spencer, "for the divine will, supposed to be supernaturally revealed, we substitute the naturally revealed end towards which the Power manifested throughout Evolution works; then, since Evolution has been, and is still, working towards the highest life, it follows that conforming to those principles by which the highest life is achieved is furthering that end."<sup>1</sup> It is not necessary to discuss this suggestion in all its aspects; for us it leaves the conflict of Egoism and Altruism precisely where it was. There may be scientific ground in experience for believing that, if our planet continues long enough to provide the physical conditions of human existence, the social instincts of men will attain the expected development; but unless the slow process of evolution is supplanted by an inconceivable revolution, all the generations of men with whom we are concerned must frame their moral life on the understanding that social well-being can be promoted only at the cost of much individual sacrifice. Self-sacrificing virtue is not rendered any more reasonable to an Epicurean of the present day by the probability or certainty that, in some remote

<sup>1</sup> *Data of Ethics*, p. 171.



future, men, being more perfectly adjusted to their social environment, will practise the same virtue without the pain of sacrifice. Nor is the difficulty of Utilitarianism removed by pointing to a Power of which I can know merely that it is Something which is manifested in the processes of evolution, and that It is evolving the larger social instincts of the humanity of the future. The thought of this Eternal Power would indeed be recognized as involving an infinite obligation to co-operate with His purposes if I were allowed to retain the old faith which conceives Him as a Supreme Intelligence realizing eternally in Himself the righteousness which He requires me to realize in myself,—the old faith that such a realization of the divine righteousness is the only reasonable life, the only life which will secure my true good as a reasonable being. But when for a Spirit of perfect intelligence and righteousness there is substituted an Unknowable Something which works out Its results without plan,—without intelligent or loving regard for any human being,—then, if pleasure is the only reasonable object for which I can live, it is surely reasonable for me to enjoy as much pleasure as I can gather to myself in life without regard for such an Unknowable Something or for any results It may bring about in a far-off future with which certainly I can have no real concern.

It appears therefore that none of the three explanations which have been discussed—psychological, theological, or evolutionary—affords any rational vindication of social morality on Epicurean grounds.

Consequently it is not surprising that some of the most eminent expositors of Utilitarianism, yielding to the irresistible force of the facts of moral life, admit unreservedly the impossibility of reconciling the obligations of virtue with the theory that pleasure or happiness is the Chief End of existence for every man. Once more Mr. Leslie Stephen may be taken as the mouth-piece of a fearlessly honest Utilitarianism. "I see no use," he says, "in shutting or trying to shut our eyes to so plain a truth. As regards the world with which alone scientific reasoning can have any concern, it is a simple statement of undeniable facts, or of facts which can only be denied in some potential sense, that is to say, not really denied at all. . . . The attempt to establish an absolute coincidence between virtue and happiness is in ethics what the attempting to square the circle or to discover perpetual motion are in geometry and mechanics. I think it better frankly to abandon the hopeless endeavor."<sup>1</sup>

It may be taken, then, as generally admitted, that there is an inevitable conflict between the claims of virtue and those of happiness upon the individual; and the form in which this admission is put by Mr. Stephen, as well as by others, forces upon us the question, whether we should rest in the simple fact of the conflict, and treat the reconciliation of the

<sup>1</sup> *The Science of Ethics*, p. 430. With this may be compared equally explicit statements by Professor Bain in *Mind* (Vol. i. pp. 186 and 194-196). These statements occur in a review of Professor Sidgwick's *Methods of Ethics*; and this work, especially in Book II. chapter v. (with which compare Book IV. chapter vi.), must be regarded as an unanswerable exposure of the futility of any attempt to establish a complete coincidence between virtue and happiness.

conflicting claims as an insoluble problem. Now, a problem may be dismissed in this way for either of two reasons. It may be declared to be merely incapable of solution from the data with which we are allowed to start; or, on the other hand, it may be shown to be logically contradictory of these data. It is obviously in the former case alone, that a problem can with any propriety be spoken of as insoluble; it then remains what in philosophical language is styled a *problematic* proposition, that is, a proposition the truth or falsity of which we are not in a position to decide. But a wholly different character must be assigned to those propositions which, in their very terms, involve either a self-contradiction or a contradiction with the fundamental principles of science. The equation,  $2 + 2 = 5$ , is not a problematic proposition; nor should we call it an insoluble problem to find two straight lines which enclose a space, or to find a triangle whose interior angles are equal to three right angles.<sup>1</sup> Now, what is treated by Mr. Stephen as an insoluble problem in Ethics is not of the nature of a problematic proposition; it is a proposition to predicate of the same subject concepts which are contradictory of each other. If for every man the Highest Good is happiness, then it is simply a contradiction to assert that the Highest Good for any man, under any circumstances, can be to sacrifice his happiness for some higher good.

<sup>1</sup> As I do not wish to add to Professor De Morgan's *Budget of Paradoxes*, I have avoided the illustrations adduced by Mr. Stephen from Geometry and Mechanics; but it seems to me that the two so-called problems ought not to be grouped together as either equally rational or equally irrational.

So far, therefore, as the social virtues are concerned, Utilitarianism has failed to explain the code of morality recognized in the highest civilization of the world.

II. But a similar line of reasoning forces upon us the same conclusion in reference to the *private virtues* of human life. These virtues do not imply any necessary reference to others, — any reference beyond the virtuous man himself. They consist, therefore, in the reasonable regulation of his natural impulses. But there are various indulgences of the natural sensibility, which have been proscribed in every elevated moral code, which yet are intrinsically pleasant, while they are not of necessity followed by any painful results. It is true that the self-denial which virtue requires in reference to such indulgences, though painful in itself, is to some extent compensated by the self-complacency which accompanies a pure conscience, while an indulgence which violated the purity of conscience would have to bear the penalty of remorse. But do these facts offer a sufficient ground for the virtues of personal purity?

In the first place, with regard to the pleasures of a good conscience, it must be remembered that the self-complacency of the virtuous man is a vanishing quantity in Utilitarian calculations. With the advancing perfection of virtue there is ever less and less of complacent reflection by the agent on his own goodness. On Utilitarian principles, however, it would seem indispensable for the moral hero to eradicate the modesty which usually gives to his

virtue one of its finest traits, and to intensify to the highest possible pitch the delightful estimate of his conduct. Then it must be remembered further that the pleasure of a good conscience, like any other agreeable emotion, is a pleasure merely to those who can feel it, and that for many men, who are grossly sensual or weakly self-indulgent, any appeal to the pleasures of self-denial would simply have the effect of an ironical joke. Nor is there any conceivable process of reason, by which it could be made evident that the pure conscience derives a greater quantity of pleasure from self-denial than the sensualist from self-indulgence.

The same view is forced upon us when we look at the problem from its reverse side. The pains of remorse are not always evidently greater than those of virtuous self-sacrifice. They may be so generally for the man of fine moral culture; but are they so for one of brutal sensuality, of hard insensibility, or of ferocious cruelty? On what Utilitarianian ground, then, could you require such an one to cultivate moral refinement? You cannot prove to him that such refinement would yield him a greater quantity of pleasure than he finds in a life of voluptuous license, while you would be forced to admit that the more refined sensibility would expose him to many forms of suffering with which he was unacquainted before. In fact, you might be called to meet, with arguments which it would be difficult to invent, the retort that, if pleasure is the only object that gives value to life, it would be wiser for the refined moral nature to get rid of a sensitive conscience altogether.

A further fact is also worthy of being remembered in this connection; and that is, that the pleasures and pains of human life, being excited by natural agencies, are not by any means uniformly dependent, either for their existence or their proportion, on the moral deserts of men. From purely natural causes, that is, from causes which are entirely beyond an individual's control, such as an unavoidable condition of the bodily organism, the purest virtue may be tested every day by the pangs of a persistent disease, while a cool, calculating immorality may enjoy the accompaniment of a healthy and cheerful disposition. Facts of this nature had evidently struck David Hume as forming one of the most plausible vindications of the sceptical temper of mind, and receive special prominence therefore in his essay on "The Sceptic." "It is observable," he says among other remarks, "that though every bodily pain proceeds from some disorder in the part or organ, yet the pain is not always proportioned to the disorder, but is greater or less, according to the greater or less sensibility of the part upon which the noxious humors exert their influence. A *tooth-ache* produces more violent convulsions of pain than a *phthisis* or a *dropsy*. In like manner, with regard to the economy of the mind, we may observe, that all vice is indeed pernicious; yet the disturbance or pain is not measured out by nature with exact proportion to the degrees of vice; nor is the man of highest virtue, even abstracting from external accidents, always the most happy. A gloomy or melancholy disposition is certainly, *to our sentiments*,

a vice or imperfection ; but as it may be accompanied with great sense of honor and great integrity, it may be found in very worthy characters, though it is sufficient alone to embitter life, and render the person affected with it completely miserable. On the other hand, a selfish villain may possess a spring and alacrity of temper, a certain *gayety of heart*, which is indeed a good quality, but which is rewarded much beyond its merit, and, when attended with good fortune, will compensate for the uneasiness and remorse arising from all the other vices."

(B) It appears, then, that, so far as the individual is concerned, the attempt to establish the obligations of morality on purely Utilitarian grounds has completely failed ; for these obligations, as they have been developed among the highest races of the world, do not imply any uniform coincidence between individual virtue and individual happiness. But there remains a region of morality in which perhaps Utilitarianism may still make a stand. It may be said, that, although virtue and happiness do not coincide in every individual case, yet they do so on the average, and therefore *communities* are sure of the highest prosperity if they always observe the obligations of morality in their transactions with other communities.

Here the question at issue must be clearly defined. As already observed, it is not to be denied that a community, composed of self-sacrificing members, will stand a good chance in any struggle with a community in which there are few individuals disposed to sacrifice themselves for the common good. This

fact, however, concerns merely the moral relations in which the members of one community stand to each other. But the question now before us deals with the moral relations in which one community as a whole stands to other communities. In the evolution of morality, as we have seen,<sup>1</sup> there is a stage at which patriotism forms the highest ideal of the moral consciousness. At such a stage there may be a perfectly heroic devotion to this restricted ideal, combined with a startling unconsciousness of any obligations that take a wider range. Now, if a nation at this stage of moral culture come into conflict with another which has burst the barriers of moral nationalism, and risen to the larger conception of an humanitarian morality, is there any ground for believing that the latter, by a generous fulfilment of its international obligations, will be certain of surviving in the struggle with its less scrupulous neighbor?

Its ideas, its spirit, may survive. For it is the reason of things that forms their eternal reality, and therefore truth and right are irresistible in the long-run. But the nation may itself go down in the struggle for the higher morality which it represented. It would seem in fact as if, in the process of history, material defeat were often a necessary step to spiritual conquest. "Except a corn of wheat fall into the ground and die, it abideth alone; but if it die, it bringeth forth much fruit." This is often obviously true of the individual martyr: the truth, to which he has borne witness, may require to free itself from

<sup>1</sup> Above, p. 80.



individual limitations before it can wield its full power. But a great principle of humanity may be less clearly represented in the many-colored life of a nation than in the more uniform life of a select individual; and consequently the operation of such a principle may be obscured and fettered by association with the temporary aims of national activity. The loss of national independence seems therefore at times to have given a freer range to the spiritual influences of which the fallen nation has been the vehicle in the history of the world.

Owing to the incalculable complexity of the causes at work in the larger movements of societies, it might be difficult to prove that any nation conquered by another, represented on the whole a higher type of morality than its conqueror. But certainly in the history of international conflicts there are numerous instances in which success in diplomacy or in war has been achieved by a monstrous outrage upon justice or by trickery of contemptible meanness; and the growth of all the great empires of the world affords evidence of the triumph that often attends a violation of international rights.<sup>1</sup>

But even if it could be proved that national prosperity is uniformly concomitant upon the fulfilment of national obligations to other nationalities, it must be borne in mind that the problem with which we are occupied concerns primarily and strictly the moral

<sup>1</sup> It is an interesting fact, that even in the ancient world Carneades, the Academic, when lecturing in Rome, defended his ethical scepticism by pointing out that the Romans themselves had advanced their empire in utter disregard of justice to other peoples. See Zeller's *Stoics, Epicureans, and Sceptics*, pp. 520, 521.

life of the individual. It is to the conscience of the individual that the moral law appeals: even when the obligations of a community are referred to, the appeal must always be to the consciences of the individuals of whom the community is composed. If the Utilitarian hypothesis accords with the facts of the moral life, it must be able to convince the individual that his happiness coincides with the highest morality on his part.

But it has been sufficiently shown that this is impossible, and therefore there are but two alternatives which can be regarded as reasonable. Either, holding to the Utilitarian hypothesis, we must abandon the claims of any morality that requires a real sacrifice of happiness from any man; or, maintaining the claims of an altruistic and spiritual morality, we must abandon the Utilitarian hypothesis.

The former alternative has been distinctly recognized as a logical issue of Utilitarian Ethics from a very early period. Among the ancient Greeks it was a common adjunct of Hedonism; that the moral law, in so far as it makes any demands upon men beyond those of personal enjoyment, has its foundation, not in nature, — not *ἐν φύσει*, — but merely *ἐν νόμῳ καὶ ἔθει*, in the institutions and customs of society. This has been the position very commonly assumed by absolute scepticism in all ages; for even the sceptic in theory must have in practice a working rule for the guidance of his conduct, and he commonly takes as his most reasonable guide the laws and usages of the society in which he lives. This position has been most clearly formulated in the

philosophy of Hobbes, who, as we have seen, held that the only moral law — the only law to regulate the individual demand for personal gratification — is the law formulated by civic authority. The man who dreams of a higher law entitled to override the authority of civic legislation, is, on this theory, a mere fanatic ; and the man who voluntarily foregoes a pleasure, except to avoid some disagreeable consequences of natural or social law, is simply a fool for his pains.

But the Hobbist is mistaken in supposing that Ethical Scepticism can stop at this point. Without a moral law on which to rest the authority of civic legislation, the right of the State becomes in reality nothing but its might ; that is to say, its authority is founded on no moral obligation, since no such obligation has any existence in reality. It remains, therefore, always reasonable for the individual to oppose, if he can, a stronger force to resist, or a more astute intelligence to evade, the power of the State. Consequently, Moral Scepticism, that is, scepticism with regard to the independent authority of the moral law as the basis even of civic obligations, inevitably lands in the annihilation of these obligations themselves, in Political Nihilism or Anarchism.

The only reasonable alternative, therefore, is that which accepts the facts of social and private morality in their full significance, vindicates the authority of moral obligations as a reality independent of natural impulse or of legal compulsion, and therefore rejects the Utilitarian hypothesis which is acknowledged to be irreconcilable with the facts of the moral life.

For, in concluding our discussion, it is well to recall the fact, that Utilitarians themselves acknowledge an altruistic and spiritual morality to be indefensible on purely Utilitarian grounds. It is surely, for the scientific thinker, a strange course, which honestly acknowledges this irreconcilable conflict of theory with fact, and yet clings to the theory. For the difficulties which we have seen Utilitarian thinkers recognizing — all their alleged “insoluble problems” — have their origin in the hypothesis that pleasure is the only object for which it is reasonable to live. Drop that hypothesis, admit a higher object for human life, and a morality involving genuine self-sacrifice becomes no longer unreasonable.

That this is the true way out of the “insoluble problems” of Utilitarianism, is incidentally indicated by Utilitarian writers themselves. In an article referred to above, Professor Bain, after dwelling on the conflict between Egoism and Altruism, observes: “To seek our own interest is one thing; to renounce our own interest for another man’s, is quite a different thing; the second cannot, by any conceivable device, be forced under the first. That ‘I am to be miserable,’ cannot be an inference from ‘I am to be happy.’ There must clearly be *two* things postulated as the foundations of human duty, each for itself and on its own merits. It is right, reasonable, for each one to seek their own happiness; it is right, reasonable, for each one to give up, if need be, their own happiness for the sake of the happiness of some other persons.”<sup>1</sup> There could not easily be found a

<sup>1</sup> *Mind*, Vol. I. p. 195.

more pronounced assertion of the doctrine, that the supreme standard of rightness in human conduct is not, for any man, merely his own happiness, or even merely the happiness of others, but that it must be some higher and larger object which commends itself to the reason as comprehending both of these limited objects. But statements equally explicit to the same effect may be cited from the writings of other prominent Utilitarians. "By acting rightly," says Mr. Leslie Stephen, "I admit, even the virtuous man will sometimes be making a sacrifice; and I do not deny it to be a real sacrifice: I only deny that such a statement will be conclusive for the virtuous man. *His own happiness is not his sole ultimate aim*, and the clearest proof that a given action will not contribute to it will, therefore, not deter him from the action."<sup>1</sup> And, in a similar strain, in a passage quoted above, Mr. Mill ascribes all honor to the hero or the martyr by whom happiness is voluntarily renounced "for the sake of something which he prizes more than his individual happiness." The way is thus opened by Utilitarians themselves for those theories of morality which deny that pleasure is the ultimate end of existence for any man.

<sup>1</sup> *The Science of Ethics*, p. 431.

## CHAPTER II.

## STOICAL THEORIES.

THE second main direction of ethical speculation finds the goodness of an action in its reasonableness, rather than in its pleasantness. In other words, the Stoical theories of morality may be characterized negatively by the fact, that they deny the fundamental doctrine of Epicureanism, which makes pleasure the Sovereign Good of human life; while they may be characterized positively by the fact, that they find the Sovereign Good in an object of reason rather than in an excitement of sensibility. Of course Epicureanism itself can defend its fundamental doctrine only by showing that the pursuit of pleasure is absolutely reasonable, or, in other words, by proving that pleasure or happiness is the only object that is absolutely satisfactory to a reasonable being. The full significance of this fact will appear more clearly in the sequel.

Stoical theories appear to show a more radical diversity than the Epicurean; but this greater diversity is rather apparent than real. Epicureans must of necessity give prominence to the doctrine, that pleasure, however differently conceived, is the ultimate object of all human desire; and therefore their various theories acquire an appearance of uniformity

which is not so commonly given to the different forms of Stoicism. For a Stoical writer naturally gives prominence to the particular object which by its distinctive character is conceived as constituting the Supreme Good of man; and consequently his exposition is apt to put into the background the fact, which is common to all Stoical theories, that the object which is represented as forming the Supreme Good is a concept of reason.

The various forms of Stoicism, then, diverge from one another in their definition of the object which is adapted to satisfy the practical reason of man, and therefore to form the supreme end or law for the government of his conduct. Some indeed of those theories, which are generally opposed to Epicureanism, and which in their psychological aspect are described as intuitional, appear to regard the moral quality of an action as something indefinable. For example, this seems to be sometimes implied in the language of those philosophers who were referred to in the previous Book as holding the theory of a Moral Sense.<sup>1</sup> According to that language it might appear as if moral ideas were to be put psychologically on a level with the simple ideas which are received through the bodily senses, in so far as they can be known only by being felt. From this analogy it might be argued that it is as useless to attempt a definition of the moral quality of actions as of any sensible quality of bodies, except by referring to the feelings which it excites. Still, even the analogy between moral sentiment and bodily sensa-

<sup>1</sup> See above, p. 59.

tion does not exclude all explanation of the moral quality of actions. For, as the scientific explanation of our sensations requires that we should trace them to the physical conditions with which they are connected by natural law, so it is a perfectly proper scientific inquiry which seeks to find out what is the quality of action by which the moral sense is excited. Accordingly this inquiry has always been a prominent subject of speculation among the representatives of the theory in question. Its two most eminent exponents, Shaftesbury and Hutcheson, unite in maintaining that the benevolence of an action is the property which makes it agreeable to the moral sense; and as the benevolence of an action means its intentional adaptation to promote the happiness of those interested, it is obvious that the psychological theory of a Moral Sense passes over into the ethical theory of Utilitarianism.

A similar remark may be made in reference to those of the so-called Intuitional Moralists who refer moral ideas to an intellectual rather than a sensitive power, — an intuition of reason rather than the excitement of a peculiar form of sensibility. The language of this school might at times seem to imply that they regarded morality as a concept which does not admit of analysis, and that they held that certain actions are intuitively conceived by us to be right without our being able to give any reason for the conception. Language to this effect is peculiarly explicit in the writings of Price, of Reid, and of Stewart. But in reality the only moral idea which they treat as indefinable, is that of obligation, whereas



the qualities, on the ground of which actions are conceived to be obligatory, are ideas like justice, veracity, benevolence, prudence, which admit of perfectly intelligible analysis and explanation. On any other theory the moral life would be divorced from reason altogether, and handed over to the domination of unintelligent and unintelligible instincts.

It is a serious philosophical defect of the Intuitionism just mentioned, that it leaves in inexplicable disconnection the different moral principles which are regarded as being intuitively known to be right. Philosophy is precisely the endeavor to bring our knowledge to complete unification; and while it must oppose any attempt to reach this end by hasty generalizations, it cannot rest satisfied with a recognition of principles in such complete independence as to bar the way against their being brought under some superior principle comprehensive of them all. Accordingly most of the great moralists of a Stoical tendency have, like the Epicureans, sought to find out the common property by which all right actions are characterized.

We have therefore now to notice the most famous of those theories which have sought the rightness of actions in some other property than their power of giving pleasure.

### § I. *Ancient Stoicism.*

Naturally of course we are taken back to the ancient school from which Stoicism derives its name. The Stoical tendency, however, had appeared long before the rise of the Stoical School. Its primitive

germ is perhaps to be found in the Socratic doctrine, that virtue is a kind of knowledge ; and this, along with other germs of Stoical thought in the teaching of Socrates, was developed in the peculiar morals of the Cynical School. But Cynicism, though not without some interesting speculative features, was more prominently a mode of life than a system of speculation, and is in history distinguished most strikingly by the extravagance with which it carried into practice its hostility to the doctrine which finds in pleasure the chief good of man. Hostility to this doctrine first assumed the shape of a reasoned system in Zeno of Kittion and his followers ; and they obtained the name of Stoics from one of the colonnades in ancient Athens, the Stoa Poikilê, in which Zeno delivered his lectures. Leaving out their speculations on other subjects, we may sum up their ethical theory in a few salient points.<sup>1</sup>

The theory of the Stoics in reference to the Sovereign Good was intimately connected with their conception of the universe as a whole. According to this conception, the world is an embodiment of Perfect Reason in the minutest details of its constitution and administration. In fact, the doctrine of the Providential Government of the World was enforced by the ancient Stoics in lines of argument

<sup>1</sup> In regard to ancient Stoicism the English student will probably derive most satisfaction in the volume translated from Zeller's *Philosophy of the Greeks*, under the title of *The Stoics, Epicureans, and Sceptics*. But he may also consult with great advantage, especially for the practical influence of Stoicism, Mr. Lecky's brilliant sketch in his *History of European Morals*, chapter ii. These works furnish sufficient references to other sources of information, both primary and secondary.

essentially similar to those adopted in the doctrinal theology of our own day. On this view the nature of every being is wisely adapted to secure its highest good; and accordingly man, like every other creature, can find his Sovereign Good only by a life which is in harmony with the requirements of his nature. But the essential nature of man is his reason, and consequently the chief end of his existence must be to live a life conformable to reason. Such a life therefore constitutes supreme excellence or virtue in man. It may be described with equal propriety as a life according to reason, or, since nature is a creation of reason, as a life according to nature; and the meaning will be the same, whether we understand nature in general or the particular nature of man.

The virtuous life will assuredly bring happiness as its natural result. But it is not the happiness of virtue that forms our highest good; on the contrary, virtue in itself is our highest good because it is the life that is alone natural to a reasonable being. Virtue must therefore be further regarded as the *sole* good of man. There are, it is true, other things, such as health, riches, -honor, which are naturally preferable to their opposites; but the Stoic would not admit them to the dignity of being any essential factor of the Good. To him everything but virtue was essentially indifferent.

The natural life of reason is perpetually obstructed by the unnatural excesses of passion. Virtue was therefore by the Stoics described very prominently on its negative side as self-denial, as a repression of the passions. And, consequently, the happiness

which virtue brings was conceived not so much as a positively pleasurable excitement of sensibility, but rather as a deadening of the sensibility — an apathy — which saves us from exposure to the painful disturbances of passion.

One noticeable flaw in the Stoical theory may be found in its use of the very indefinite concept of Nature to give definiteness to the concept of morality. Without discussing the various meanings in which this term has been, and may be, employed, it may be said that its most prominent meaning in connection with the Stoical Theory is that which is often implied in speaking of *the essential nature* of anything ; and that, again, is understood to mean the property by which a thing is differentiated from everything else. In man the differentiating property or essential nature is made to be his reason ; and accordingly he is treated as if his Supreme Good could be dissociated from all other properties which, though not differentiating him from other natural products, are yet integral factors of his nature. Human goodness is regarded as consisting exclusively in the activity of reason without reference to the passions which arise from natural sensibility. If virtue is conceived as having any connection with the passions, it does not consist in controlling these so as to restrict their indulgence within reasonable limits ; Stoical virtue will make no terms with the passions at all ; it demands their complete repression.

This repression was sought, not merely in the case of those passions which are most liable to excess, and therefore most inimical to our moral welfare : it was

sought, and often attained to a marvellous degree, even in regard to many of the kindlier emotions, the culture of which is associated with much that is most attractive in the moral life of men. The result of this was certainly far from beneficial in all cases. While it is impossible to ignore many features that are admirable, not only in the ideal, but even in the actual attainments, of the Stoics, it must also be admitted that Stoicism degenerated at times into a hard insensibility—a veritable apathy—which is incompatible with any complete standard of morality. For it is obvious that a large part of social morality is based on a kindly regard for the sensibility of others. But the Stoic, sternly refusing to come to any compromise with his own sensibility, was apt to treat the sensibility of another in the same fashion; and his apathy, which in relation to himself often rose into a severe grandeur, sometimes in its relation to others sank into a repulsive harshness and cruelty.

But this disregard of man's sensitive nature led to a further injurious result. Virtue, being separated from the ineradicable facts of man's nature, was apt to be treated as an unreal abstraction, an impracticable ideal. This complete abstraction of reason, however, by complete elimination of feeling, was evidently incapable of concrete realization under the existing condition of human nature; and consequently the vast majority, almost the whole of mankind, were regarded as incorrigibly corrupt,—as hopelessly abandoned to folly and vice. Virtue was therefore, in the eye of the Stoic, a rare spiritual privilege

reserved for an extremely select moral aristocracy, who could afford to look down, with pity rather than anger, upon the vast mob of moral pariahs who are doomed to perpetual exclusion from all the glories of moral civilization. There is perhaps no feature of Stoical Ethics which stands in such marked contrast with the Ethics of Christianity, or which distinguishes so strikingly the whole attitude of the Christian Church from that of the Stoical School towards the practical problem of the moral reformation of the world.

It was a result of the same abstraction of virtue from the concrete facts of the moral life, that the virtuous and the vicious were separated in Stoical theory by an absolutely fixed line of demarcation. Whenever that line was passed by a happy conversion from vice to virtue, a man's actions became absolutely good ; but until that line was passed, no difference in the moral value of his actions was recognized ; all, being without the direction of rational principle, were regarded as equally vicious, just as a man who is but an inch under water is drowned as completely as one who sinks a hundred fathoms.

Of course it was impossible to sustain this theory on the unattainable elevation of its abstract ideal ; and consequently its more rigid lines were softened by various modifications of later expositors. But it is not always easy to reconcile these modifications with the essential principles of the theory ; in fact, these modifications may be accepted as a virtual admission that the theory is not, in itself, a completely satisfactory explanation of the moral life.

Probably, therefore, enough has been said to show that ancient Stoicism fails to solve the problem of Ethics — fails to furnish a scientific definition of morality by basing it upon the indefinite concept of Nature, and even by identifying that concept with the Reason which gives to Nature its essential form. Accordingly, there is some ground for the opinion, which seems to have been common among ancient critics, that Stoicism, in its earlier and stricter type, made no genuine improvement on the ethical doctrines of Plato and Aristotle, which recognize fully the rights of reason in the moral life of man without ignoring the obvious facts of a non-rational sensibility, which, as they cannot be got rid of, must be controlled, by reason. In fact, the later modifications of Stoical theory may be viewed as a return towards the Platonic and Aristotelian Ethics. A few remarks on each of these will therefore not be out of place.

The Ethics of Plato give a classification of the virtues, which will be noticed more appropriately in the Third Part of this Book. Here it is sufficient to observe, that in all the virtues of this classification the common factor is the control of reason as the governing power in human life. Reason, however, is the faculty of cognition; and it is as cognizant of the chief end of life, that reason directs us towards that end. In his definition of the end, Plato essayed a bolder flight than had ever been attempted by speculation before, becoming the forerunner of those thinkers with whom morality is absorbed in the religious life. Following his master, he sought the essential

nature of everything, by finding the common element which may be traced in all its various forms, that is, its general conception or definition. Accordingly, the Sovereign Good of man must be that which is found to be good for all men at all times. This must be an object which is good in itself, and consequently good for all beings as well as for man. It must, in short, be the Absolute Good, the very essence of goodness in all things. The chief end of man must, therefore, be the chief end of all beings, — the chief end of God in the creation and government of the universe. Accordingly, man can attain his highest excellence or virtue only by apprehending the Divine End of the world, and directing his life with a view to that end.

But what is this Divine End that forms the Absolute Good of Man? Negatively it is defined by contrast, on the one hand, with the Hedonism of the Cyrenaics, and, on the other hand, with the practical extravagances of the Cynics and the cognate speculative extravagances of the Megarics. Against the former, Plato maintained that the Absolute Good, as permanent and certain, cannot be of the nature of mere pleasure, which is essentially changeable, liable at any moment to pass over into its opposite. At the same time, in his recoil from Hedonism, Plato did not attenuate the Good into a mere negation of pleasure, like the Cynics, or into a mere abstraction like that of the Megarics, in which all the concrete goodness of actual life evaporates. The Absolute Good, according to him, is the most essential of all realities, and true virtue can only be the realization



of the Absolute Good in human life; but just for that reason it must descend into the region of sensible impulses, and direct their manifestations in accordance with its own requirements. This necessity, in fact, gave Plato a point of view from which he was able to sketch his classification of the virtues.

In this classification, however, it is impossible to trace any definite characteristic that is common to all, beyond the general feature of all Stoical theories, which makes the virtuous life consist of conduct regulated by reason. Plato's manner of treatment, moreover, showed at times a tendency to the extreme of Stoicism,—the elevation of reason into exclusive prominence as the constitutive factor of the virtuous life. For the virtuous life implies a cognition of the Divine Idea of the Good, which is the essential constituent of all forms of virtue; and, consequently, the more clearly that Idea is conceived, the nearer does virtue approach to perfection. At times, therefore, the highest virtue is represented as consisting in an abstract contemplation of the Divine Idea,—an abstraction from sense as complete as is demanded by the strictest Stoicism.

The Ethics of Aristotle have been commonly viewed as radically opposed to those of Plato, perhaps mainly because he criticises the Platonic doctrine which makes the Good a Divine Idea. But if we eliminate this criticism, it will be found that the ethical theories of the two philosophers are substantially identical. Aristotle, too, maintains that the supreme end of human existence must be one that satisfies a reasonable being, and that therefore the virtuous life

must consist in conduct regulated by reason. Nor does he, any more than Plato, ignore the non-rational impulses of the human soul; he assigns, in fact, a large sphere of the virtuous life to a control of these. By this control, he held that all extremes must be avoided: for whether a natural impulse is defective or excessive, the result is equally a fault, a vice. All virtue, therefore, so far as it deals with the passions, consists in rationally directing their exercise so as to hit the happy mean between the vicious extremes of excess and defect. Thus, courage is the right mean between cowardice and foolhardiness; liberality, between stinginess and reckless extravagance.

But as Aristotle proceeds in his description of the moral life, there is distinct evidence of the Stoical tendency, which was traced also in Plato, to separate the highest virtue from all indulgences of a non-rational sensibility, and to find it rather in a life of calm contemplation, in which the passions are silent, and only the voice of reason is heard.

The Ethical Rationalism, as it may be called, of the ancient world, in the moderate form in which it was maintained by Plato and Aristotle, as well as in the extreme form in which it was afterwards developed by the Stoics, continued to exert a profound influence over ethical speculation, even after Christianity had transformed the religious conceptions of men. But we must come down to the modern world before we meet with any definitely new attempt to find an explanation of the moral life on purely philosophical grounds. Some of the most interesting of these modern efforts of ethical speculation are to be found in English Philosophy.

## § 2. *English Stoical Moralists.*

In Britain speculation on ethical questions received its first powerful stimulus during the seventeenth century from those startling theories of Thomas Hobbes, to which reference has been made already. The most formidable opposition which Hobbes encountered in his own time came from a set of men connected with the University of Cambridge, who, following in the lines of the Old Academy, were known as the Cambridge Platonists.<sup>1</sup> Among these the most eminent was Dr. Ralph Cudworth (1617-1688). Only two of his works have ever been published. One, containing his Speculative Philosophy, is entitled *The True Intellectual System of the Universe*. The other, a posthumous *Treatise concerning Eternal and Immutable Morality*, is a brief exposition of his Practical Philosophy.

The latter is explicitly directed against the ethical theory of Hobbes, which he properly regards as being in substance identical with that of Occam,<sup>2</sup> inasmuch as both maintain that the distinction between good and evil is created by an unintelligent force, that is, by the mere *will* of God or man, conceived as independent of divine or human *intelligence*. This, however, is to make essential distinctions, like those of good and evil, altogether arbitrary, or, in other words, to deny that there is anything immutable in the nature or essence of things. Such a theory must

<sup>1</sup> A valuable account of these idealistic thinkers will be found in Tulloch's *Rational Theology and Christian Philosophy in England in the Seventeenth Century*, Vol. II.

<sup>2</sup> See above, p. 56.

assume that reason can never penetrate beyond sensible appearances, that knowledge is, in fact, nothing but a series of vanishing impressions excited in our senses. But Cudworth, reviving Platonic Idealism, especially as expounded in the *Theaetetus*, proves that this is a totally inadequate conception of intelligence. Besides the impressions of sense, — *αἰσθηματα* or *φαντασματα*, — knowledge implies conceptions of the mind itself — *νοήματα*; and these conceptions are not passively received from external sense, but formed by the inward active energy of the soul. Now, the objects of these conceptions are not mutable, individual, sensible things, but immutable essences of things, which remain as they are always to the Eternal Mind, by whom they are communicated to finite minds. Without these conceptions, in fact, there could be no science; for science is not of vanishing appearances, but of immutable natures or essences. Now, good and evil in human action are of this immutable character. They are not dependent on opinion or arbitrary will; they are in reality what they are to the Eternal Mind. All morality, therefore, rests ultimately on God.

The Cambridge Platonists were hampered by the same defect which marred the Ethics of ancient Platonism, and which arose out of the Socratic identification of virtue and knowledge. Virtue is certainly a life directed by knowledge; but its differentiating characteristic is the fact, that it is a *life*, an activity, and not a *mere knowledge* or contemplation of truth. In the Platonic theories, both of ancient and of modern times, we do not get beyond the general principle

that the Good is an object of reason, not a mere excitement of sensibility; but what differentiates it as an object to be realized in practice from any object of purely speculative reason, is scarcely ever satisfactorily defined. A similar defect clings to the later efforts of English ethical speculation on the lines of Stoicism, though they certainly in general attain a more distinct definition of the Good as an object of reason.

In the history of these later efforts perhaps the most prominent place ought to be given to Dr. Samuel Clarke (1675-1729). When Clarke appeared, the English Platonism of the seventeenth century was dying out, and a new form was given to speculation on ethical as well as other problems by one of the most influential works of English Philosophy, Locke's *Essay concerning Human Understanding*. In this famous work all the ideas which enter into human intelligence are traced to two sources, sensation and reflection, that is, either to some impression on the bodily senses, or to reflection on the operations of the mind itself. This doctrine has been usually interpreted as involving a thorough Empiricism, if not even a Sensualism, which would make it impossible to lay any foundation for the moral law, or indeed for truth of any kind. But a few of those who were influenced by the Lockian movement have yet endeavored to find an unassailable ground of truth both speculative and practical in the fundamental principles of the *Essay concerning Human Understanding*. Some, as we have seen, asserted the existence of a higher form of sensibility, from which moral and other

ideas are received. But others sought the same end by a different road. Besides the ideas of sensation and reflection, Locke recognized as an essential factor of knowledge an activity which it is impossible to reconcile with absolute Empiricism, — an activity by which the mind goes beyond the ideas it receives, and compares them with one another, so as to form the new idea of their relations.

It is this activity upon which Clarke seizes to explain at once the subjective origin and the objective immutability of moral ideas. The function of this activity is, to discover the relations in which things stand to one another, — “the fitnesses of things,” as Clarke is fond of calling them. Now, all through the universe there are, independent of the things related, certain relations or fitnesses which are in their very nature absolutely immutable. Such are the relations of equality or proportion between certain numbers or between certain geometrical figures, — the equation, for example, of  $2 + 2$  and  $4$ , or of the three internal angles of a triangle to two right angles. As reason discovers these necessary and eternal relations, it would be essentially unreasonable to act as if these relations did not hold. But in life also there are relations which are equally necessary and immutable. Every human being stands in a necessary relation to his Creator as well as to his fellow-creatures, while there are likewise certain relations between the different powers of his own nature. Reason, therefore, in discovering these immutable relations, imposes an eternal obligation to observe them in practical life. This eternal obligation — Clarke argues with obvious

reference to Hobbes and Occam — does not arise from any advantage or disadvantage, any reward or punishment, connected with its practical observance or violation. It is independent of, and antecedent to, any pleasant or painful consequences which may be connected with it either by natural law or by positive enactment. It originates in the very nature of the relations themselves; and consequently all virtue consists in the practical observance of what, in the favorite phrase of Clarke, are called “the eternal fitnesses of things.”

Obviously this theory stands peculiarly open to the criticism already passed on definitions of morality, which proceed on the Socratic identification of virtue with knowledge. It is a perfectly true, and even a very impressive, aspect of virtue, which connects it with the immutable relations in which human beings are placed, and therefore describes all wrong-doing as an irrational disregard of “the eternal fitnesses of things.” But every act is not necessarily a moral wrong, which ignores such immutable facts; nor does an action, by harmonizing with these, become of necessity virtuous. A man may make a mistake in an arithmetical calculation or a geometrical measurement, and he may be forced to suffer serious inconvenience from his mistake; but his action, though violating certain eternal relations, is not placed in the same category with an act of impiety which disregards the eternal relation of a creature to his Creator, or with the transactions of a swindler who ignores the immutable relation of debtor and creditor, or with the excesses of a sensualist who forgets the subordi-

nation in which appetite stands to reason. In like manner, a man may be perfectly accurate in observing an eternal fitness without his observance being necessarily a virtuous action.<sup>1</sup>

The theory of Clarke, therefore, whatever its merits, fails to explain the differentiating characteristic of virtue,—the quality which distinguishes an act of intellectual blundering from one that implies moral perversity. The same criticism may be urged against another Stoical theory which resembles Clarke's in its essential features, and which is expounded with much felicitous illustration and acuteness of moral insight. It is the theory of a contemporary of Clarke, William Wollaston (1659–1724), known mainly as author of *The Religion of Nature Delineated*. Wollaston's theory starts from the fact, that truth can be expressed, not only by words, but also, and more effectively, by actions.<sup>2</sup> Now, truth is a conformity to fact, to nature, to things as they really are; and a proposition is true when it expresses the real nature of things, or their real relations.<sup>3</sup> But no action is right, if it is not in harmony with the real nature of

<sup>1</sup> Clarke does not seem uniformly able to hold to the eternal relations as forming the ultimate reason of the moral law; for he speaks of God enacting the observance of these relations "in order to the welfare of the whole universe," as man enacts it "for the good of the public." (*Discourse Concerning the Unchangeable Obligation of Natural Religion*, Proposition I.) This being merely an incidental expression, however, it would be unfair to press it in opposition to the general and essential drift of his theory.

<sup>2</sup> On p. 13 of Wollaston's work there is a note quoting some remarkable expressions in the New Testament, as well as in Plato's and Aristotle's writings, about *doing* truth or falsehood.

<sup>3</sup> Wollaston's language often recalls that of the ancient Stoics, as well as of Clarke. See especially Section First, § IV. 2, in *The Religion of Nature Delineated*.



the thing to which it refers, or with its real relations ; while an action may be said to be right if its omission, and wrong if its commission, would contradict a true proposition. Thus, to take a single example, a thief, by assuming as his property what is not his property at all, is declaring by his actions, as distinctly as he could in any words, what is an untrue proposition.

### § 3. *Perfectionism.*

Among the Stoical moralists of the modern world will be found some of various nationalities, who take the concept of perfection as affording the true explanation of the ethical ideal.<sup>1</sup> Two forms of this theory may be distinguished—the one as individualistic, the other as socialistic. The former takes as the supreme ideal the perfection of the individual ; the latter, the perfection of society.

In whatever form the theory is conceived, it is the idea of perfection to which we are referred for our comprehension of the supreme end of human existence ; and therefore we must analyze this concept in order to find out what the supreme end is. Perfection is of course an end to which any development may point ; it is in fact nothing but the ultimate, and therefore the supreme, end of any development. In order to perfect development in

<sup>1</sup> In English literature perhaps the most eminent representative of this doctrine was a man who deserves a more prominent place than he generally receives in our histories of Ethics, — Adam Ferguson. See his *Principles of Moral and Political Science*, especially Part II., chapters i. and ii. There is a careful critique of the doctrine in a recent work by Mr. S. Alexander on *Moral Order and Progress*, Book II. chapter v.

man, not only must every different *kind* of power be developed, but every power must be developed to the highest *degree*. But this is merely another way of saying that man, as a rational agent, must not be governed by limited views which have no reference to an universal principle. To limit the *degree* of development may be a reasonable, and therefore legitimate, aim for a particular individual on some particular occasion; but it could not be prescribed as an universal law,—as a law for all individuals, or even as a law for any individual at all times. The same may be said of the effort to develop certain powers at the expense of others. And if it is social perfection that is made our ideal, it is equally obvious that a proposal to develop in any way certain individuals or classes at the expense of others can never become an universal law of human society.

We are thus led to look beyond the idea of perfection for an explanation of the moral import of that idea itself, and to look in a direction which will be understood from the movement of speculation described in the next section

#### § 4. *The Kantian Movement.*

A common and obvious defect of the Stoical theories which have been reviewed — perhaps their essential defect — is the fact, that, while they connect morality with reason by pointing to a certain analogy between the object of reason in regulating conduct and its object in the discovery of truth, they yet make no attempt to show how the moral

law is a necessary evolution from the very function of reason. This problem of Stoical Ethics was put for the first time into distinct form by Immanuel Kant (1724-1804); and ethical speculation, at least in the direction of Stoicism, has been ever since profoundly modified by his views. Maintaining that the moral law is not given to the reason *ab extra*, — from any non-rational source like our sensibility, — he sought to show that it is a development of reason itself, — of reason considered purely as reason. In other words, he derived the moral law from the *form* which reason imposes on its own activity, rather than from any *matter* which it receives; that is to say, he found the matter of the law in its very form.

To understand this theory we must recall the main problem of Ethics. This problem is not, like that of Ethical Psychology, to trace the *subjective* processes by which the moral consciousness is developed; it seeks rather to find the *objective* standard or law by which the moral life is to be governed. Now, an objective standard must be one which is elevated above the caprices of particular minds, — one which holds, not merely for a limited number of individuals, but for all intelligent beings. Such a standard is given in a law which intelligence enacts by the necessity of its nature, and which therefore binds intelligent beings simply by virtue of the fact that they are intelligent. For such a law must be absolutely universal in its application to intelligent beings.

But in our analysis of the moral consciousness it

was shown, that, when intelligence is applied to the direction of conduct, it does direct conduct by prescribing as a rule for guidance an end which is universally valid. That is to say, the end prescribed must be universally valid, in the first place, for the agent himself, by being applicable, not merely to a limited period of his life, but to all time ; and, in the second place, it must be universally valid because it applies, not to a limited number of persons alone, but to all intelligent beings. In short, practical intelligence seeks to elicit in the direction of conduct that universal element, in virtue of which alone we can be said to know what in reality *ought to be*, just as speculative intelligence seeks to elicit in the discovery of truth the universal element, in virtue of which alone we can be said to know what in reality *is*.

Kant accordingly held that the form in which reason fulfils its function relieves it from the necessity of going to any external source in order to obtain the material of a law for the government of human conduct. That material is involved in the very fact, that the reason necessarily seeks for every individual a law of conduct that is applicable, not to him alone, but to all, and for every particular act of his a law that is applicable to his whole life. In other words, reason requires that the particular maxim or rule by which every act of human life is governed shall be, in its essential principle, of universal application. This is the purport of the famous formula of Kant, which, in accordance with language already explained, he calls the Categorical

Imperative:—“Act so that the maxim of thy will may be capable of being adopted as a principle of universal legislation.”

Great as have been the services of Kant to the Philosophy of Ethics, it is scarcely possible to ignore a defect in his theory similar to that which has been pointed out in the theory of the ancient Stoics, and which mars, in fact, most theories of a Stoical tendency. Stoicism is always apt to treat the moral life as a life of reason in complete abstraction from the facts of human sensibility. This flaw stands out in the system of Kant, perhaps in an exaggerated form, from the very fact that he had conceived the problem of Ethics more clearly than his predecessors. By Kant, it would almost appear as if reason were conceived like a force working *in vacuo*, determining the law of its workings, but without any material to work upon. Such a conception of reason, however, is metaphysically meaningless, as it is ethically invalid. Self-conscious intelligence, as a knowing subject, supposes an object known, and, as a willing subject, supposes an object willed. In view of this elementary fact of rational life, it is impossible to treat practical reason without reference to the objects which it is to modify, as it is impossible to treat speculative reason as if there were no objective world which it makes known.

It is but due, however, to Kant personally, as well as to historical truth, to bear in mind, that the problem with which he specially dealt imposed on him a degree of abstraction which he might have avoided if he had been approaching the problem of Ethics

from a different point of view. Indeed, whenever he proceeds to interpret his formula of moral legislation, he no longer conceives it as a product of practical reason working by itself in isolation from any object which it determines. The truth is, that the ideal standard of morality reveals itself always as reason seeking to bring the life of man into harmony with the universality of its own requirements; and therefore the standard is moulded at every moment of evolution by the conditions of the moment. For this reason, as was shown in the previous Book, the evolution of the moral consciousness is always a progress towards universality, taking in more and more of the life of man. Accordingly the moral standard must not be conceived, as it has been commonly represented by Stoicism, as if it demanded a complete abstraction of reason from all external conditions, — a life in which a cool impersonal intelligence divests itself of all the warm clothing of human sensation and emotion. On the contrary, the moral standard has no significance except in relation to the particular conditions of our mental and physical life, which it would bring into harmony with the universal requirements of reason.

Thus, for example, it is meaningless to speak of a moral standard which treats us as if we were purely rational beings without reference to that natural sensibility which it is the function of reason to control in ourselves and to respect in others. It would be equally meaningless to work out a moral standard with reference merely to human nature in the abstract, and not to the concrete human nature that

is realized in each individual. The moral standard remains an empty ideal until it is filled up with contents from the conditions of each individual's life. Every human being is thrown into human history in a particular locality at a particular period ; he grows up in a particular family and in a particular social circle. He is thus, by the necessities of nature, placed in manifold relations, political, civic, social, domestic, with his fellow-men. By his own choice also, — by specific contracts and other actions, — he is continually multiplying these relations. It is these relations, as interpreted by the universal requirements of reason, that determine for each individual the moral ideal which should regulate his intercourse with his fellows. There are also peculiarities in his own condition, sometimes features of his inherited constitution, sometimes results of his own conduct, in the light of which reason imposes upon him the most imperious obligations of behavior.

It is obvious, therefore, that the particular rules of conduct prescribed by the moral ideal must vary greatly for different individuals, as well as for different stages of moral culture both in the individual and in the race. For every particular rule, though emanating from an universal principle, must be modified, and therefore more or less limited, by the particular conditions to which it points. It is impossible, therefore, that any particular rule can ever give adequate expression to the universal principle of morality. This is most obviously the case with those rules of conduct which belong to the legal, rather than the moral, sphere ; because, as will be shown more fully

afterwards, they point almost exclusively to the external act in abstraction from the internal motive which connects it with the universal principle of morality. For this reason, among others, laws have such a limited applicability, both in space and in time, being adapted to the circumstances of one country, but not to those of another, and becoming obsolete even in the country to which they were originally adapted, owing to the varying conditions of its history. It remains, therefore, a standing problem in the enactment and administration of laws, to readjust them to the altered requirements of new social conditions, as is commonly done, either by fresh legislation or by new interpretations of old laws.

But it is not merely legal rules of conduct that are thus restricted in their application ; a similar restriction holds with regard to moral rules as well. Rules which may be of the highest utility, if not even indispensable, in the moral discipline of childhood, may become extremely detrimental if used to cramp the spirit of independence which it is essential to cultivate in youth and manhood. Men find also that there are often peculiarities in their social or political surroundings which enforce upon themselves peculiar restrictions of conduct in order to be perfectly just to their fellow-men ; while they also recognize, at times, peculiarities in their natural constitution or acquired habits, which impose similar restrictions in the interests of personal morality. These restrictions, however, though representing the universal principle of the moral life within their own limited conditions, must not be taken as universally applica-



ble ; and any attempt to enforce them beyond these conditions must always be fraught with peril to the moral welfare. Unfortunately, this fact is adequately realized only by minds of the largest moral intelligence. With the majority of men, the habit of associating particular rules of conduct with the supreme requirements of the moral life leads to these rules being invested with all the sacredness of the ends which they are adapted to serve ; and on those whose lives have been moulded by the influence of such rules, custom comes to

“ lie with a weight  
Heavy as frost, and deep almost as life.”

But the growth of the individual and of the race is continually revealing the inadequacy of prevalent moral usages to express the universal requirements of the moral reason of mankind ; for when a particular usage fails to express these requirements, it may not only cramp the spirit of morality, but even form a cloak to a spirit that is essentially immoral. Even the heavens, it is said, shall wax old as doth a garment, undoubtedly when they have ceased to express the creative thought and energy of the Originating Intelligence ; so the fashions of life, which have been created by moral intelligence, become obsolete by ceasing to express its creative thought and energy. Moral reformation, therefore, must consist in casting off the chrysalis of antiquated moral fashions, in order that the spirit may soar freely into a region of purer morality. And thus, necessarily, from time to time,—

“ The old order changeth, yielding place to the new,  
And God fulfils himself in many ways,  
Lest one good custom should corrupt the world.”

The bearing of this on the legislative function of the moral reason is obvious. It enjoins, not so much particular rules of conduct, as rather a general spirit for the government of life in particular cases. And therefore, further, the obligations which moral reason imposes are not to be conceived merely as restrictions of human freedom. It has been common, indeed, in extreme Cynical or ascetic codes of morality, to represent duty in a purely negative aspect. But this is a wholly inadequate representation. Duty is not merely self-denial ; it is also self-assertion. It is indeed an abnegation of my lower self, but only by the affirmation of my higher self. And consequently, so far from restricting my freedom, it rather posits freedom as a reality in my life, because it frees me as a rational being from the tyranny of those non-rational forces which are organized in my individual human nature.

## CHAPTER III.

## UNCERTAINTY OF SPECULATIVE MORAL THEORIES.

IN the next Part of this Book, we are to inquire into the special duties of the moral life. Now, in such an inquiry it might seem as if we should be wholly at a loss from the uncertainty of the general principle upon which all duties are founded. It may therefore be worth while to consider this difficulty before we enter upon our inquiry. Is it then absolutely indispensable that we should solve the ultimate speculative problem with regard to the general principle of duty before we can determine its specific practical rules?

To answer this question, it must be borne in mind, that speculative uncertainty, with regard to the ultimate principles of science, is not a feature of Ethics alone. Other sciences have approached completeness in the systematic elaboration of specific truths, though almost as far as ever from a solution of the philosophical problem in reference to the ultimate concepts which lie at their foundation. That is the case with regard to the science of Geometry, whose elaborate structure is often taken as the very model of scientific exactness; for philosophical speculation is still at sea in regard to the real nature of space and the ultimate foundation of the other ideas which

form the data of the science. In like manner, while Biology is every year throwing new light upon the specific laws of life in animal and plant, it still stands, as of old, in baffled wonder before the impenetrable mystery of life itself. And every branch of science dealing with the forces of the material world, though it may be not unreasonably exultant over its successes in the discovery of particular truths, yet finds, whenever it leaves the work of a special science, that no instruments in its hands can help it to wring from nature the ultimate secret of force and matter.<sup>1</sup> Assuredly the ultimate ideas of Ethics are in no greater uncertainty than those of the other sciences.

It must also be borne in mind, that all the speculative theories of Ethics must, to some extent, coincide in their practical applications. The fact is, that in Ethics, as in other practical sciences, practice has preceded theory. As men must have made numerical calculations for ages before there was any science of Arithmetic or Algebra, as they must have learned to form numberless mechanical contrivances and chemical combinations before constructing any scientific theories of Mechanics or Chemistry, so innumerable deeds of a more or less noble morality were done before any attempt was made to comprehend the nature of moral actions. Moral theories must, therefore, be viewed, in the first instance at least, as merely speculative efforts to give an explanation of

<sup>1</sup> "Mysterious, in light of day,  
Nature will not unveil herself to view,  
And that which to thy spirit she may not display  
Thou wilt not wring from her with lever and with screw."

GOETHE, *Faust*.

the actual moral practice of men. It is on this account that all moral theories, even the most inadequate, contain some element of truth.

— It may be added that the Epicurean theory, in the form of Utilitarianism at least, shows at times a startling affinity with Stoicism in its practical features ; and therefore not a few Utilitarians, such as Epicurus himself, have approached a Stoical simplicity and elevation in their moral character. The truth is, that the difference between Epicureanism and Stoicism is apt to be felt more in reference to the doctrines with which each is supposed to be logically connected, than in reference to the two theories themselves. For it is obvious that our conception of morality must to a large extent determine, and be determined by, our conceptions of man's nature, of his origin and destiny, of his whole position in the universe. Now, Epicurean theories require above all things that morality shall secure to man pleasure ; and therefore they tend necessarily to view his capacity of pleasure and pain — his sensibility — as the essential part of his nature. It is this that associates Utilitarianism with Empiricism in Psychology, that is, with the theory which explains man's whole mental life, like his morality, as a mere product of sensation. As it is his sensibility which connects man with the lower animals, such a theory of his mental life naturally tends to view him as merely the highest development of animal organization on our planet. This view of man's origin tends to a corresponding view of his destiny ; for if the life of the human soul is derived wholly from sensibility, there can be

no ground for expecting a supersensible life in the future. It is but due, however, to Utilitarianism to remember that many of its adherents refuse to lower, on this account, the demands of a disinterested morality, and plead, with almost religious earnestness, the sufficiency of that immortality which consists in the undying influence of the good man's life on the happiness of future generations.<sup>1</sup>

On the other hand, Stoicism demands above all things that the conduct of life shall be directed by reason, and finds therefore in reason, rather than in sensibility, the essential nature of man. Accordingly it is natural for the Stoic to see in reason a power superior to mere sensation, and incapable of being derived from it by any conceivable process: a power which connects man with a supersensible sphere, brings him into communion with the Eternal Spirit of the universe, and opens up an outlook into a life independent of bodily sense.

Apart from these logical implications of Epicureanism and Stoicism, the respective tendencies of the two theories will not be found in reality so irreconcilable as they appear. It is not of course to be understood that the realities of the moral life may not be proved to be absolutely incompatible with one of the theories, so that the interests of morality will be enlisted in the ultimate triumph of the other. But our inquiry into the special duties of human life will often show that we can appeal with equal appropriateness to the Utilitarian or the Stoical ideal as

<sup>1</sup> To this pleading the most poetical expression has been given in a lyric of George Eliot's, "O may I join the choir invisible!"

our guide. Indeed, the common sense of mankind generally leads them, as by a sort of moral instinct, to a standard of morality which can be made to fit into either ideal. In common life, when any question arises with regard to the rightness or wrongness of particular rules or actions, though there may be no thought of supporting one theory more than another, almost uniformly the decision is guided by reference to an universal standard. Is the action or the rule one which could be demanded of others, of men in general? This query, sometimes in the pointed form of an *argumentum ad hominem*, indicates the direction which discussion almost invariably takes. Such a direction is given to the moral consciousness by its essential function, for that function is simply one phase of the general function of reason. When reason tests the validity of any particular proposition, whether speculative or practical, it appeals to some universal principle in which the particular is comprehended; and only when the principle embodied in the particular is thus shown to be universally valid, can the validity of the particular be sustained. The universality of its principle forms the *reason* of the particular. As this reason determines the truth of a speculative proposition, so it determines the rightness of any particular action, or of any particular rule of conduct.

The employment of such a principle in moral questions, it may be difficult to reconcile with any Egoistic theory. But it is only due to Egoism to acknowledge that even it has a certain universalistic aspect. For no Egoist entertains such a petty con-

ception of the Sovereign Good as to imagine that it can be found in the pleasure of the moment, without reference to a longer happiness that takes some account of life on the whole. But certainly Utilitarianism will not refuse to accept an universal standard for solving the practical problems of the moral life; and such a standard is, implicitly or explicitly, that of Stoicism in every form.



## PART II.

### CLASSIFICATION OF MORAL OBLIGATIONS.

HAVING discussed the fundamental problem of Ethics with regard to the supreme standard of moral obligation, we come to inquire into the chief forms of obligation which are based on this standard. But to guard against misunderstanding, it is necessary to explain more precisely a distinction which has been referred to incidentally already. There are obligations imposed by laws of human enactment, and these have been described as essentially different from the obligations of morality, however far the two may in some respects coincide. We have now to define with exactness the difference between moral obligations and those that are simply legal.

To understand this distinction it must be borne in mind, that all obligation refers to voluntary actions, that is, as will be remembered, actions done with an intention. Without an intention—an intelligent motive—all responsibility, legal and moral alike, would of course cease. But while the obligations of Law assume that an agent, who is legally responsible, is capable of acting from some motive, they are indifferent as to the particular motive by which he may

be actually influenced. Thus, a debtor is under an obligation to pay his debts ; but while morality demands that the payment shall be made from a right motive, Law is perfectly satisfied if the act of payment is performed from any motive whatever. It thus appears that the obligations of Law, though assuming the existence of a motive in the responsible agent, abstract wholly from his motive, and contemplate his action merely in its overt manifestation.

It is at once a reason and a result of this restriction of legal obligations, that, when they are not voluntarily fulfilled, they can be enforced by external compulsion ; for, while it would be in the highest degree irrational to employ external force for the purpose of compelling a man to entertain a particular motive in an action, it is perfectly rational, because perfectly possible, to compel the performance of the action itself as an overt movement without reference to the agent's state of mind. The action, being in this limited aspect a purely physical action, can be enforced by the application of an adequate physical agency.

This limitation of Law to the external aspect of action is, for various reasons, of the highest importance to the well-being of society. It is, in the first place, indispensable to protect society from any attempt to extend legal compulsion into a sphere in which it has no applicability, — the sphere of internal convictions or beliefs. It is but slowly that such attempts have been abandoned even in the great civilizations of the world. Few of the governments of the past have been content with an observance of

the conditions of social order ; nearly all have *persecuted* their subjects, that is, have followed them beyond the region of blameless conduct into that sphere of spiritual life in which legal freedom of activity is not only consistent with, but absolutely indispensable to, the development of the highest intellectual and moral welfare of society.

Another benefit accruing from this restriction of Law is, that it corrects an over-estimate of the value of legal methods. Judging actions by their external aspect or effect, not by their internal spring or motive, Law can secure but a rough sort of justice at the best ; and therefore it is not only an old and common experience of mankind, but a fact recognized in scientific Jurisprudence, that the enforcement of a law in its strictly literal meaning, without reference to its spiritual intent, may at times give rise to serious injustice. "Summum jus summa injuria" is referred to by Cicero as, in his time, "jam tritum sermone proverbium ;" and he notices the technical application of *calumnia* in Roman Jurisprudence to denote "nimis callida sed malitiosa juris interpretatio."<sup>1</sup> In order, therefore, to prevent, as far as possible, any injustice that might arise from a rigidly literal inter-

<sup>1</sup> *De Officiis*, I. 10. The proverb, with only a slight alteration to suit the verse, is introduced, a century earlier, by Terence in *Heautontimoroumenos* (Act IV., Scene 5) as a familiar truth. In fact, Terence seems to be merely translating his original into Roman form ; for a passage conveying the same sentiment is still preserved among the fragments of Menander. The sentiment had, in all likelihood, been long familiar in Greek literature. Aristotle devotes a chapter (*Eth. Nic.*, V. 10) to the exposition of Equity — ἐπιείκεια — as a "correction of legal justice ;" and from a remark in his *Rhetoric* (I. 15), it would appear that, in the practice of Athenian courts, the appeal to principles of equity against statutory law was allowed a latitude which would have astonished a Roman lawyer.

pretation of Law, Jurisprudence has invented various artifices, such as Courts of Equity, Legal Fictions, and the Prerogative of Pardon.

Legal obligations form the subject of a separate science, — Jurisprudence. This science necessarily runs parallel at many points to Ethics; but in the latter science it is the moral, not the legal, aspect of obligations, with which we have to do. We are inquiring into the various forms of the obligation to act from right motives, with a view to right ends. This obligation, as already explained, points to a general spirit of life rather than to specific acts, or even to very specific rules of action: and this also differentiates the obligations of morality from those of Law; for legal enactments attain their end in proportion to the specific strictness with which they are able to define the actions enjoined or prohibited by Law.

Moral obligations may be separated into two main divisions, on a principle which is obviously natural. The largest sphere of these obligations necessarily implies a direct reference to other persons, but there are many in which no such reference is involved. Thus the obligation of a debtor to pay his debts has no meaning except by relation to the creditor to whom the debt is due: the obligation to cherish gratitude towards a benefactor obviously implies a similar relation. Whenever an obligation thus by its very nature involves a reference to some other member of society, it may appropriately be described as Social. But many obligations do not of necessity carry us beyond the individual upon whom personally they devolve. Such obligations are, therefore, distinguished as Per-

sonal or Individual. It is not, indeed, to be supposed that these obligations have no value beyond the individual. On the contrary, the welfare of society is profoundly involved in their fulfilment, and therefore every individual is under a certain obligation to others to cultivate the personal virtues. But these virtues have an obligation independent of social relations. Even if a man were forced to live in perfect solitude, exiled from all human intercourse, he would still be under an obligation to be temperate in the indulgence of his appetites. There is, therefore, an essential distinction between the two classes of obligations.

Before passing from the discussion of this classification, it may be observed, that in popular and practical treatises on Morals, a third class of obligations is sometimes recognized under the title of Duties to God. But it must be observed that this classification, however useful for popular exposition, is wholly unscientific. Obligations which can be described as in reality Duties to God, cannot be degraded to co-ordinate rank with Duties to Ourselves and Duties to Others. In His moral relation to us, God must be conceived as the Supreme Moral Authority in the universe; and Duty to Him, as the universal obligation, comprehending under it as special forms our particular obligations to ourselves and our fellow-men. It is therefore well said, that the primary commandment — *ἡ πρώτη ἐντολή* — is to love God with all the heart and soul and mind; while the commandment to love our neighbor and ourselves equally is secondary, — *δευτέρα*, — that is, subordinate to the first. In fact, the so-called Duties to God are not in reality

obligations to do anything to God in the same sense in which other obligations are spoken of as Duties to ourselves or to our fellow-men. As commonly understood, they are simply obligations to employ those methods of self-culture which are often in religious language spoken of as "means of grace;" and therefore they take their proper place among personal duties.

A similar remark may be made in reference to another class of obligations, which are sometimes, for popular and practical purposes, separated from the classes already mentioned, — Duties to the Lower Animals. As the Supreme Being is infinitely removed in moral authority from all His finite creatures, and duties to Him can therefore never be placed on the same footing of moral obligation with duties to them; so, the mere animal being destitute of the essential factors of moral personality, duties to it can never be elevated to the same rank with the duties which one moral being owes to another. It will appear, however, in the sequel, that the moral culture of man has in some phases been closely associated with his relations to the lower animals; and consequently, for his own culture at least, if for no other reason, he is under certain obligations which have reference to them.

This Part of our subject will thus naturally divide into two chapters, corresponding to the two classes of obligations.

## CHAPTER I.

## SOCIAL DUTIES.

THE subdivision of Social Duties has formed the ground of some controversy ; but there is among them a difference which can be made sufficiently clear. For some of them are, in all their features, characterized by a definiteness which is entirely a-wanting in others. They point to a definite action which is to be done, and to a definite person or to definite persons as having a right to claim the performance of the obligatory action. Such, for example, are the obligations of a contract. From its very nature a contract implies two persons, one of whom gives, while the other accepts, a promise. By this double act the promiser comes under an obligation to perform the precise act which has been described in his promise, while the promisee acquires a right to demand the performance of that act.

The same definiteness, however, cannot be attached to some other social duties. Thus, if I have a superabundance of the world's goods, I come under an obligation to give liberally out of my superabundance for the relief of those who are in want, as well as for the benefit of my fellow-men in other ways. But this obligation of liberality does not admit of

being defined by specific acts due to particular persons, nor can any definite persons be pointed out as having a right to claim from me liberal gifts of a precise kind or value.

The most appropriate language in which this distinction is expressed is that which describes certain social duties as *determinate*, and others as *indeterminate*. In more popular phrase the former are spoken of as Duties of Justice, the latter as Duties of Benevolence.

The language, in which this distinction has been expressed, is not, however, always unexceptionable; and with reason exception may be taken especially against the terms Perfect and Imperfect, by which the obligations of Justice and Benevolence have been often distinguished. It is now a matter mainly of historical interest to examine the various senses which have been attached to these terms in the literature of Ethics and Jurisprudence.<sup>1</sup> Within the province of the latter science the distinction may indeed be applied with an intelligible meaning. Under the laws of every country there are obligations which are enforceable by legal process, while there is always a large sphere of the moral life which is left to be regulated entirely by individual conviction. It is also competent for scientific Jurisprudence to determine in general what obligations it is possible or desirable to enforce under any circumstances by methods of legal compulsion. From the jurist's

<sup>1</sup> The English student will find a critical history of the distinction in Lorimer's *Institutes of Law*, Book I. chapter xi.



point of view those obligations which can be enforced at law may with a certain degree of propriety be distinguished as *perfect*, while those which law cannot or does not enforce may by contrast be spoken of as *imperfect*. But it is obvious that the distinction, as thus interpreted, has no meaning except in reference to the legal aspect of obligations. To the moralist, on the other hand, such a distinction vanishes. From his point of view all obligation is unconditional: to do what the moral law commands, every man is absolutely bound. All moral obligation is therefore perfect; an imperfect obligation is in morality inconceivable.

Among Catholic moralists a distinction has been introduced even into the region of purely moral obligations, which seems to recognize a certain difference in their perfection. Over and above the universal duties of human life, which devolve upon all men, it is contended that there are other actions which are described in scholastic language as *opera supererogata*, actions that are supererogatory, or, as we might say, superobligatory. The question raised by this distinction, however, is in strictness not ethical, but theological. It is maintained that men who, in addition to the common duties of life, perform works of supererogation, acquire thereby a certain merit by the grace of God, and that this merit of saintly men accumulates a treasure of spiritual force, upon which men of less saintly character may draw, in order to win divine favor. This theological dogma does not, of course, call for discussion here; and apart from this dogma, the recognition of supererogatory actions

has no significance of any special interest to the moralist.<sup>1</sup>

The only available distinction, then, which can be used for a scientific classification of our social duties, is that which separates the Duties of Justice from those of Benevolence, on the ground that the former are capable of being determined with a definiteness which does not characterize the latter. But this must not be understood as if the obligation in one case were less absolute than in the other. It is true, that sometimes in popular thought, we recognize a priority in the claims of determinate duties over those of the indeterminate. Men, it is said, ought to be just before they are generous. But this proverb does not mean that there is any more perfect obligation in justice than in generosity; it implies merely that any claim to the larger virtue of generosity must be a mere pretence as long as the narrower virtue, which it includes, is practically ignored. For bare justice is not the highest reach of moral character; it is, as I. H. Fichte has pithily put it, "the minimum of the moral will."<sup>2</sup> For love will always include justice, but justice will not, of necessity, be accompanied by love. It was therefore finely said by Aristotle, that when men are friends there is no need of justice;<sup>3</sup> and it is the glory of Christian Ethics, that they make love the creative principle of the moral life, out

<sup>1</sup> The subject of *opera supererogata* — *consilia evangelica* or *consilia perfectionis* — receives a pretty full treatment, in its more purely ethical aspect, in Dorner's *Christian Ethics*, pp. 203-213 (English ed.). It is more briefly touched in Martensen's *Christian Ethics*, § 137.

<sup>2</sup> *System der Ethik*, Vol. II. p. 263.

<sup>3</sup> *Eth. Nic.*, VIII. 1, 5.

of which all virtue, of necessity, grows. "Love is the fulfilling of the law."<sup>1</sup>

This chapter naturally separates into two sections, corresponding to the two divisions of Social Duty.

§ I. *Determinate Duties, or Duties of Justice.*

In the treatment of justice, Ethics and Jurisprudence run parallel at many points. The two sciences, however, approach the obligations of justice from entirely different points of view. As will be understood from previous remarks, Law is satisfied if the external actions which justice demands are performed from any motive whatever; but morality insists that, while the external action shall be such as justice demands, it shall at the same time be done from a right motive. This requirement of morality is very often expressed by saying that it claims obedience, not to the mere *letter*, but also to the *spirit*, of the moral law. It is only by taking up the requirements of morality in their genuine spirit, that they can be fulfilled in truth; and it is a familiar experience, that a strict external observance of these requirements, as literally interpreted, may be combined with an internal corruption which has eaten into the very core of the moral life. In fact, it is precisely the delusive satisfaction with an external legality of conduct, that tends to corrupt the vital spirit of morality. Infinitely significant, therefore, is the saying, that "the letter killeth, but the spirit giveth life." The moral tone of society has in all ages been lowered by the tendency of men to satisfy themselves with the mere

<sup>1</sup> Rom. xiii. 10.

letter of their social obligations; and there is no sphere of the moral life in which this tendency is so powerful as that in which the obligations of Law correspond with those of morality. Here the external observance of social obligations, according to the barest interpretation of their letter, brings such conspicuous proof of their being fulfilled to the complete satisfaction of the highest social authority, that it requires a certain degree of moral culture to realize that anything more is required. It will appear, as we proceed, that early stages of morality have been even elaborately punctilious about the external forms of many simple social requirements, while moral and even legal improvement has commonly tended towards a simplification or depreciation, if not even a complete abandonment, of these forms, in order to afford a freer play to the spirit of justice, to which they give but an imperfect and temporary embodiment. Accordingly it has been the function of the moral and religious reformer in all ages to elevate the moral consciousness above the narrow requirements of legal forms to the catholic standard of a spiritual morality. An illustrious example of this is afforded by the Sermon on the Mount.

Bearing in mind, then, that the obligations of justice refer to the spirit in which a man acts towards his fellows, we proceed to inquire what are the obligations which this spirit imposes. In the obligations of justice, it has been observed, there is always a determinate action prescribed as due to a determinate person or persons; and there is therefore, also, a right, on the part of the person or persons con-

cerned, to demand the performance of the prescribed action. In the requirements of justice there is thus always an obligation on the one side, implying a correspondent right on the other ; *obligation* and *right* become, in this sphere of duty, correlative terms.

It has been contended that this correlation of obligation and right should not be confined to the province of justice, but should be made coextensive with all social morality. In the sphere of benevolence, we have seen, there are obligations which are as absolute as those of justice, though they cannot be defined with the same determinate exactness. In like manner, some have urged, those who are the fit objects of benevolence have a right to claim such benevolence, though their right cannot be exactly determined as pointing to any definite person who is required to perform any definite act. Whether this is a legitimate or desirable extension of the sphere of rights, is a question which need not be discussed here ; it is perhaps, after all, merely a question about the exact definition of the term. For all practical purposes, as well as for the exact treatment of science, rights must be limited to those claims which are correlated to the determinate obligations of justice ; and undoubtedly a great deal of idle declamation with regard to the rights of man would have been avoided if the phrase had been restricted to those claims which admit of being precisely defined.

Accordingly it is common to treat the obligations of justice in connection with the rights to which they correspond ; and therefore some consideration of the subject of rights is demanded here. A right may be

briefly defined as a claim which is right, that is, a claim which accords with the standard of rightness in conduct. Or, to put it in other words, a right is a claim which is essential to the Sovereign Good of men, that good being of course defined by different writers, now from a Stoical, now from an Utilitarian, point of view. Any other claim is characterized as a mere *pretension*.

All particular rights are merely modifications of an universal and fundamental right, which is the source of all the obligations of justice. In the manifold relations with his fellows, into which every man is thrown by the very necessities of existence, there is an obvious claim of justice which is based on his essential nature. Every man is essentially an intelligent moral being, — a *person*; and there can be no reasonable intercourse between men, unless each is treated as a man. The primary right, therefore, of every man is the right to demand that, in their intercourse with him, his fellow-men shall act with a reasonable regard for his personality, for his essential nature as an intelligent moral being.

The various forms in which this primary right has been defined, will be found on examination to coincide in their essential drift with this explanation. Thus, for example, it has been common with a certain class of writers influenced by Hegel,<sup>1</sup> to define the fundamental right as the right of freedom; but this is explained as meaning, not a man's right to indulge the irregular passions that work in him as a particular product of nature, but the right to act in

<sup>1</sup> See Hegel's *Philosophie des Rechts*, §§ 29, 30.

accordance with that universal reason which forms the distinctive attribute of his humanity. Such a right of course implies that a man may justly repel any invasion of his freedom which would treat him as if he were not an intelligent moral personality. Accordingly with some writers the primitive right, which forms the origin of all others, is the right of self-defence. This phrase must not of course be understood in the vulgar meaning which it is apt to suggest to the English mind, as the right of throwing one's self into a pugilistic attitude whenever one is made the object of a bodily assault. Even this vulgar idea throws us back on a nobler conception, in which the universal right of self-defence becomes the right of every man to act in his own person, and to demand that he shall be treated by others, as a *self*, — as a person, and not as a mere *thing* or *chattel*; as an *end* to himself, and not as a mere *means* to the ends of other persons.

Rights have been divided from various points of view, and the classifications thus originated are so divergent, that the discussion of them in an elementary text-book would simply create useless perplexity to the student. One of the most ancient and familiar of these classifications, dating from the distinctions of Roman Law, separates human rights into two divisions by the names of *personal* and *real*. The former comprehends all those rights which belong to a *person* considered purely as a person, while the other refers to those things which are of course outside of his personality, but over which he holds some claim in justice.

On this classification an obvious criticism may be made. Its two divisions are not to be considered strictly of equal rank, as co-ordinate species of the same genus; for properly the personal rights are simply the various forms of that primordial right which has been described as inherently attaching to personality. All rights must be considered as in a certain sense personal. Real rights can belong only to a person, and only in virtue of his personality; they are the rights which a person acquires over things by the power, which he as a person possesses, of adapting them to the uses of intelligent moral existence. It will therefore appear in the sequel, that it is impossible to separate real from personal rights by a sharp line of demarcation. For personality is not to be viewed in its abstract subjectivity. As already explained, the intelligent moral subject supposes an objective world to be comprehended and modified by his activity, — a world of other persons as well as of things. And therefore personal rights are realized only in an objective world, while things are objects of right only when related to persons.

Still in other departments of inquiry, as well as here, the classifications of science are apt to impart a stereotyped stiffness to the distinctions of nature, which does not belong to them in reality; and accordingly, with the above explanations, it will be found convenient to adhere to the old classification of rights for the purpose of expounding the various requirements of justice. It may be added that the terms *original*, *natural*, *inalienable*, often applied to one class of rights, and the terms *acquired*, *artificial*,



*transferable*, applied to another, are to be considered as, in their essential meaning, merely descriptions of personal and real rights.

*Subsection I. — Obligations of Justice Arising from Personal Rights.*

As a concrete being, that is, in reality, man is primarily a member of society. It is only by a certain abstraction that he becomes an individual, and acts as an individual in self-determined relations with others. All the light which research has been able to throw upon the primitive condition of mankind, tends to prove, that, in their earliest moral and jural relations, they were conceived not as individuals dealing with each other, but as groups acting collectively with more or less solidarity. Consequently in scientific treatment there is a natural justification of the method which takes up the moral relations of men to the social groups with which they are essentially connected, before proceeding to those which arise from the mutual intercourse of individuals.

(i.) OBLIGATIONS OF JUSTICE TO SOCIETY.

In order to understand these obligations, it is of course necessary to consider the nature of the societies that men form. Every society is a kind of combination, that is, a state of things in which individuals are conceived, not in their abstract individuality, but in their concrete relations, active or passive, to one another. Accordingly all sorts of combinations of a simpler character are employed, by way of illustration, for the purpose of rendering more clearly

intelligible the exact nature of human society. Even the simplest of combinations — that of mechanical action and reaction — is at times introduced for this purpose, as, for example, in phrases which speak of “the mechanism of society.” It is common to protest against phrases of this kind being employed as if they described human society in its essential nature; and the protest is often accompanied with a contention that society is essentially an organism, and that its nature is to be explained by the ideas of organization rather than by those of mere mechanism. It must be observed, however, that none of these analogies are of any value except as figures that serve the purpose of illustrating, in some of its aspects, the nature of human society; but, like other figures, they defeat their purpose by obscuring the facts they are used to explain, when they are treated as giving a complete account of these facts.

Society cannot be adequately described in terms derived from any of the simpler combinations that exist among natural objects. Though it is often useful to compare complex combinations with those that are more simple, in order to discover any features that may be common to both, there is in general some factor differentiating the former, which is not to be found in the latter; and it would imply a reversal of the true method of science to assume that the complex phenomena of the universe are to be explained by merely eliminating all that differentiates them from simpler phenomena. Such elimination is but a bare abstraction of thought, leaving out an essential part of the concrete reality to which it

refers. Thus, the philosophy of Descartes assumes that the most complex combinations of matter are scientifically explained when reduced to the simplest of all physical relation, that of extension. But no manipulation of this idea — of bare spatial relation — will yield the simplest facts of mechanical action, even if the relations of time are added, as they must be. Still less can a mere relation in space, even with the external interactions of mechanism superadded, afford any adequate idea of the combinations of chemism, in which the interactive atoms sacrifice their independent existence, becoming absorbed in a new substance endowed with properties wholly different from their own. The combinations of the crystallizing process imply an agency of which no adequate account is given in the processes of simple chemism. The dead mechanical organization of the crystal affords but a poor type of the free living organization of animal or plant ; and even the life of the plant must not be taken as a complete representative of the peculiarly varied complexities of animal life. But even these complexities are only an imperfect symbol of the associations which animals form among themselves.

Human society, however, is not represented by any association of mere animals. For the individual human being is something more than the individual animal ; he represents a complexity which is not to be found in the most complex animal organization. In him, not only are the different parts of his body all organs subservient to the uses of the whole, but the whole organism is itself reduced to the rank of

an organ, whose function is found in subserving the purposes of an intelligent moral personality. This fact alters completely the nature of the society which men form. An association of animals, at least when it is not merely a local aggregation, but reaches a complexity like that of a beehive, might with a certain propriety be described as an organism, though it should be kept in mind that it is not a mere organism, since its members are not mere organs existing only for the sake of the whole, but each is an independent organism in itself.

If, however, the ideas of organization are inadequate to express the associations of animals, still more defective is the representation they afford of human society. It is quite true that the individuals composing such a society are not to be treated as isolated atoms that have no interdependence. On the contrary, each individual becomes in a very real way an organ with a specific function to perform for the good of the whole. This conception of human society has not been without practical value as a counteractive against the anarchical atomism which has inspired many of the social struggles in the communities of the past.<sup>1</sup> But, however valuable for practical or speculative purposes such a conception may be, it must never be forgotten that it cannot represent the whole, or the essential, nature of human society. As this conception vividly describes it,

<sup>1</sup> See, for example, the well-known allegory of Menenius Agrippa in Livy (ii. 32), and St. Paul's expostulation with the early Christian community of Corinth (2 Cor. xii.). Compare Xenophon, *Mem.*, II. 3; and Cicero, *De Officiis*, III. 5.

society is certainly more than a mechanical combination; it *is* an organism: but it is also something greater. In mere organization the members have no function except as organs, as *means* to the *ends* of the whole organism. In society the members are indeed, in one aspect, organs serving as means to promote the ends of the whole community; but there is a profounder aspect in which the social organism is merely a means to promote the ends of its individual members. For every member, as an intelligent moral being, is an end to himself; and the saying of the Great Teacher with regard to the institution of the sabbath, holds with regard to social institutions in general, — they are made for man, and not man for them.

In the light of this larger conception of human society, we can see our way more clearly in tracing the relations of justice which arise between such a society and its members. Society is formed for the purpose of securing that free development of individual humanity which cannot be realized either in the life of the solitary or in an anarchical collocation of individuals. Consequently, while each individual may assert the primal right of freedom for himself, he comes under the correlative obligation to accord the same right to others. The fundamental constitution of society is therefore equality of obligations and of rights on the part of its members; and all social institutions must have for their aim to conserve this constitution. Sometimes, in superficial language, the freedom of the individual is set over against the general order of society, as if there were an intrinsic

conflict between the two. But, so far from being opposed, the two are in reality one and the same principle looked at from opposite points of view. The freedom of the individual is an empty abstraction apart from the social order by which it is maintained, and social order is properly the realization of individual freedom. How much social regulation is demanded to prevent individuals from interfering with the freedom of each other, — that is precisely the question on which different social theories diverge. In so far as the question requires to be noticed here, it will be best considered in connection with the different forms of society into which men are thrown.

There are three social groups which grow out of the nature of man as an intelligent moral being, — the Family, the State, and the Church. The first presents moral relations still bound to the most obtrusive relation created by nature, the relation of kindred. The second exhibits man creating a new and wider set of moral relations answering to the demands of practical reason, and independent of the relations necessitated by nature, but still limited to those requirements that are absolutely indispensable to social existence. In the third, reason has recognized not merely the indispensable requirements of human society, but aims at the realization of its own ideal. These three forms of society are generally confounded at primitive stages of culture, and a great part of history is the differentiation of their functions. Illustrations of this confusion and differentiation will appear in the course of subsequent discussions.

(A) THE FAMILY.<sup>1</sup>— This term has been used with a variety of limitations. At the present day, among civilized nations, it is commonly understood to denote the social group formed of parents and those of their children who remain under their roof ; but it has often been used in a much wider sense, at times even so as to include, besides the wife, all the living descendants of a father, who were not legally emancipated from his paternal authority, and his slaves as well. Still, whatever definition may be attached to the term, it always implies a society based on the relation of kinship. Consequently, the instinctive impulses which kinship involves, either as its source or as its result, are called into play in the formation and maintenance of the family : so that the relations of family life are naturally controlled by these impulses. But human welfare demands that all the relations of life shall be lifted above the caprices of unreasoning emotion into the sphere where the unvarying laws of reason prevail. Now, all reason is knowledge of truth, and therefore reasonable laws for the government of the family must be founded on a truthful regard for the general nature of the institution, as well as for the particular circumstances of different countries and different ages. These circumstances of course vary ; and not only have they

<sup>1</sup> The term *Œconomics* is literally applicable, and was in fact till recent times applied, to the science which deals with the regulation of the family. The historical aspect of the subject has called forth a great deal of learned research in our own day, and much interesting information has been collected in reference to the earliest stages in the development of the family and of the moral ideas by which it is fenced in. An useful monograph, giving numerous references to the literature of the subject, is *The Primitive Family*, by C. N. Starcke (Vol. 66 of the International Scientific Series).

often produced quaint variations in the form of the family, but they involve corresponding variations in the requirements of justice with reference to the conduct of family life. Under all these variations, however, justice must never lose sight of the essential nature of the institution. In its essential nature, as we have seen, the family is a society that receives its special form from the natural relations in which it originates, and by which it is sustained. As a human society, it must guard the personality of each of its members, and every regulation which degrades the personality of any member is essentially unjust. This holds for the conjugal as well as for the parental or filial relation.

I. In regard to the *conjugal* relation, all the movements of civilization have been towards a more distinct recognition of the personality of man and wife alike. This has been the case, not only in the moral, but even in the legal, conception of the relation.

i. In its *legal* aspect, marriage must be treated merely as a relation of external action, such as can be taken cognizance of by legal judicatures. But this restriction has sometimes been understood in a narrow sense for which there is no justification. By some, marriage has been treated as a contract, having exclusive reference to the physical difference of sex in its narrowest and coarsest limitation.<sup>1</sup> Even from a purely historical standpoint no ground can be discovered for such a restriction of the marriage con-

<sup>1</sup> Unfortunately this crass superficiality is countenanced by Kant (*Rechtslehre*, § 24). But Kant was a bachelor, and was apparently able to see marriage only from an outsider's point of view.



tract. On the contrary, there is abundant evidence to show that even the lowest savage seeks a wife mainly to cook for him, to carry his burdens, and to do other work which the savage standard of honor deems inconsistent with the dignity of the male sex; while all through the history of civilization it is the general interests of the contracting parties, of their children, and of society at large, that have determined the legal regulation of the marriage contract.

2. But if this universality of regard has been recognized even in the legal obligations of marriage, much more must it be involved in its *moral* significance. In relation to the contracting parties themselves, the import of the contract cannot be exhausted by particular external acts, but only in a life which is throughout inspired by motives of self-sacrificing affection for each other. And therefore if marriage is to be described in its moral aspect as a contract at all, it must be with the explicit proviso that it is a contract in no ordinary sense of the term, but an agreement that reaches into the innermost activity of the human spirit, and demands a hearty co-operation in the sphere of an united life. Consequently it is not surprising that mystics in all ages have taken marriage as a type of unions which are represented as being so intimate that they cannot be described in the definite forms of logical thought and speech; nor is it unintelligible that the sense of the mysterious intimacy of this union should have found expression by its being made to partake of the nature of a religious rite.

It is obvious that an union of this description can

be realized only in a form which recognizes unequivocally the independent moral worth of each of the persons who enter into it; and therefore all relations, which necessarily involve a degradation of one of the persons to the uses of the other, are inconsistent with the essential nature of marriage. Accordingly the progress of moral culture has uniformly tended to set aside polygamy, polyandry, concubinage, and all customs like the subjection of women to degrading services, which ignore the equal worth of man and woman as moral beings. But monogamy itself has come to be recognized as involving more than a common contract which can be dissolved at any moment by the consent of the contracting parties. The essential nature of the marriage-union would be undermined, unless it were accompanied with a guarantee of permanence such as is unnecessary in ordinary contracts; and actual experience has proved that any loosening of the marriage bond, such as weakens the security for its permanence, is fraught with serious peril to the welfare of society. It is on this ground also that the practical intelligence of society has always repudiated a demoralizing sentimentalism that would treat the legal contract of marriage, by which alone its permanence is secured, as an unessential formality which may justly be dispensed with when both parties feel personally assured of each other's affection.

II. The *parental* or *filial* relation must be governed by the general principle, which has just been inculcated, of the independent moral worth of the persons concerned. And here the principle is all the more

necessary, because in early childhood personality exists merely in the germ. Its potential existence, however, must be recognized; and all parental authority, as well as all filial obedience, is conditioned by this fact. Justice can never recognize any right in a parent to use his children as mere means to *his* ends, to sell them into slavery or concubinage or marriage, to subject them to unreasonable commands or prohibitions, or to degrading services. When there is any outrageous excess of parental authority, or any similar excess of filial disobedience, Law may of course interfere to redress the wrong done, so far as the external relations of the two parties are concerned. But it is obvious that there may be on both sides a great deal of wrong done without reaching that degree of injustice which can clearly be brought within the formal definitions of Law; and therefore the precise adjustment of parental and filial obligations must be left, in a large measure, to the operation of moral influences. Here it is specially important to keep in mind the general principle already explained, that moral obligation implies, not so much the prescription of particular actions or even of special rules, as rather the cultivation of a spirit which will control the whole conduct of life. Such a spirit, in the sphere of the family, will point to a course which lies between the unlimited *patria potestas* of ancient Rome, and that dissolution or culpable abdication of parental authority which forms an alarming feature of modern communities, especially in the New World.

(B) THE STATE. — The multiplication of families

must bring the members of one family into relation with those of another ; and consequently the regulation of human life, under such an extension of its sphere, demands a principle of conduct which transcends the limits of the family. This principle is found in the State ; and the peculiarity of this social institution consists in the fact, that, as it embraces families and all other social groups, it becomes the supreme authority in social life. Accordingly it also claims the right, not only to prescribe the relations in which men shall stand to one another while they live under its authority, but to compel the observance of its prescriptions by physical force, or to accompany their violation with deterrent penalties. The reason of this claim is the fact, that the society which the State controls is a human society, and must therefore offer its members secure freedom to live the life of intelligent moral beings. It is true that an intelligent morality aims at the culture of a *disposition* to act justly, rather than at the enforcement of unwilling acts of justice ; but the interests of morality itself prohibit men from waiting for the growth of that disposition in their fellows, and require them to enforce the essential obligations of justice in order to the very possibility of realizing a moral life in the world. There is therefore a sound reason for the advice of an ancient Pythagorean to a father who had asked the best method of moral education for his son : “ Make him the citizen of a State with good laws.” And when the true connection of moral and political welfare comes to be more clearly understood, patriotism will rise from its attitude of inhuman hos-

tility towards foreign peoples, into the humanizing sentiment of gratitude for the beneficent moral influence of the laws and institutions of our own country.

The particular form of the State which is best adapted for its ends, is a problem, not for Ethics, but for Politics. Under all forms — monarchical, aristocratic, or democratic — there are two antagonistic political tendencies which sometimes produce profounder differences of social life than these forms themselves. These tendencies are perhaps most clearly described as Socialism and Individualism. They represent the opposite extremes to which men incline in determining the extent to which the life of the individual should be controlled by social authority. The conflict between the two cannot be settled by abstract reasons alone, but rather by reference to concrete circumstances in the condition of every people. As a matter of fact, men seldom cling to either extreme ; and political history is likely for a long time to be, as it has been in the past, a struggle to conciliate the rival tendencies. In this struggle every triumph of Individualism ought to be sobered by the reflection, that no man liveth to himself, but that society is in a very real sense an organism, in which every member serves his own interests most truly by serving the interests of the whole ; and equally sobering to the Socialist ought to be the truth, that the end of all social regulations is the welfare of the individuals who form society, that the State exists for man, not man for the State.

Under any political constitution the welfare of a community must always depend on the morality of its

individual members ; but this is most clearly the case in the democracy which is rapidly extending among the nations of modern civilization, and especially among those that speak the English tongue. The democratic, like any other form of government, can be justified only in so far as it furnishes the most effective method of securing wise and just rulers ; but in a democracy this end can be attained only in so far as every citizen fulfils his civic obligations. These obligations are based on the fundamental principle of a just society, which implies the equality of all the members, as all equally entitled to enjoy the advantages of the social order, and equally bound to share its burdens. But in a democracy every citizen has a twofold relation to the government ; he is at once one of the governors, charged with the duties of administration, and one of the governed, charged with the duties of obedience.<sup>1</sup> The obligations, therefore, of the individual to the State, come under two heads.

I. He is bound to undertake his due share in the burden of *administration*. This burden is itself three-fold. It requires the individual to perform honestly and intelligently the task of selecting competent officials to carry on the work of government ; it requires him, when properly called, to take a fair proportion of the labors of office ; and it requires him to contribute

<sup>1</sup> "In most constitutional States the citizens take turns at ruling and being ruled ; for it is implied that by nature they are on a level, and do not differ at all" (Aristotle, *Politics*, I. 12, 2). The remark is repeated several times (II. 2, 6 ; III. 4, 10 ; 17, 4) ; and Aristotle evidently considered the habit of obedience a valuable part of the discipline by which the faculty of governing is trained.

an equitable share of the revenue by which government is carried on. How these requirements can be most adequately fulfilled, is a problem which traverses the whole ground of Political Science. Ethics must be content with enouncing, in reference to these requirements, the general principle of justice, which forbids us from imposing upon others any part of a burden which we ought to bear ourselves.

II. But political complications are not to the same extent involved in comprehending the duties of *obedience* to government; for the observance of these is obviously indispensable to the very existence of *society*, as opposed to *anarchy*. Orderly society — society under an established government — exists to protect the rights of the individual, or, in other words, to secure him the freedom necessary for developing the highest humanity.

I. It follows from this, in the first place, that society must enforce its own laws; that is to say, it can tolerate neither disobedience nor any assumption of its functions by its subjects. Accordingly it must prohibit any individual or any association of individuals from arrogating the right to enforce justice or to punish injustice. It is true, that in early stages of history, and at the outskirts of civilization even now, when legal order is but imperfectly developed, or cannot be enforced with a firm hand, private redress and revenge have either been openly allowed, or at least winked at, by the central authority. But with an established order and a sure administration of justice, all this is out of the question; and, therefore, secret or other organizations which usurp the functions of

government by enacting and executing laws to control and punish persons who do not acknowledge their authority, strike at the fundamental principle of the moral obligations which the individual owes to the State.

2. Suppose, however, a case to arise, in which an individual fails to get his rights enforced or wrongs redressed by the State, in consequence either of some imperfection in its laws or of the laws actually abetting the wrong. How is the individual to act? In any case it must always be his duty to consider whether submission would not entail a less evil than a violation of law. The welfare of society is so intimately bound up with the maintenance of an established system of law, however imperfect, that only the gravest of reasons can justify any loosening of social bonds by disobedience. Obviously such a reason cannot be found in the mere fact, that the individual disapproves of a law. A man might, for example, deem a law unwise which prohibited all trade in alcoholic liquors; but unless he conceived himself under a moral obligation to use such liquors, it would be his duty to obey the law. We may therefore leave out of view all cases of this nature, and limit our problem to those cases in which the law prohibits a man from doing an action which he believes it his duty to do, or commands him to do an action which he believes to be wrong.

In considering such cases, it is well to keep in mind the fundamental obligation of all government to respect the freedom of individuals by imposing on that freedom only such restrictions as are indispensable to



social well-being. What these restrictions precisely are, is a problem for Political Science. It is also desirable to keep in mind the fact, that government ought to afford every facility for social improvement by the free criticism of existing laws, and constitutional agitation for their reform, merely stipulating that, as long as the laws are unrepealed, they shall be obeyed. It becomes therefore the primary duty of the individual, in any such case as has been supposed, to use every means, which the constitution of his country allows, for the amendment of the laws by which he may be aggrieved. But if constitutional procedure fails to bring about any amendment, or if immediate submission is demanded, then the individual is thrown into one of the most painful conflicts in the spiritual life of man. On the one hand, he is summoned by the established order of his country to disobey the general principle of all moral obligation, that men should act up to their highest conception of what is right; on the other hand, he is required by this highest conception to disobey the general principle of all civic obligations, which demands the maintenance of social order. Now, civic obligations themselves, so far as they are moral obligations, must rest on the fundamental obligation of all morality to respect the imperative demands of conscience. These must be, for every individual, the highest law of conduct; they are for him the voice of God, and the world will not willingly ignore the inestimable moral service of those brave men who have dared to confront the power of a supreme human authority with the declaration that they must

obey God rather than man. It is true, that at such a crisis it becomes of infinite importance that the individual should seek by every available means to enlighten his conscience on the question at issue. But the most enlightened conscience may at times be forced by irresistible moral conviction to decide against obedience to the law.

On such a decision two courses may be followed. In the first place, the individual may quietly disobey the law simply to satisfy his own conscience; and then the consequences are not so serious. If, without ostentation of martyrdom, he accepts the penalties of disobedience, there may be a touch of quiet heroism in his unobtrusive self-sacrifice, though even then he cannot free himself wholly from responsibility for the contagious influence of his example in shaking the loyal regard of men for the orderly government of society. But a second course may be adopted. Not content with his own silent disobedience, the individual may combine with others to resist the enforcement of law; and then his action assumes the nature of a conspiracy against the social order: it becomes rebellion. Now, is rebellion in any case justifiable? On this question there are two extreme views. On the one side there are fanatics who would make any trivial grievance a rightful cause of rebellion. This fanaticism has found a more definite embodiment at the present day than perhaps at any previous period, in the practical and theoretical Anarchism which forms one of the most alarming phenomena in the political life of our time. But Anarchism is a denial of all moral obligation in refer-

ence to social order, and is, in fact, based on the absolute negation of moral law. If the reality of moral law is admitted, there follows, as a necessary corollary, the moral obligation to defend that external order in society, which forms an indispensable condition of the very possibility of a moral life. This obligation is so evidently implied in the most elementary morality, that the tendency of men has commonly been towards the opposite extreme from that of Anarchism, — the extreme which has been formulated in the doctrine of Absolutism or Passive Obedience.<sup>1</sup>

Absolutism, however, when thoroughly carried out, is inevitably suicidal. For an absolute government, to be logical, must seek to control not only the external conduct, but even the opinions, of men, or at least all expression of their opinions. That is to say, it puts down all criticism which questions its absolute authority. But that means that it rests its authority, not on reason, to which an appeal can be made in its vindication, but on the arbitrary assertion of its existence as a government *de facto*. A claim to be a government *de jure* is a pretension in which it could recognize no meaning; for such a claim would imply an appeal to reason, and therefore a right to make a rational inquiry into its authority. Consequently Absolutism, as a theory, has been very commonly associated with an ethical and religious scepticism like that of Hobbes or Comte, or some of the champions of Ultramontanism. But if an absolute government can base its authority only on its *de facto* power,

<sup>1</sup> On the history of this doctrine see Lecky's *History of Rationalism*, Vol. II. pp. 136-221 (Amer. ed.).

— can base its right only on its might, — then, as was pointed out above, it must always remain competent for a stronger power to assert itself against the actual governing power ; that is to say, rebellion with a fair chance of success becomes justifiable. Absolutism contradicts and annihilates itself.

As a matter of fact, in this as in other spheres of life, men have usually shrunk from adherence to any extreme. Without allowing the right of the thoughtless fanatic to disturb the peace of society for trivial causes, they have acted on the principle that it is morally allowable to overthrow the *de facto* government when there is a sufficient cause to constitute a higher right. But while rebellion may thus be justified in the abstract, it ought, like all war, to be regarded as a last unwelcome necessity, only to be resorted to when all constitutional means of defending the right have failed, and appear doomed to failure.

(C) THE CHURCH is considered here simply as a form of society. Its object is not, like that of the State, to secure the external social conditions without which moral existence would be impossible, but rather to provide the means for cultivating the highest moral and spiritual life of which man is capable. But the highest life can never be an activity to which man is unwillingly coerced ; on the contrary, it must always be freely adopted by an act of intelligent volition. The Church dare not, therefore, like the State, employ physical compulsion for the purpose of enforcing its aims ; it must depend entirely on the influence of intelligent conviction over the lives of men. In

so far as it is a form of society at all, it is essentially a kingdom that is not of this world.

The fundamental obligation of the individual to this social organization is to keep it true to its spiritual character. This is an obligation for those who are outside, as well as for those who are inside, of any church; for every individual, as a member of the State, stands in a certain relation, not only to other individuals, but also to the various social groups that are in the State. Now, this obligation branches out in two directions. In the first place, every church has the right which belongs to every individual, of developing the highest human life within such limits as the welfare of society imposes upon all social organizations; and therefore it may justly claim from all men perfect toleration, perfect freedom from persecution, in carrying on its spiritual work, as long as it does not infringe the rights of other persons. But, in the second place, this qualification is always implied as restricting every claim for toleration that may be made by any individual or by any society. Consequently the State, as representing the whole community, is bound to see that equal rights are accorded to all religious or other societies, as well as to all individuals, and that therefore no religious society shall be allowed to inflict any injustice upon any other society or upon any individual that is under the protection of the State.

Of course it must not be concealed that these general principles carry us but a very little way towards the settlement of the complicated problems that arise in practical life; and therefore some of the most per-

plexing questions in the administration of justice, and even some of the greatest conflicts of human history, have grown out of the jarring claims of Church and State. But these problems cannot be solved by purely ethical considerations; they carry us at once into the domains of Politics and Jurisprudence, and sometimes also of Theology. Still the moralist must always be ready to support the statesman and the jurist in demanding that no religious society shall be allowed, under pretence of a spiritual privilege, to strike at fundamental obligations in the moral life of men. Obviously, for example, the State must insist that the moral bonds which hold society together shall not be loosened by any religious organization encouraging treason or any form of disloyalty to the laws of the country in which it seeks protection for itself. And the great civilizations, both of the ancient and of the modern world, have never hesitated to refuse toleration to practices which, though adopted under the sanction of religion, are incompatible with a civilized morality. Thus even the Pagan government of ancient Rome interfered on several occasions, by very summary process, with obscene or cruel practices associated with the strange religions which prevailed in different parts of the empire;<sup>1</sup> and the example has been followed in modern times by the British government suppressing religious rites of a cruel character in India, as well as by the government of the United States refusing

<sup>1</sup> Worship of Bacchus (Livy XXXIX. 8-19), of Isis and Serapis (Val. Max., I. 3), of Anubis (Josephus, *Antiq.*, XVIII. 3), Druidical human sacrifices (Suetonius, in *Life of Claudius*, 25).

to tolerate polygamy among the Mormons, though it had been adopted as an article of religious faith.

(ii.) OBLIGATIONS OF JUSTICE TO INDIVIDUALS.

A convenient and natural principle, on which to classify these obligations, is furnished by the fact that, as a person, man is constituted of a physical and a mental nature, and that he may therefore claim certain rights in reference to both.

(A) *Justice in Reference to Physical Life.*—The life of the body implies not only its bare existence, but also its activity; and therefore justice, as based on the right of personal freedom or self-defence, involves the right and the obligation of protection (I.) from injuries that affect the very existence of the body, as well as (II.) from unreasonable interference with the free use of its organs.

I. Protection from bodily *injury*. The highest moral life requires security. Those who are under fear of death, or even of milder bodily injuries, are truly said to be all their lives subject to bondage. Consequently, in all civilized countries, Law makes elaborate provision for security. Such provision forms in fact a large part of Criminal Jurisprudence; and this science has invented an elaborate nomenclature to define precisely the various forms of bodily violence of which Law requires to take cognizance. Sometimes, in treating these, moralists have followed the formal definitions of the jurists.<sup>1</sup> But it must

<sup>1</sup> An example will be found in Whewell's *Elements of Morality* (Articles 112-128), which may therefore, from this point of view, be consulted with advantage.

not be forgotten that morality demands, not so much a *form* of action precisely defined, as rather the *spirit* which seeks expression in that form ; and the moral obligations of justice are not for any man restricted by the bare requirements of his country's laws, but are determined by the development of that spirit in his time. The spirit which manifests itself in this department of criminal law is the sentiment of the sacredness of human life, — a sentiment whose growth has been one of the concomitant marks of advancing civilization.

This sentiment is extremely feeble in the savage state. The rude tribes of that state seem to be perpetually at war with one another, and to gain a livelihood mainly by hunting and fishery ; so that the savage maintains the cruellest relation not only to his fellow-men, but also to the lower animals. The pastoral life, even when associated with nomadic habits, implies a considerable improvement in both these relations. The lower animals enter into a kindlier place in the thoughts and feelings of men than when they are merely hunted to death, even though they may still be raised only for the purposes of food ; while the continuous possession of domesticated animals, though it involved no other form of property, requires as its indispensable condition a certain amount of peace between neighboring tribes. A kindlier sentiment towards foreigners thus finds a chance of growing ; and it may have been a result of this, that, in the event of war, captives, instead of being sacrificed to gratify hunger or an aimless cruelty or a horrid superstition, were preserved as slaves



to help in pastoral labor. The inducement to preserve captives increases with the increased labor of the agricultural state, which, implying a more permanent settlement and a more various property, requires also a greater security against the ravages of war. Moreover, it brings with it a still kindlier relation to the lower animals, which can be reared not merely for food, but to be used as companions in the industries of the field. But the curse of the military spirit, which imparts such a cruel character to early savagery, continues to infect the highest civilization. In the ancient Pagan world, brilliant though its civilization was in many respects, the moral ideal threw into unreasonable prominence the stern virtues of a military type; and consequently it allowed practices, like abortion, infanticide, and the shows of the amphitheatre, which are revolting to the sentiment of modern Christendom.

The influence of Christianity in refining the moral ideal has been manifested, not so much in any peculiar ethical teaching, as rather in a new general attitude towards the ethical problems of life. For the first time the brotherhood of man was enounced in all its significance, without limitation from any distinctions of race or sex, of external or internal condition; and the basis was thus laid for an universal human sympathy. For the first time the infinite worth of every human being as an immortal moral personality was also proclaimed, and a demand was thus implicitly made for the treatment of each individual with respect for the humanity which he represents. The moral ideal became, as a consequence, profoundly altered.

The sterner virtues of the military character fell into the background, or were directed to a different form of hardihood, while the virtues of "love, joy, peace, long-suffering, gentleness, goodness, faith, meekness, temperance," became the spiritual fruits after which men were taught to aspire. Nor would it be easy to over-estimate the influence exerted by the story of the Master's labors as a healer of disease, and by the devotion of Christian priests in carrying the glad tidings of a higher life to the most pitiable members of society, — to slaves and prisoners, to the poor and the sick, in all the great cities of the empire. The discipline of the church was also powerful in the same direction. It is to the credit of her leaders, that they never faltered in their condemnation of the amphitheatre as utterly incompatible with the spirit of Christianity. No matter what might be his rank, they never hesitated to refuse communion with any man who sanctioned by his presence that abomination of cruelty.<sup>1</sup>

But the influence of Christianity was for centuries impeded by the overwhelming inroads of barbarism upon the old civilization of the Roman Empire. In fact, during the Middle Ages the whole structure of society, so far from indicating any genuine expansion of the gentler virtues, showed rather a degradation in some respects from the standard of Pagan antiquity. The wars were often as cruelly savage as the worst of ancient Rome, while the sufferings they entailed became all the more appalling from the state of serfdom to which the mass of the people had been de-

<sup>1</sup> Lecky's *History of European Morals*, Vol. II. pp. 19-65.

graded, and which seemed to destroy all fellow-feeling for them on the part of the knightly warriors. The fierce sentiments that characterized the moral ideal of mediæval knighthood were strikingly brought out in the one great sport of the period. The tournament, under a thin veil of Christian sentiment, scarcely concealed its essentially heathen character and origin: "it was nothing but what old heathen heroes had practised, and what they were to continue forever in their Valhalla, — the contention of rivals for the favor of the Valkyries, whose place was taken by noble dames." <sup>1</sup>

In modern times the most effectual counteractive to the military influences which still obstruct civilization has been the rise of the great industrial communities. It is true, our industrial civilization has its own evils: it is often accompanied with a greed which produces a hard insensibility to human suffering, and even to the sacredness of human life. But it would be a misreading of history to suppose that the evils of industrialism ever reach the appalling magnitude of those which have flowed from the military spirit. And consequently the great expansion of industrial activity within the present century has been accompanied by a similar expansion of respect for the life and health of men.

Even in warfare the sentiments of peaceful industry have begun to exert a mitigating influence. The wars of an older time were generally conducted on the assumption that all the inhabitants of a conquered province or city, however innocent of any

<sup>1</sup> Menzel's *Geschichte der Deutschen*, Book VI. chapter ii.

responsibility for the conflict, might be indiscriminately plundered or carried off into slavery, or even massacred; while in the great wars of recent date it has been given out as a demand of civilization, that non-combatants should be exempted from plunder or injury, and, as far as possible, from any of the sufferings attendant upon war. Even combatants have been treated with a humanity that was scarcely dreamt of till our day. Among civilized nations agreements have been formed with the intention of mitigating the horrors of war, such as the regulation against the use of weapons, like explosive bullets, which inflict needless suffering upon the wounded; and it is a splendid proof of the widening sympathy of the human race, that in recent wars great international societies have been called into existence for the purpose of providing, by voluntary subscriptions, surgeons and nurses and ambulance corps, that follow both of the contending armies on to the very field of battle, with the view of carrying to the wounded as speedy and effective relief as possible.

The same expansion of sympathy beyond the limits of nationality is shown in the quick response which any great calamity in one country has called forth in other nations, readily volunteering, not a mere sentimental condolence, but substantial relief to the sufferers. The growing horror with which men view the infliction of avoidable suffering upon their fellows, is further seen in many other facts, — in that improvement of the criminal code which will be referred to more particularly again, in the provisions to protect women and children from excessive labor, in the con-

tinued demand for the fuller protection of laborers and travellers against the injuries to which they are exposed, in the great movement of our time for improving the sanitary condition of towns. All sentient existence, in fact, has benefited by the operation of the same cause, as shown in the legal provisions for the prevention of cruelty to animals, culminating in the British law which regulates the employment of vivisection even for scientific purposes.

The sentiment of the sacredness of human life, — the horror of cruelty, — which has been thus developed by the moral struggles of the past, imposes obligations of justice which must be interpreted in no narrow spirit. Inheriting a sentiment of so much value for the moral interests of human life, the civilized races are bound to guard against any relapse into barbaric usages which might imperil the inheritance they have won, and to labor for the eradication of all those passions, springing whether from industrial or from military life, which tend to inflict physical suffering, or to lower the physical well-being of men. Recognizing the intimate connection which abstract science and concrete facts alike establish between moral and physical condition, the efforts of justice must be directed to the removal of all those causes which are injurious to life and health, and to secure for every human being such conditions of physical existence as are essential to the highest moral welfare.

II. Protection from unreasonable *control*. Personality, which is the basis of all rights and obligations, is not inert existence; it is living existence, — activ-

ity ; and therefore, so far as personality is connected with physical life, it involves the right of physical activity, that is, the right to employ our bodily powers as we choose, so long as, in doing so, we do not directly or indirectly interfere with the same right on the part of others.

This right may be viewed in two aspects, — as freedom from *constraint*, and as freedom from *restraint*. In the former it implies that every man may rightfully resist any compulsion to work otherwise than he pleases, at any occupation he does not choose. The second aspect implies the right of every man to resist attempts that would prevent him from working at any occupation he may choose, so long as his choice does not infringe upon the rights of others.

This consciousness of the inherent right of every human being to the free use of his bodily powers has, like the sentiment of the sacredness of life, been a comparatively slow growth of moral culture. Not only the rude tribes of primeval history, not only the semi-barbaric empires of the East, but the great civilizations of the West, in modern as well as in ancient times, have all been disgraced by the institution of slavery. Even in ancient Greece,<sup>1</sup> as appears from the discussion in Aristotle's "Politics,"<sup>2</sup> there were thinkers sufficiently raised above the influence of their surroundings to question the justice of slavery, though Aristotle himself evidently seems inclined to the view that the institution is based on an ineradi-

<sup>1</sup> The history of slavery in the ancient world is the subject of a very elaborate monograph in three volumes by H. Wallon, *Histoire de l'esclavage dans l'antiquité*.

<sup>2</sup> Book I. chapter vi.

cable difference of nature between different human beings. In opposition to this, however, he frankly recognizes the fact, that sometimes a slave may have the soul and body of a freeman, while freemen have sometimes the souls and bodies of slaves. The recognition of this fact in later Roman history, when slaves of Greek culture were very common in the families of comparatively uneducated Roman masters, may have led to the one substantial protest against the institution in the practice of manumission, which created a numerous class of freedmen throughout the empire. But this practice does not seem to have indicated any sentiment against slavery in itself; and any conviction in favor of freedom as an inherent right of every man, must have been confined to speculations which had no effect on political life. Even Christianity did not at once place itself in unmitigated hostility to the maintenance of the institution, its effect being mainly due to the same cause which expanded the sentiment of the sacredness of life.<sup>1</sup> The feudal society of the middle ages reduced the great body of the rural population to a state of serfdom, though it is well also to bear in mind that the rise during the same period, of the great manufacturing and mercantile towns, with the rights which they succeeded in wringing from kings and nobles, asserted the freedom of labor with a distinctness unknown even in the ancient republics, in which a large part of industrial work was always done by slaves or by persons in a state of political

<sup>1</sup> The relation of Christianity to slavery is treated at length by Wallon (Book III. chapter viii.), and by Lecky (*History of European Morals*, Vol. II. pp. 65-77).

disability.<sup>1</sup> The discovery of America brought the European conquerors and immigrants into social connection with races which represented a very much lower type of civilization. The Spanish conquerors reduced the aborigines to slavery. The English settlers introduced slaves from Africa, and thus encouraged a form of enslavement the most cruel, the most utterly unjustifiable, that has ever disgraced humanity. The whole system of slavery received its death-blow among the civilized nations of the world by the suppression of the rebellion in the United States; for the interest of that struggle in the moral history of mankind, lay in the fact, that upon its issue depended the final settlement of the question, whether slavery was to be accepted as a social institution in harmony with Christian civilization. It is not surprising, therefore, that the close of the struggle was followed in a few years by the abolition of serfdom in Russia, and of slavery in Brazil.

The expansion of the sentiment of freedom, which has within the past hundred years driven slavery beyond the pale of Christian civilization, affords ground for the hope that it will soon clear away any unreasonable restrictions on the freedom of individuals, which still conflict with the full requirements of justice. There are some spheres of human life, in which justice demands that a good deal must be done to vindicate freedom, especially for the laborers of the world. According to the theory of our laws, slavery

<sup>1</sup> In fact, not only were working-men actually excluded from citizenship in many of the ancient States, but even speculative thinkers, like Aristotle, held them to be naturally incapacitated for its privileges (*Politics*, III. 5). This prejudice was common in antiquity. See Montesquieu, *L'Esprit des Loix*, IV. 7.



has given place to freedom of contract in reference to the terms upon which the industrial work of society is carried on ; but to bring this change into complete unison with the claims of justice, the laborer ought to be made free in fact as he is free in theory. But under the existing organization of industry, the laborer is very far from enjoying practically the freedom which is accorded to him theoretically ; and that owing to various causes.

The most formidable of these causes is to be found in the intrinsic disadvantages of the laborer's position. As a rule, he is entirely dependent on his labor for the means of subsistence. He must therefore find employment for his labor on some terms, or starve. If he hesitates to accept the terms offered him, he knows that there are usually plenty of other laborers ready to accept these terms without hesitation, so that his refusal of the terms may leave him without the employment which is his only means of support. From the very necessities of his position, therefore, it may be said that his contract to labor is of the nature of a *forced sale* ; he is not, in the fullest sense of the term, perfectly free in making contracts for his labor.

To any one acquainted with the subject, it will readily occur as a reply likely to be made to the above remarks, that the alleged disadvantage in the laborer's position is the result of a natural law of industrial life, — the Law of Supply and Demand, — against which it is hopeless to struggle. The discussion of this law would be out of place here, as it would carry us into the provinces of political and economical sci-

ence ; but the aspect in which it requires to be considered here, does not take us beyond the domain of Ethics. The nature of this law is very often misunderstood in a way that affects prejudicially the moral convictions and actions of men. Without perhaps explicitly saying it or even thinking it, there is evidently in many minds an undercurrent of indistinctly conceived thought, that the Law of Supply and Demand is not only a *natural*, but also a *moral*, law ; that it points not only to the natural tendency of certain motives when unchecked by others, but also to those motives by which men ought to be governed in their industrial relations with one another. It is worth while to bring this indistinct conception into clear consciousness ; for surely nothing but a clear consciousness of its drift is required to excite a revolt from it in every mind of unperverted moral sensibility. To say that a man is morally bound, or even morally allowed, to take the utmost advantage of his natural position in contracting with others, is simply to abrogate the moral law, and to set up the reign of might over right. It is evident that human beings, who are starving for lack of bread, will in general consent to labor on any terms that will secure them from starvation ; and it was owing to this pitiable necessity, that in former times it was quite common for men to contract themselves and their wives and children into slavery.

It may be said that a contract of slavery is forbidden by the laws of all civilized nations, while they allow an employer to force down the remuneration of his employees to the lowest rate at which they are

willing to work. But in former times a contract of slavery was perfectly allowable by law; and the employer, who bargained for the enslavement of a laborer, could plead, with as thorough truth as his successor of the present day, that he was simply yielding to the natural Law of Supply and Demand. There can be no doubt that, under the impulse of the distresses to which millions of laborers in our day are perpetually exposed, many would willingly offer to be sold into slavery rather than die of starvation; and were it not prevented by law, this degrading offer would be accepted still. It may not be possible, at least just yet, to devise any legal expedient by which a ruthless employer can be prevented from beating down wages to the starvation point; but legislation has already interfered effectively with the unrestricted operation of the Law of Supply and Demand, not only in prohibiting contracts of slavery, but in prescribing the terms on which children and women may contract to labor, as well as in various other regulations with regard to the conditions on which the work of the world must be carried on. The truth is, that, without being restrained by legislation, employers do not as a rule throw aside all the motives of a kindlier justice, in order to snatch the fullest advantage they can legally take of the necessities to which their employees are subject; and even after legal restraints have been made as complete as they are ever likely to be, it will still remain necessary to call into play the force of moral conviction, in order to secure for those who must give daily labor for their daily bread the freedom in contracting, which

is enjoyed by persons in possession of accumulated wealth.

This particular application of the obligations of freedom has been explained at some length, in order to indicate some of the directions in which a fuller recognition of these obligations might be expected with the advance of moral culture. The explanation may possibly suggest other directions in which the same expansion of moral consciousness is to be desired, especially in regard to laborers. For there are various causes, besides the natural disabilities of their position, that prevent laborers from enjoying perfect freedom. Custom, for example, has in all communities crystallized into hard restrictions that often prevent individuals, and even whole classes, from engaging in employments which are perfectly innocent or even honorable, and for which they may be peculiarly qualified by natural or acquired aptitudes. This is particularly the case with regard to women, and most particularly with regard to women above the lower ranks of society. The daughter of a working-man, indeed, is usually brought up to support herself in a style not disproportioned to that which she may have been used to in her father's house ; so that, even if she remains unmarried, her father's disability or death does not take away from her the means of support. But how has society usually brought up the young lady, whose father expects to be able to maintain her till she is married, or perhaps as long as she lives ? It is not too much to say, that, till comparatively recent times at least, the whole training of a woman in such circumstances has been

calculated to exclude from her mind the idea that she should ever look forward to the use of her "accomplishments" for the purpose of self-support. The result has been that social sentiment has hitherto been almost as powerful as the prejudices of caste in excluding women from many of the more remunerative industries of life, for which they are by no means disqualified by nature. But here, again, it is a hopeful sign of the expansion of moral consciousness in the direction indicated, that the unreasonable pride of class distinctions is dissolving, slowly it may be, but surely, before the more generous sentiment of rightful freedom.

There is one other direction in which this sentiment still requires to gain force, though it may, perhaps fairly, be regarded as less important. The right to labor at any occupation which does not encroach upon the rights of others is, of course, more essential to human welfare, and even to human existence, than the right to enjoy the pleasures we prefer. There is always, however, a tendency in the undeveloped moral consciousness to think that what an individual prohibits to himself he may also reasonably prohibit to others, even though their enjoyment of it does not in any way interfere with his rights or the rights of any human being. This has been a prominent feature of asceticism in all ages, and it assumed appalling proportions in the great Puritan movement, to which it formed an unfortunate adjunct, crippling and concealing what was by far the most important drift of the movement as an earnest and powerful assertion of freedom.

But of course all assertions of freedom must be restricted by the qualification which has been all along implied or expressed in this discussion, that no man has a right to infringe upon the rights of others. Real liberty, that is, equal liberty to all, is possible only when it does not degenerate into a license that restricts the freedom of some. Now, among the forms of license which are peculiarly detrimental to society, two deserve special condemnation: one is connected with the more serious occupations of life, — idleness; the other, with life's enjoyments, — luxury.

1. *Idleness* may be called the luxury of the poor, that is, of those who from want of accumulated wealth require to labor for their daily bread. It is not, indeed, to be assumed that an idle life is just for any human being; but the injury done to others by idleness is peculiarly obtrusive in the case of the laborer, because clearly, if he does not labor for his own sustenance, he must draw upon the fruits of the labor of others, either by beggary or by theft. This is so evident that in most civilized communities idleness is condemned, not only by educated moral sentiment, but by some measure of Law. Among ancient Pagans, it was punished with death by the Egyptians, and by the legislation of Solon in Athens.<sup>1</sup> It was also a crime in Peru, obviously as a consequence of the Imperial Socialism, by which the unique civilization of that country was distinguished.<sup>2</sup> In early and mediæval Christendom a healthy senti-

<sup>1</sup> Grote's *History of Greece*, Vol. III. p. 426 (Amer. ed.).

<sup>2</sup> Prescott's *History of the Conquest of Peru*, Book I. chapter ii.

ment in opposition to idleness was thwarted, partly by the ancient prejudice against labor, partly by the sentiment of charity, whose expansion under Christian teaching has had a most beneficent effect in developing the gentler virtues of human character. The influence of some Christian moralists, and especially of the Benedictine order, in removing the prejudice against labor, and conferring upon it a certain sacredness, was far more than counteracted by the teachers who inculcated, and the monastic orders who practised, mendicancy as a peculiar grace of the religious life. The appalling injuries inflicted upon the economy of society by this perverted religious sentiment, were met by numerous legal expedients; but these were of course, in a large measure, ineffectual as long as the sentiment retained force. They afford, however, to some extent, an historical explanation of the ruthlessness with which, in Protestant countries, the monasteries were swept away at the period of the Reformation.<sup>1</sup> At the present day society still tries to cope with the evil by laws against vagrancy; and only those who take a practical interest in social reform have any adequate conception of the enormous burden imposed upon the industry of the world by the vast army of idlers in every community, who prefer living by beggary or crime to a life of honest labor.

2. The other form of license akin to idleness is *luxury*. It is not necessary to explain either the causes or the effects of this indulgence. It is sufficiently evident that it springs from passions which

<sup>1</sup> Lecky's *History of European Morals*, Vol. II. pp. 99-104.

exercise a powerful sway over the human mind, and require to be kept under rigid control in order to moral welfare. It is also evident that the inordinate indulgence of these passions tends to intensify their influence over the individual, and to expose him to all the dangers of excess; and it is evident still further that the effects of immoderate luxury upon society are, economically as well as morally, disastrous. These moral and economical evils of luxury have been so obtrusive in actual life, that legislators in the past have frequently endeavored to check them by the class of enactments commonly known as Sumptuary Laws.<sup>1</sup> But at the present day legislation in this direction has been generally abandoned, and the regulation of luxurious indulgences has been left to the force of moral conviction.

This, however, renders it only the more imperative to cultivate a high standard of justice in reference to such indulgences. It is of course difficult, perhaps impossible, to lay down a hard and fast definition which will always separate unjust luxuries from those that are legitimate. But that is not an unfair distinction which brings unjust luxuries into the same category of wrongs with the idleness of the poor. A luxury is always unjust for which the self-indulgent compel others to pay; and therefore the man who continues, year in and year out, as long as laws and usages allow, to live beyond his income, must be

<sup>1</sup> Roscher's *Political Economy* (Book IV. chapter ii.) gives some account of Sumptuary Legislation, with references to sources of more detailed information. The subject is also taken up in Montesquieu's *L'Esprit des Loix*, Book VII.



consigned to the same moral category with the vagrant who lives by beggary or theft.

(B) *Justice in Reference to Mental Life.* — Here, as in the case of the body, it must be borne in mind that life is more than bare *existence*: it is *activity*. Accordingly justice demands the avoidance, not only (I.) of any injury to the mind of another, but also (II.) of any unreasonable interference with his mental freedom.

I. The obligation to avoid injuring the mind of any one prohibits even culpable neglect, that is, it imposes a positive duty to provide for the mental well-being of those who may be dependent on us for their culture. This is specially the duty of parents, guardians, teachers, lecturers, authors; but to a certain extent it falls upon all men, because every one exerts a certain influence for good or evil on the minds of others. But the largest branch of this obligation is rather the negative duty to refrain from any corrupting influence upon the intellectual or moral life, as well as from offensive words or actions which give unnecessary pain to honorable or sacred sentiments of the human mind. The protection of men from such injuries is so obviously just, and even so obviously essential to the well-being of society, that it has been provided by legal enactments in various forms, such as the laws against libellous and immoral and blasphemous publications.

But the most specific obligation coming under this head is that of *truthfulness* or *veracity*. The precise position which this obligation should occupy in the classification of duties has indeed been matter of

controversy. Kant regards the injury done by a lie as merely an incidental result in its moral aspect, though he admits that in a legal aspect this injury is the essential wrong involved; the moral wrongness of a lie he finds rather in the disregard which the liar exhibits for the worth of humanity in his own person.<sup>1</sup> This is certainly a valid aspect of a lie; but every wrong action recoils in the same way upon the agent by degrading his moral worth; while veracity involves a necessary reference to others, so that it cannot be treated as a purely personal obligation, but is essentially social. Others, again, like Dugald Stewart,<sup>2</sup> while classifying truthfulness among our social duties, assign to it a distinct position, co-ordinate with, but independent of, justice and benevolence. But a real lie is always spoken with intention to deceive, and the mind that is deceived suffers an injury by the deceit. A lie, therefore, as it inflicts an intentional injury on the person to whom it is spoken, is essentially a violation of justice.<sup>3</sup>

At the same time there is this of truth in the doctrine of Kant, that veracity seems to be connected, in a peculiarly intimate manner, with that sentiment of honor, that self-respect, that reverence for the worth of humanity in one's own person, which forms an essential factor of all virtue. And therefore we cannot be surprised at the lofty place which has been commonly accorded to a frank and fearless regard for truth among the elements of a noble moral char-

<sup>1</sup> Kant's *Werke*, Vol. III. pp. 234-238 (Hartenstein's ed.).

<sup>2</sup> *Works*, Vol. III. pp. 274-282 (Hamilton's ed.).

<sup>3</sup> This view is ancient. See the beginning of Plato's *Republic*. Compare Fowler's *Principles of Morals*, Vol. II. p. 159.

acter. In the moral code of the ancient Persians, we are told by Herodotus,<sup>1</sup> veracity was the supreme virtue, and the greatest disgrace was to tell a lie. This may have been merely an adventitious exaltation of the virtue; but certainly the want of truthful candor is one of the most evident proofs of a radical moral weakness, while hope may well be cherished still for the reformation of any man whose moral force retains this central stronghold, even though it may have sustained many a humiliating defeat at the outposts of sense.

It is strange, that, with all the clearness and importance attaching to the general principle of truthfulness, its special application should have been sometimes involved in all the confusions of a perplexing casuistry. In fact the right, which is claimed by some, to disregard the truth on certain occasions, has formed a favorite field of casuistical controversy. In such controversy two extreme positions have been taken up, which, in view of their respective tendencies, may be described as Stoical and Utilitarian. The former, which has been prominently represented by Kant, recognizes no end superior to truth, and therefore admits no departure from it in any circumstances. The latter, degrading truthful expression into a mere means for the attainment of ends beyond itself, allows a departure from truth with a view to such ends. This doctrine has been most prominently associated with the sect of the Jesuits, but it is apt to become a more or less avowed principle of extreme partisanship in every sect.

In this controversy it must always be kept in view,

<sup>1</sup> I. 139.

that the moral guilt of a lie consists in the intention to deceive. Accordingly it would be unfair to characterize as a lie, any expression like a jest or a figure of speech, or a conventional phrase of courtesy, which, although literally untrue, is neither intended nor calculated to convey an untruth to any intelligent mind. On the other hand, every mode of expression incurs the essential guilt of lying, if it is used with the intention of suggesting an untrue meaning, even though it may be strictly true in its grammatical construction. In fact, the moral judgment of mankind has always gone out with fiercest indignation against expressions which convey an untrue meaning in a true form of words. For

“ A lie that is all a lie may be met and fought with outright,  
But a lie that is half a truth is a harder matter to fight.”

This is not the place to discuss the application of these general principles to particular cases ; but it may be observed, that, if Stoical scrupulosity is in this matter ever actually carried to an impracticable extreme, its errors are infinitely less prejudicial, both to personal and to social morality, than a laxity which would lower the moral value of perfect candor, or weaken the confidence which honorable men repose in their communications to one another.<sup>1</sup>

<sup>1</sup> English literature affords an interesting contrast between two pictures which represent the opposite extremes of moral principle in regard to veracity. One is taken from the circle of Scottish Puritanism ; it is the well-known story of Jeanie Deans in *The Heart of Midlothian*. The other is from Irish Catholicism ; it is the story narrated in a very touching lyric of Adelaide Procter's, *Milly's Expiation*. Milly is, in her general unselfishness, not unlike the Scottish heroine ; on the whole, even more attractive by a gentleness which contrasts with the severity of the other ; but, to save her lover from the scaffold, she enters the witness-box and deliberately commits perjury. I confess that to me, the poem, with all its pathos, is morally enervating. Its effect certainly contrasts with the moral invigoration of Scott's noble tale.

Before leaving the subject of veracity, a remark seems called for to explain how its obligation is affected by taking an oath. In no country have the laws ever attempted to enforce the speaking of the truth on all occasions: but there are circumstances in which the interests of society render it peculiarly necessary that the truth should be ascertained; and consequently the obligation to tell the truth is not left to the influence of moral conviction alone, it is made a *legal* obligation. This is done by the artifice of an oath, under which a deceitful statement, or a refusal to make the truth known, becomes a punishable offence. But the *moral* obligation to speak the truth is neither increased nor diminished by such an artifice. This is obviously the purport of the famous passage on swearing, in the Sermon on the Mount,<sup>1</sup> which has been the subject of a great deal of theological controversy; it is simply an application of the general teaching of the Sermon, that the highest morality will not be satisfied with fulfilling the bare letter of legal enactments, but will seek to realize the spirit which these embody. Among persons of obscure moral intelligence, both in the present and the past, many may be found for whom the enlightenment of this teaching is peculiarly required, — men in whom no sentiment of obligation to speak the truth can be awakened, except by punctiliously enforcing even the most trivial formalities in the administration of an oath.<sup>2</sup> As in other spheres of the

<sup>1</sup> Matt. v. 33–37.

<sup>2</sup> A curious phase of morality and legislation is presented in the Laws of Menu, specifying certain cases in which even perjury is not only allowed, but directly encouraged. See Mill's *British India*, Vol. I. pp. 238, 239.

moral life, however, so here, enlightenment of the conscience frees men ever more and more from slavish respect for the particular form of an action, and leads them to reverence rather the universal spirit of morality which it embodies. This advance of moral culture also increases the confidence which men repose in one another, and renders it ever more easy for them to conduct even the most important transactions of society without the precaution of oaths.<sup>1</sup>

II. But the just claims of mental life involve the right of free mental activity. Like every other form of real freedom, this implies the use of our powers in any way we please, so long as we do not invade the rights of others. Now, notwithstanding all that has been done and suffered by the martyrs of freedom, there is no secure ground for believing that this right has been established beyond the possibility of danger. Eternal vigilance, it has been said, is the price of freedom; and even with such vigilance the world may yet be called to face a great struggle for intellectual freedom against the power of despotic governments or equally despotic mobs. It is therefore well to make clear the ground of reason, on which the claim for this form of freedom rests. Intellectual liberty may be considered in its bare abstractness, or in connection with the accompaniment of free expression, by which alone it can attain full concrete realization.

I. In the abstract, freedom of mind is a reality

<sup>1</sup> Shakespeare has finely touched the purest spirit of Christian morality in reference to oaths. In *Julius Caesar* (Act II. Sc. 1), when Casca proposes that the conspirators should "swear their resolution," Brutus replies in the noble words beginning, "No, not an oath," etc.

which cannot be assailed by any material force. True, force — torture — may wring from a man words stating that he believes a doctrine, but no sheer force can make him really believe it. The only power by which reason can be led to apprehend a doctrine, is reason itself; error can be banished only by commending the truth to reason in such a way that it can be clearly understood. All the machinery, therefore, by which persecutors have attempted to *force* doctrines upon the minds of men, is simply an attempt to carry physical agency into a sphere in which it is powerless. It is like an effort to sweep back the flood of sunlight with a broom.

But such attempts exert a disastrous influence over the mind. The function of mind is to discover the truth, and to govern the whole life by such discovery. It is therefore of supreme importance that in all inquiries the mind should be biassed by no motive but the love of truth. There are, under the most favorable circumstances, too many influences of unreasoning passion, tending to darken and mislead the mind in its pursuit of truth; and it is simply an invention of unreason to add to these influences the terrors of bodily torture for the purpose of scaring the mind from seeking the truth in any particular direction.

2. But freedom remains an unreal abstraction in mental life, unless it is embodied in the right of freely expressing opinion. Here, however, the restriction of freedom is not, on the face of it, an irrational attempt. Expression, being a physical action, can of course be restrained by adequate physical force. It is in this way, therefore, that an

irrational despotism has generally sought to strike at the freedom of mind. And the attack is cunningly aimed. For by far the most powerful stimulus to mental development is the communication of mind with mind; and nothing can so completely paralyze the freedom of intellectual growth as the fettering of this communication. Freedom of intellectual intercourse is, therefore, indispensable to the discovery of truth, and the loss to the world is irreparable when the mental energy of men in general collapses into a deathly languor by the stimulating voices of the great teachers being silenced. Yet the rulers of the world have been slow to recognize this fact. In all ages, and under all forms of civilization, the activity of truth-seekers has been crippled, and their utterances have been stifled, by the oppression of unreasoning prejudice. Perhaps the most painful tragedies in the whole history of the world are those martyrdoms in which men of uncommon moral nobility have been doomed to death, avowedly for no crime but that of loving the truth.

Unfortunately, notwithstanding the spiritual character of its general influence, Christianity failed to relax, but perhaps, on the whole, tended to tighten, the restrictions which Pagan governments had put on the freedom of inquiry and of its literary exposition. Even the great revolt of the sixteenth century against the spiritual tyranny of the Church did not bring with it at once any strong sentiment in favor of intellectual and literary freedom. Generally the Reformed governments took into their own hands the censorship of the press, which had before been



exercised by the Church. It was not till the middle of the following century, that the first clear voice was heard protesting against the baneful influence of the fetters by which the censorship cramped the higher life of the world. In 1644 the *Areopagitica* of Milton gave utterance, in language which has never been excelled, to the full demands of rational freedom. The glorious eloquence of the great poet must either have resounded in too lofty a sphere to be heard by his contemporaries, or have been drowned amid the din of their conflict; for it failed to produce any effect at the time. But half a century later, in 1695, a homely, prosaic exposure of the jobs and extortions and other vulgar abuses connected with the administration of the censorship, satisfied the Commons of the Revolution, and led them to drop the Act on the subject without any inquiry into its essential principle. Since that time literature has been practically unrestricted, except by the Common Law, in England<sup>1</sup> and her colonies, as it is also in the United States. But in many countries the press is still subject to certain restrictions; and it is scarcely possible, therefore, to feel perfect security in regard to the continuance of freedom in those countries in which it has found legal recognition.

This diffidence will, perhaps, be more fully justified in considering the dependence of the religious life upon freedom of mental activity. Religious freedom is, in propriety, merely a particular phase of the freedom of mind. It implies, however, besides the gen-

<sup>1</sup> Macaulay's *History of England*, Vol. VII. pp. 167-169. Compare pp. 234-237 (ed. 1858).

eral liberty of prosecuting and publishing inquiries on the subject of religion, the special liberty of acting upon the convictions to which such inquiries may lead, provided of course such action does not encroach upon the rights of others. The particular actions, to which religious conviction leads, are mainly forms of worship ; and the attempt to interfere with these is inspired by the same system of thought which seeks to restrict the freedom of the press. We do not require to go far back in the history of modern civilizations, to come upon a time when the persecution and suppression of heretical religious sects formed the avowed policy of all governments, Protestant and Catholic alike. Moreover, the Catholic Church has never disowned its ancient claim, wherever it has power, to restrict intellectual activity within the limits of its own doctrinal system, to exercise a censorship over literature, and to suppress all heretical forms of worship. Even in the best-educated Protestant communities also, there is a spirit of intolerance abroad, which might, at any crisis of popular excitement, find expression in legislation tending to wrest from men all the freedom which has been already won.

It cannot, therefore, be assumed that there is no room for cultivating, to deeper intensity as well as to greater breadth, the moral sentiment of righteous toleration, by which alone the freedom of mental life can be secured. The deeper that sentiment, the stronger is the bulwark it offers against any attack upon true freedom. For the indifferentism of free-thinking has not always shown the tolerant spirit

which might be expected to be its accompaniment. Some of the persecutions of the early Christians were carried on under sceptical rulers in the Roman Empire;<sup>1</sup> and the agnostic systems of religion, advocated by Hobbes and by Comte, would have revived a spiritual tyranny more intolerable than the most oppressive Mediævalism. The only complete security for spiritual freedom is a religious sentiment which can feel the sacredness of the religious sentiments of others, — a sentiment which makes it a sin against God to tamper with the conscientious convictions of any man.<sup>2</sup>

*Subsection II.— Obligations of Justice arising from Real Rights.*

A *real* right, as distinguished from a *personal*, is any right which a person holds over *realities*, that is, over things outside of his personality. The personal rights of men, as we have already seen, are the

<sup>1</sup> On Pagan persecutions and persecuting doctrines, see Lecky's *History of European Morals*, Vol. I. pp. 423-425.

<sup>2</sup> The struggle for intellectual and religious freedom fills a large space in the history of the world, and can, of course, be studied in numerous historical works. So far as the development of thought is concerned, which led to recognition of the rights of mental freedom, the student will find an interesting sketch in Lecky's *History of Rationalism*, chapters iv. and v. In addition to the facts of mediæval history mentioned by Lecky, there is a special monograph on the manifestations of a freer spirit of speculation in the Middle Ages, by a German scholar, Dr. H. F. Reuter: *Die Geschichte der Religiösen Aufklärung im Mittelalter*; but, in truth, the few feeble scintillations of light he has been able to gather serve scarcely any purpose beyond that of making the darkness visible. On the requirements of the spirit of freedom in our own day, a valuable work is Bunsen's *Signs of the Times*, especially for Germany and other countries on the Continent of Europe; but for the English-speaking peoples the most stimulating book is Mill's *On Liberty*. The most divergent schools of thought have joined, with unusual warmth of language, in acknowledging the ennobling inspiration derived from this book.

original ; and we have now to see how real rights grow out of these. The transition from the one class of rights to the other is not indicated by the sharp line of demarcation by which they are separated in common thought ; on the contrary, the one flows from the other by an almost imperceptible distinction. The personal and original right of every man is his right over himself, over the powers of body and mind with which he is endowed. But so far as they are worth claiming, so far as they possess the economical value of property, they are only to a limited extent the original endowments of his personality ; to a much larger extent they are products of education, that is, of labor expended on them by himself or by others. Consequently, a man's powers are capable of being treated, and in contracts of service they are treated actually, like other commodities that possess economical value by being products of labor. In this aspect a man's powers form a transition between the purely natural rights of his personality and those purely acquired rights which arise from the expenditure of his powers in the production of external commodities. By such expenditure upon an external thing, he forms the same sort of relation to it, the same sort of right, as he holds to the powers, which he has by education rendered capable of imparting to it its new value. The additional value which a man gives to anything by his labor, may thus be said to be *his* in the same sense in which he may claim as his own the powers by which the new value has been created.

In connection with these remarks on the origin of

real rights, it must be borne in mind that questions of origin are twofold ; they may refer either to origin in time or to origin in reason. The logical origin of real rights, that is, their origin in reason, traces them back to the personal rights of the laborer by whom they have been created ; but their historical origin — their origin in time — is not necessarily connected with any labor of the persons by whom they are now possessed. The primeval origin of property in general, like that of most social institutions, vanishes amid the dim uncertainties of the prehistoric past, though there are indications that in primitive society there was no property as an object of right to individuals, but that private property arose with the recognition of the moral independence of the individual as a responsible agent. In like manner it is often impossible to trace to their earliest origin many of the rights to property, which are held in all communities at the present day. In some cases, indeed, it may even be proved that these rights originated, at some more or less remote period, in an unreasonable and unjust act of force or fraud. But as such rights are transferred from generation to generation, and as the history of such transference can seldom be traced far back, the first origin of a great deal of property must be treated practically as unknown. In fact, a few years, or even a few months or weeks, may in many cases destroy all available evidence of the rightfulness of a man's claim to his property ; and this fact has been recognized in every just system of society.

(A) *Occupancy*. — However unreasonable a great

deal of property may have been in its historical origin, it would obviously be still more unreasonable to require every person to vindicate his right to his property back into a remote past; there must be a limit to such requirements in reason and justice themselves. Accordingly, as interpreted both in Jurisprudence and Morals, justice has always recognized a ground of right in mere occupancy under certain reasonable restrictions.<sup>1</sup> It is the right which is known under the general title of Prescription. Of course such a right must be limited by strict conditions, else proprietors might be swindled out of their property every day through ignorance of its being occupied by others. The precise conditions necessary to guard against injustice vary with varying circumstances. The general condition is the length of time during which *de facto* possession must be proved, though this varies in different countries, and in regard to different things. The whole subject in its details forms an extensive theme in Jurisprudence, and cannot be discussed on purely ethical grounds.

(B) But when occupancy is pleaded as the source of proprietary rights, it will be found, as a rule, that something more than simple occupancy is more or less obviously implied; the occupant is usually assumed to be using the thing claimed, that is, to be laboring upon it for some useful purpose. In fact, in many cases a failure to use the thing for a certain

<sup>1</sup> Some old theorizers have ascribed the first origin of all property to the occupancy by primitive men of things unoccupied before; but the theory is woven out of unsubstantial fictions without the flimsiest substance of fact. See Maine's *Ancient Law*, p. 248 (Amer. ed.).

length of time would be tantamount to an interruption of the *de facto* possession which justice requires. Accordingly, even when property is acquired by occupancy, there seems to be a tacit recognition of the real or rational foundation of proprietary rights as resting on the *labor*, by which property is rendered useful for the purposes of men.

This general principle, however, like many another abstract truth, is in itself of comparatively little value for solving the concrete problems of actual life. In fact, it may sometimes form rather a hindrance to their solution, owing to the unpractical manner in which it is applied. In the application of this principle it is often assumed that the property which a man happens actually to possess under existing laws, is invested with the same sacredness of right as that which is obviously the product of his own labor. But this is to overlook the complicated process by which nearly all men come into possession of their wealth amid the intricate adjustments of our civilization. We are no longer living in that simple condition of society in which every man produces by his own direct labor all that he owns. In some very rude forms of savage life, societies may be found in which this simple industrial arrangement still survives. But among all peoples that have made even a beginning of civilization, labor is so divided that different industries are carried on by different persons. As a result of this, scarcely any man is occupied in producing the necessaries of life for himself, and nearly all would therefore starve if they were not in a position to exchange such of their own pro-

ductions as they do not want for such productions of others as they require. In other words, the division of labor implies, for its very possibility, practically unlimited opportunities of exchange. But in the process of exchange, and in virtue of the peculiar laws by which the process is controlled, an enormous quantity of wealth often accumulates in the hands of a few who may have done little or nothing for its production, while the majority of the workers, to whose toil the aggregate wealth is largely due, receive but a miserable pittance, if they are not left entirely destitute.

But justice in the distribution of wealth obviously implies a tacit understanding, that, since men are engaged in different occupations and must therefore exchange the products of their labor with one another, every man shall in that exchange receive his due, that is, such a share of the whole wealth produced as is equivalent to the share which he has contributed by his industry. How this is to be accomplished, it is no easy matter to discover. It is a most perplexing problem of economical science, as well as of law and morality, to devise a system of distributing the aggregate wealth produced in any community so as to give a perfectly just share to every member. The process of producing wealth, and the laws by which the process is governed, are fairly well understood. That is not the part of economical science, which troubles the thoughtful mind. But how to distribute the wealth produced so as to avoid the appalling inequalities of the present system, — the answer to this question will form the



crowning achievement of practical philanthropy as well as of moral and political science.

(C) At present the problem of distribution is solved mainly by the short and easy method of *contract*. So vast is the operation of contract in the social relations of men, that some philosophers have made it the origin of all property, and indeed of all social order. The Theory of the Social Contract forms one of the most conspicuous doctrines in the political speculations of last century. For such a doctrine there is no more historical ground than for the hypothesis noticed above, which traces the origin of property to occupancy. In fact, a contract to form political society supposes such a society already formed; so that the doctrine in question is on a par with the old philological theory which traced the origin of language to a convention of speechless men.

As already explained, in primitive societies men act deliberately rather in social groups than as individuals. This fact is observable in contracting, as in other forms of deliberate action. Contracts between individuals suppose a certain development of the consciousness of individual responsibility. But this consciousness is comparatively weak in primitive man; and therefore the responsibility of a contract was at first fenced round with numerous formalities, — formalities evidently designed to guard against hasty formation as well as against violation. The necessity of such precautions is proved by the fact, that primitive peoples are, like children, apt to make hasty contracts of which they soon repent; and there-

fore primitive legislation sometimes makes careful provision to allow the annulling of bargains within a brief period after they have been made.<sup>1</sup> The history of contract shows the gradual development of consciousness from the merely legal to the moral point of view. In early times the obligation of a contract is essentially connected with the minute ceremonies by which its formation is guarded; and the omission of the most trivial of these is allowed to invalidate the whole contract. But with the growth of moral civilization there has been a growing tendency to simplify the formalities connected with contracting, and to enforce rather the obvious meaning and spirit of the obligations assumed.<sup>2</sup>

Justice endeavors to carry out this spirit, both in reference to the conditions of a valid contract, and in reference to its interpretation.

I. The conditions of validity in a contract are involved in its very nature. A contract — a convention or compact — is essentially a promise, its peculiarity being that it is mutual. There must, therefore, always be two parties to a contract, one of whom intentionally raises an expectation in the other by a promise which the other accepts. But as the promise is mutual, each is in turn promiser (contractor) and promisee according to the aspect in which the contract is viewed. The validity of a contract, therefore, depends on conditions which affect the contracting parties as well as the action promised.

<sup>1</sup> Some curious examples are given in Mill's *History of British India*, Vol. I. p. 200.

<sup>2</sup> The student who wishes to pursue this subject further will find the early history of contract discussed at length in Maine's *Ancient Law*, chapter ix.

1. The conditions under which a person becomes liable for the fulfilment of a contract are essentially those upon which responsibility for his actions in general depends. Thus, no man can be held responsible for an action, unless he is of sufficient intelligence to understand what he is doing, and perfectly free to do as he chooses. Consequently, nonage, as well as idiocy and insanity, incapacitates a person for forming a valid contract ; and a promise ceases to be binding when it is extorted by any kind of force.

2. The action which a contractor promises may also be of such a nature as to invalidate the contract. It may involve, for example, an impossibility, or an injustice to some third party, or a fraud by which one of the contracting parties endeavors to take an unjust advantage of the other. In such cases it generally becomes necessary to take up the question in reference to

II. The interpretation of a contract. Obviously in justice a contract must be interpreted in accordance with what is expected by the promisee, and known to be expected by the promiser. Now, the expectation excited can be known only by the language which the contractor has employed ; and that language can seldom be known with certainty, except when it is in writing. It is, therefore, essential to the welfare of society, that all contracts of importance should be written, that the language employed should not be open to the vague interpretations of ordinary speech, but defined by terms of technical signification, and consequently that such contracts should be drawn up by men who are professionally qualified to guard

against misinterpretations by the proper use of technical expressions.

But, notwithstanding all the devices of Jurisprudence to secure by contract an equitable distribution of the wealth produced in any community, the distribution has always presented an inequality which, from the earliest ages of literature, has been the subject of passionate invective and of earnest speculation to religious reformers and philosophical thinkers. Many plans have accordingly been suggested for reorganizing society, so that the general wealth might be more equally and more fairly distributed. At bottom, all systems for the distribution of wealth follow two types, though each admits of many variations in detail. The two typical systems are those of Private Property and of Common Property.

The former is the system which has prevailed in all the great nations of the civilized world. Under it, private individuals are each allowed, under certain regulations, to obtain possession of a portion of the whole wealth produced in the community, and to dispose of it, also under certain regulations, but practically with a somewhat unlimited control. On the other hand, under the system of common property, or Communism as it is usually styled in our day, the wealth produced in any community, instead of being allowed to fall into the uncontrolled possession of individuals, is retained as the common property of the whole, and then distributed among the individual members. These rival theories form merely a particular phase of the general conflict between Socialism and Individualism, which was referred to above. This

conflict, however, cannot be decided by purely ethical argument ; it takes us into the domain of political science.

*Subsection III. — Forfeiture of Rights.*

Forfeiture<sup>1</sup> is the obligation under which a wrongdoer comes to surrender his rights so far as may be necessarily or fairly required to repair the wrong he has done. Forfeiture thus introduces the subject of punitive or corrective justice, that is, those obligations of social morality which demand a reparation of the evil effects produced by injustice.

At the foundation of forfeiture, therefore, lies the idea of wrong-doing. Now, a wrong action may be viewed in various aspects. In the first place, it is often represented as an injury or insult to the Supreme Authority of Right, and then it is properly called a *sin*. Or, again, it may be detrimental to some particular person or persons who are immediately affected by it, and in this case it is described as a *civil* injury, a *wrong*, or *tort*. But still another view may be taken. The action may be treated as an injury to society considered as an organic whole, — to society, either in itself or in its ruler. It is only under this aspect that the action becomes a *criminal* injury, — a *crime*.

The early history of criminal legislation, as might be expected, shows that these three aspects of wrong-doing were perpetually confounded, and it is only after considerable social evolution that the idea of

<sup>1</sup> *Forfeit* is from a Low-Latin verb, *forisfacere*, the idea of which is fairly represented by such expressions as *to do (make) away with*, *to throw overboard*, *to exterminate*.

*crime* becomes distinctly separated from the others.<sup>1</sup> The predominant tendency in primitive societies seems to be to treat crimes as civil injuries; that is, as wrongs from which particular individuals suffer, and which are to be redressed by them, either inflicting some retaliation, or exacting some compensation, such as a fine. Even when the State interferes to regulate such redress, it appears rather as a judge in a civil suit arbitrating between two parties, than as representative of a society demanding atonement for an injury done to itself. But, even then, a deeper conception of guilt had taken hold of the mind. At a very early period, religion brought in the idea of supernatural agency in tracking and punishing crime, even when the penalties of human invention failed to strike the object at whom they were aimed.<sup>2</sup>

It is evident, then, that the history of penal legislation introduces us to very different views of punishment, corresponding to different views taken of the actions punished. The truth is, as must be obvious on reflection, that the conception of a wrong action involves precisely the questions that are forced upon us in the definition of a right action. Consequently the theories of punishment, though exhibiting great differences in detail, run mainly in those two antagonistic directions which have been characterized as Stoical and Utilitarian. Not, indeed, that

<sup>1</sup> For details on this subject the student must be again referred to Sir Henry Maine's *Ancient Law* (See chapter x.). The history of criminal legislation in England is treated with great detail by Sir James Stephen in his *History of the Criminal Law of England* (1883). Compare *A History of Crime in England* (1873), by L. O. Pike of Lincoln's Inn.

<sup>2</sup> See above, p. 96.

either Stoics or Utilitarians are always logically consistent in applying their general ethical theory to determine their theory of punishment. On this subject many Stoics represent a very un-ideal Utilitarianism, while some Utilitarians have been Stoically severe. But the contending theories of punishment proceed on Stoical and Utilitarian conceptions of right and wrong. The Empirical Utilitarian, as we have seen, finds the wrongness of an action, not in its intrinsic nature, but in its extrinsic consequences. Punishment, therefore, in his view, can never be a reflection upon the action in itself. It is not retrospective, but prospective ; it has no meaning except from its utility as a means to serve some end, such as the prevention of undesirable actions in the future. On the other hand, in any consistent theory of Stoicism, punishment points of necessity to the past ; it is the deliberate condemnation by the moral reason and sentiment of society, of an action which is declared to be injurious to the social well-being of men.<sup>1</sup>

Of course, if it be granted that punishment is the reasonable expression of the moral judgment of the community in condemnation of crime, the Stoic is open to discuss the incidental ends which punishment may attain ; and, therefore, when the practical

<sup>1</sup> It is interesting to find one of the greatest criminal lawyers of modern times, who certainly shows no speculative prejudices against Utilitarianism, dissenting in most explicit language from the extreme Utilitarian doctrine of punishment, and contending that, for law and morality alike, punishment would lose a great deal of its value if it were not for the fact that it gives a rational expression and satisfaction to the healthy indignation of the community against criminals. See Sir J. Stephen's *History of the Criminal Law in England*, Vol. II. pp. 79-82.

question comes up in reference to the ends which it is most desirable to secure by punishment, Stoic and Utilitarian may meet on common ground. For the Stoic, basing the moral life of man on reason, cannot entertain any proposal which would inflict unreasonable severities as just punishments of any crime. All punishment, for him as well as for the Utilitarian, must have some reasonable end in view. Only he contends that there can be no reasonable justification of punishment, except on the assumption that the criminal really forfeits his rights ; in other words, that, by doing wrong to others, he comes under a moral obligation to surrender his own rights, so far as may be necessary to make a reasonable reparation of the wrong done.

The fact of forfeiture determines the nature of all punishment ; for the only rights which a man can forfeit are those which can be taken from him by force. These are, most obviously, his real rights which he may be obliged to surrender, either partially in the form of a fine, or completely by confiscation. But he may also be required to give up those personal rights which relate to the external side of personality, and can therefore be reached by external agency. Here also the forfeiture may be either partial or complete. It is partial when liberty alone is taken away, either temporarily or permanently, by imprisonment or servitude. The forfeiture of personal rights becomes complete in capital punishment.

Of the two general forms of punishment, that which attacks the personal rights is always considered the more severe. To a moral being it is a more serious



loss to be deprived of the inherent rights of his personality than to surrender a part of his property. Imprisonment is therefore a greater degradation of humanity than a fine.

In deciding between these different forms of punishment with all their numerous modifications, regard must be had both to the future ends which punishment may reasonably be directed to attain, and to the nature of the past action which is to be punished.

(A) In regard to the first point, as we have seen, Stoic and Utilitarian may meet on common ground. The future ends which punishment is designed to attain must be effects either on the criminal punished, or on society, or, of course, on both. Under the first head, in whatever language they may be described, all punishments are intended to be deterrent; that is, they are intended to create in the criminal's mind a motive sufficiently powerful to deter him from yielding to his criminal inclinations in future, or to produce such an improvement in his general character as may free him from the influence of these inclinations. On the other hand, the effect of punishment on society may be direct or indirect: the former, by deterring persons with criminal inclinations from seeking to gratify these; the latter, by preventing the criminal from injuring society, either by depriving him temporarily or permanently of his liberty, or by putting him out of the world.

(B) But not only must all just punishment have a reasonable regard to the future; it must also pay a reasonable regard to the past. This is obvious, of course, on the Stoical theory, which makes punish-

ment primarily the rational condemnation of an action after it is done; but the Utilitarian also recognizes in some form the necessity of measuring punishment by the nature of the action punished, even if it be merely for the purpose of creating a motive sufficient to deter from such actions in future.

This adaptation of punishment to the action punished is peculiarly obvious when punishment is based upon forfeiture. It then becomes a fundamental principle of punitive justice, not only that no one can forfeit a right except by doing a wrong, but that the forfeiture of his rights by a wrong-doer must be limited by a reasonable proportion to the wrong done. Any forfeiture which exceeds this reasonable limit, becomes a wrong done to the offender, which he in his turn may justly resent. Such forfeitures, therefore, tend to defeat all the great ends at which reasonable punishment aims. Their effects, both on the criminal and on society, are apt to be prejudicial. The feeling excited in both partakes of the nature of resentment at a wrong done, while punishment, to be effective, ought to carry with it the highest moral sentiment of the community.

But this obvious principle of punitive justice has been far from receiving general recognition in the enactment and administration of penal laws. Down to comparatively recent times the criminal legislation, even of the most civilized nations, was characterized by an unreasonable severity. This severity was due sometimes to abstract speculative theories, sometimes to concrete social facts.

I. Some of the speculative theories chargeable

with undue severity are Stoical, others are Utilitarian, in their drift.

1. Among the theories which represent the Stoical cast of thought, perhaps the Theory of Retaliation — *Lex Talionis* — ought to be ranked. This conception of corrective justice is apt to dominate the criminal code while crimes are viewed mainly as wrongs done to individuals. Occasionally the *talio* yields a rough and ready sort of justice, but frequently also it involves a barbarous and aimless cruelty.<sup>1</sup>

Another theory, which has exerted a baneful influence on the conception and treatment of crime, is that which identifies all wrong actions as equally violations of the moral law. This was a speculative doctrine of the ancient Stoics.<sup>2</sup> It appears in the teaching of some religious systems of Ethics, which represent all wrong actions as equally sins against God; and it was a similar conception, that in the ancient codes of Peru and Japan treated with capital punishment all transgressions of law as being all equally crimes, in the former case against the ruling Incas, the Children of the Sun, and in the latter case against the Mikado.<sup>3</sup> To all such theories it is an obvious objection, that they view human actions in a purely abstract aspect, without reference to the concrete facts which make them realities. Moreover, when theories of this drift take on a religious phase, they view human actions in a light with which human law has nothing to do.

<sup>1</sup> Numerous illustrations, especially from the Laws of Menu, are given in Mill's *History of British India*, Vol. I. pp. 216–232.

<sup>2</sup> See Zeller's *Stoics, Epicureans, and Sceptics*, pp. 249, 250.

<sup>3</sup> Prescott's *History of the Conquest of Peru*, Book I. chapter ii. Montesquieu's *L'Esprit des Loix*, Book IV. chapter xiii.

In so far as crimes are sins, they must be left to the retributive agency of the divine laws which govern unerringly the administration of the universe: "*deorum injuriæ, decorum curæ.*"

2. On the other hand, the Utilitarian conception of punishment has not been without its share of responsibility for the extreme severity with which crime has often been treated. Regarding the penal code simply as an expedient for producing a deterrent effect, either upon the criminal or upon other persons with criminal inclinations, Utilitarianism can justify the infliction of punishment only when it is certain to produce its effect, that is, only when it is sufficiently severe to strike terror into minds that are intended to be impressed. Under this influence there is always a tendency to make sure of the effect intended by making the punishment as terrible as the circumstances will allow. That is merely another way of saying that a large proportion of crimes will be ranked as capital, or will be requited by penalties which may be not less, and in some cases even more, dreadful than death itself. This line of reasoning is strikingly represented in Paley's chapter on Crimes and Punishments.<sup>1</sup> Starting from the most unqualified Utilitarianism, he defends the English penal code of his time, which attached the penalty of death to some two hundred offences, including cases of petty theft that are now treated with but a brief imprisonment. It is true, Paley admits that the penalty prescribed was inflicted in scarcely one out of ten cases, but he contends that it was necessary to hold out the extreme

<sup>1</sup> *Moral and Political Philosophy*, Book VI. chapter ix.

penalty of the law as a possible retribution in order to be sure of producing the deterrent effect intended.

II. This Utilitarian motive has probably had a good deal of influence, during the past history of society, in imparting an undue severity to penal laws and their administration. In early stages of civilization there is seldom a strong feeling of security in regard to the established social order, and extreme measures are therefore usually adopted to guard against offences by which its stability is threatened. Moreover, the defective state of science, and consequently of the arts by which human life is enriched, renders it much more difficult to cope with crime, and thus leaves its detection and punishment correspondingly uncertain. The perplexity of government, in its efforts to conquer a foe with so many facilities for eluding its grasp, has naturally led to the employment of any means, however cruel, that seemed likely to make victory secure. This motive is forcibly expressed by Paley. Vindicating, by the line of argument noticed above, the excessive penalties of the English criminal code, he contends that, while the Omniscient Ruler of the world may reward every creature according to his works, it would be unwise for men, with their defective knowledge and power, to limit punishments to an exact proportion with the guilt of the crimes punished. "In their hands the uncertainty of punishment must be compensated by the severity. The ease with which crimes are committed or concealed must be counteracted by additional penalties and increased terrors."

If such reasoning satisfied the reflecting moralist

of the modern world, we need not wonder that the primitive law-giver should have been unable to invent any method of preventing crime, but the threat of appalling pains. The penal code of early civilization has been painfully uniform in its cruel features all over the world. Indeed, these features have clung to all criminal legislation with wonderful tenacity down to comparatively recent times. It is only within the present century that most of the civilized nations have abrogated the antique barbarities of criminal law. This improvement has been greatly aided by the means which applied science has put in the hands of government for the detection of crime, and which are rendering it every year more difficult for criminals to escape from justice.

The mitigation of the criminal code is but one phase of the change which is coming over society under the peaceful influences of our industrial civilization. The growing sentiment of the sacredness of life, the growing horror of unnecessary pain, have made the cruel punishments of a former age unendurable. The truth is, that now there appears at times a danger of this sentiment degenerating into a sentimental pity for the criminal, that obstructs the healthy energy of the righteous indignation which he should always be led to expect.<sup>1</sup>

§ 2. *Indeterminate Duties, or Duties of Benevolence.*

These duties, from their very nature, do not admit of being defined in distinct forms, like the determi-

<sup>1</sup> In this connection Carlyle's Essay on Model Prisons, in his *Latter-Day Pamphlets*, is as worthy of study as at the time it was written.

nate duties of justice. The interests of the moral life may indeed render it useful for the practical moralist or the religious teacher to explain and illustrate the particular forms of conduct which the Law of Benevolence enjoins; but no great speculative interest is served by following these into detail. In the exposition of these duties the practical teacher might follow various principles of classification to suit his particular convenience; but there is one principle of classification which, as natural, might be adopted as scientific. This would follow the order in which the benevolent affections are naturally evolved. Such a classification would show the moral ideal, like the emotional impulses, of benevolence gradually expanding from the narrow instincts of purely natural affection, embracing chosen friends and various social groups, till it reaches that universality of regard which is demanded by the moral reason.

This universality is, in fact, involved in all the special duties of benevolence. We are under moral obligation to do, to kinsmen, to friends, to countrymen, any good we can that is consistent with the universal good. That alone is their real good; for, unless the definition of goodness is degraded to the narrowest conception of pleasantness, the good of each rational being must be the good of all. It is only when thus universal in its regard, that *benevolence* becomes *beneficence*; that is, the unreflecting impulses of benevolence become practical laws of reflective reason. This implies that it is necessary to distinguish between benevolence considered as a

moral obligation, and those feelings of benevolence which are spontaneously excited by the natural stimulants of human sensibility. The distinction is important, not only because it is frequently overlooked, but because it is sometimes exaggerated into a complete separation, if not a sort of antagonism. The real relation of the two must therefore be more fully explained.

I. It is true, there cannot be an obligation to *feel* benevolence, so far as that feeling is a purely natural excitement. Any natural feeling, of whatever kind it may be, — love or hate, joy or grief, hope or fear, anger or pity, — is excited by its natural cause ; and when the proper cause is not operating upon the mind, no amount of dictation will succeed in rousing any of these emotional excitements. To require a man to feel love or hatred for another who is not intrinsically lovable or hateful, would be as irrational as a demand that he should feel the taste of sugar when there is none of that substance at hand, or that he should hear a sound when there is no sonorous vibration striking the ear.

II. But this fact must be interpreted in view of the qualification by which it is restricted. Though in one aspect benevolence is a purely natural excitement, it is not so in all its aspects. Like all our emotions, it is to a large extent within the control of the will ; and this control is manifested in various ways.

1. Even though the feeling may be excited at first involuntarily by natural causes, the moment it appears in consciousness, it has entered into the



sphere of volition. It remains with us to cherish or repress it at will ; and a large part of moral life is occupied in thus increasing or diminishing or completely annihilating the force of the impulses which come from our natural sensibility.

2. But even the excitation of a benevolent feeling is not altogether beyond the will's control. Love is blind, says the proverb, but the same blindness is proverbially ascribed to all our passions : and the irrational infatuations by which men are often carried away into moral absurdities, are commonly due to the absence of any honest effort of intelligence to see the facts by which a more rational sentiment might have been produced. It is therefore frequently a man's own fault, if he is callously indifferent to those whose character is naturally fitted to waken grateful or other kindly sentiments, or if he allows hateful passions to arise in his mind towards others for causes which have no existence except in the hallucinations of his own fancy.

3. But there is another aspect in which benevolent and other emotions are under the control of the will, — an aspect which affects most profoundly the whole character of the moral life. Emotional activity is subject to the general law of habit. It is therefore possible, by repeated indulgence of any emotion, to create an habitual disposition which renders the outburst of the emotion easy, spontaneous, or even irresistible ; while another emotion may be starved out of existence by persistent repression of the indulgences which are its natural food. But the obligations connected with this culture of emotional

dispositions belong rather to the class of personal duties, which will be described in next chapter.

It appears, therefore, that while the moral obligation of benevolence is not to be confounded with a mere feeling, yet the benevolent feelings, so far as they are under the control of the will, form a factor of the obligation. It is not merely, as Kant has put it,<sup>1</sup> because, if it were not warmed by emotion, social morality would lose a great deal of its charm. There is a more imperative reason than this for cultivating the benevolent affections. Without them social morality would not only be a comparatively dull routine of uninteresting tasks; it would become practically impossible, for human life would lose the one powerful stimulus to the practice of social obligations.

Yet with all these explanations it remains indispensable to inculcate the fact, that the feeling of benevolence can in no form be made a substitute for the moral principle by which men extend a rational benevolence towards one another. This is true, whether the feeling of benevolence be a purely natural excitement or a product of rational guidance.

(1) This is particularly evident in reference to the natural form of the emotion. An act which is done simply under the impulse of natural feeling without any rational end in view is not a moral action. Not only is it non-moral, it is sometimes positively immoral. For the agent, or rather the patient, allowing himself to be impelled by the natural force of a blind passion, may produce results which he did not foresee, simply because he did not exercise his reason,

<sup>1</sup> *Metaphysik der Sitten*, in *Werke*, Vol. VII. p. 266 (Hartenstein's ed.).

but which he would have foreseen and restrained himself from producing, if reason had been called to his guidance. While this is clearly enough recognized in regard to passions of a sensuous or malevolent character, it is apt to be overlooked in the case of the more amiable feelings of benevolence. But all experience goes to show that the indulgence of these feelings without rational direction may often inflict a serious injury upon the very objects on whom they are lavished. This has always been proverbial with regard to the strongest of the natural affections — parental, and in particular motherly, love. Amid the complicated social evils of our time it has also become manifest, that the instinctive emotion of pity for distress is but a poor guide in philanthropic effort, leading often to an indiscriminating charity which is a wrong at once to the giver, to the receiver, and to society.

(2) But even the cultured sentiments of benevolence may assume a place to which they are not entitled in the direction of the moral life. The sentiment may lose its healthy tone and function as an inspiration to deeds of beneficence, and may degenerate into a maudlin sentimentalism that enervates practical energy. This tendency is perhaps a peculiar temptation of persons who have cultivated the degree of refinement necessary to enjoy the ideal indulgences of sentiment which are found in the study of literature and art. In such minds it may be feared that the essentially egoistic “luxury of pity” is not infrequently confounded with the nobler altruistic “luxury of doing good,” which is to be

purchased often only at the cost of distasteful and irksome labors.

The obligations of benevolence, then, in all their fulness, call for an active beneficence, enhanced by the genial warmth of a kindly sentiment. There are two spheres which afford large scope for exercising these obligations, — those of physical and of moral well-being.

With regard to the former, it has been already pointed out that the system under which the wealth of the world is distributed leads to perplexing inequalities; nor does it seem likely that these can be effectually removed, for a long time at least, by any invention of Politics or Jurisprudence. For the present, therefore, the remedy must be found, not in any attempt to enforce the bare obligations of justice, but rather in that spirit of a generous morality which does not wait till others come and claim their rights, but goes out to seek opportunities of doing good where no determinate claim can be made.

This is still more obvious with regard to the measures which are required for promoting the moral well-being of men. In former times universally, and in many countries still, these measures have been brought within the sphere of law by the establishment of national churches, by religion forming an element of national education, and by the suppression of all practices and teachings inconsistent with the national religion. But in all ages some of the most effective work in the moral warfare of the world has been done, not by the regular army, but by volunteers; and even the work of the professional soldiers de-

pends for its efficiency on an enthusiasm of goodness, which will not be satisfied with fulfilling the bare obligations exacted by justice, but is ready for any sacrifice to promote the moral elevation of men.

But the most effective benevolence is that which is displayed, not in efforts of a vague philanthropy, but rather in kindly language and deeds of love towards those with whom we are brought particularly into contact. And, therefore, while the weightier matters of the Law of Benevolence must, of course, receive chief consideration, a place in the social code must also be reserved for those obligations which are sometimes unfairly degraded below the moral stage of action altogether, or at best somewhat grudgingly admitted to recognition among the minor morals of life. These are the obligations of sociability — *officia commercii, virtutes homileticæ*. They involve, to begin with, an injunction to sociability in general, as opposed to an isolation and inaccessibility which would separate a man from all kindly relations with his fellows; and these relations themselves all point to the use of pleasing manners and address or to the avoidance of anything offensive in action or speech. These obligations, therefore, are all merely so many modes of manifesting that regard for others which constitutes a rational benevolence. Even the formalities of etiquette point to the same end. They may often be quite conventional; that is to say, different forms may equally well answer the same purpose, and actually do so in different countries. But it is necessary to have some regulation of manners in social intercourse; and the very object of such regulation would

be defeated if each individual were to be his own legislator. Consequently, however conventional the forms of courtesy may be, unless they are positively immoral, they acquire the force of a moral obligation when they are enjoined by recognized social authority. For even if they were nothing but graceful forms, still (as Kant says finely in speaking of them) "to associate the Graces with virtue is itself an obligation of virtue."<sup>1</sup>

Aristotle, at a loss for a term to denote the virtue of sociability, describes it as friendship without passionate affection — *φιλία ἄνευ πάθους καὶ τοῦ στέργειν*.<sup>2</sup> This may be too strong a distinction; for even courtesy, to be perfect, implies a general disposition to kindness: but certainly the intensest form of the benevolent virtues is found in that definite direction of benevolent sentiment which is understood by friendship. The student of ethical literature can scarcely fail to be struck by the fact, that friendship forms a much more prominent factor of the moral code in the ancient world than in the modern, in which it is treated rather as a mere sentiment; and when we recall some of the splendid examples of friendly devotion by which the moral life of antiquity was enriched, the query will naturally occur to the mind, whether modern life has not lost something which it would have been well to retain, by friendship losing its ancient moral dignity.

<sup>1</sup> *Werke*, Vol. VII. p. 284 (Hartenstein's ed.). It may be observed in relation to these obligations, that the moral life passes through the same evolution as in the case of others. Ruder civilizations often develop an elaborate code of external formalities which are enforced with punctilious scrupulosity, but which are greatly simplified with an increasing regard for their spirit. See Mill's *British India*, Vol. I. p. 421.

<sup>2</sup> *Eth. Nicom.*, IV. 6.

## CHAPTER II.

## PERSONAL DUTIES.

THESE obligations have for their immediate object only the individual himself upon whom they devolve, though indirectly of course they may affect others as well.

Sometimes an analogy is drawn between personal and social obligations by describing the former as implying a certain kind of justice. Occasionally this analogy strikes the popular mind, and finds expression in popular language. A man who violates his personal duties, as, for example, by the fatal excesses of intemperance or by the ruinous extravagance of spendthrift recklessness, suffers so often precisely as he would do from an injury inflicted by others, that it becomes natural and common to speak of him as doing an injury to himself. It is therefore, in popular phrase, often required of a man that he shall be just to himself as well as to others.

This analogy obviously rests on the patent distinction between the different aspects in which we may view ourselves. There is a higher self, represented by the universal reason of which we partake; there is a lower self, represented by the merely natural or non-rational impulses of our sensibility: and when a man's life is surrendered to the control of non-rational

impulses that overbear the decisions of reason, his lower self may with a certain truth be described as unjust to his higher self. This description is familiar to the student of Plato, being based on a general analogy, of which that philosopher is fond, between the individual and the State. On this view *δικαιοσύνη*, which might be rendered *righteousness* rather than *justice*, is the moral character attained by harmoniously regulating all the various powers of our nature, just as in the State *δικαιοσύνη* is secured by the harmonious co-operation of all the different classes of society.<sup>1</sup>

Still there is a real distinction between personal and social obligations. In fact, the moral history of mankind exhibits a certain struggle between them for primacy. This struggle does not arise from any inherent antagonism between the two spheres of duty, but rather from the inevitable finitude of man. With but a limited amount of energy at his disposal, in order to effectual work man is obliged to concentrate that energy upon a limited field; and consequently the interests of the moral life often render it imperatively necessary for an individual or for an age, that their moral efforts should be directed towards some specific end, — the suppression of one vice, the culture of one virtue. It is thus that the two spheres of moral obligation, though equally

<sup>1</sup> Plato's *Republic*, Book IV. Aristotle argues that a man cannot injure himself; but this is by reverting to the strict definition of justice and injustice, while he admits that, in view of the distinction between the rational and non-rational parts of the soul, a man may be unjust to himself (*Eth. Nicom.* V. 15). He also points out that there is a wide sense in which justice, or rather righteousness (*δικαιοσύνη*), is co-extensive with all virtue (*Ibid.*, V. 1.).



essential to the perfect moral character, may receive very unequal prominence in different individuals, or in the same individual at different times, or at different stages in the moral history of mankind.

For example, asceticism has commonly led to a certain isolation of the individual from society, either by his adopting the life of the recluse, or by some more moderate form of retirement. This is inevitably followed by a more or less complete abandonment of all the duties of civic life as well as those of an active philanthropy, and by a more or less exclusive devotion to personal culture. This direction of practical asceticism has been represented in those speculative ethical systems, like ancient Stoicism, which tend towards an ascetic view of the moral life.<sup>1</sup>

On the other hand, there is an opposite tendency, which also cramps the moral growth, to undervalue self-culture, and thus indirectly to retard the progress of social morality. If the ascetic is apt at times to waste his energies in morbid brooding over the salvation of his own soul, it must not be forgotten that every human being has a soul to save. He has to save his soul, indeed, by losing it, — to save his higher self by losing his lower ; but this higher self must be saved from the ruinous tyranny of the lower, if he is to be free to expand towards those universal aims which form the supreme end of life. It is this regard for self in the higher sense of the term, — this obligation to seek our own moral well-being, — that constitutes the essential nature of all personal duty. If, therefore, from one point of view, justice may include

<sup>1</sup> Zeller's *Stoics, Epicureans, and Sceptics*, pp. 301-308.

all virtue, it may, from another point of view, be said with equal truth, that all virtue is included in personal goodness. It is this truth that finds an exaggerated and one-sided expression in the egoistic theories of Morals; and Bacon saw this truth when, in "The New Atlantis," he ascribed to the people of Bensalem the saying, "That the reverence of a man's self is, next religion, the chiefest bridle of all the vices."

As the personal duties aim at the moral good of the individual on whom they devolve, — at the culture of humanity in his own person, — they may be appropriately classified, in reference to the different departments of human nature, as duties of bodily, of intellectual, and of moral culture.

### § 1. *Duties of Bodily Culture.*

In the low morality of savage life there is a certain care for the body, which is often trained to marvellous power and accuracy in some directions. But all this culture is hampered by a narrow moral ideal. The body of the savage is treated like that of a highly developed animal; and even under this treatment the ideals of savage life often lead to its degradation by being subjected to shocking tortures for the cultivation of endurance or of fashionable malformations.

When grander ideals dawn upon the mind, the body is apt to be treated as if it were merely the organ of animal life, and had no connection with the spiritual aims of humanity. This has been a feature of extreme asceticism, which in its more fanatical excesses has found a morbid satisfaction in horrid

forms of meaningless self-torture and disgusting filthiness of person. The progress of culture, whether mainly intellectual or mainly moral and religious, has brought a truer estimate of the function which the body fulfils in the life of man. The culture of the ancient Greeks, for example, which was predominately scientific and æsthetic, led to a study of physical beauty which reached almost the intensity of a religious cult. The civilization also of the ancient Hebrews, which was almost exclusively directed by moral and religious ideas, developed an elaborate code of sanitary provisions, that might have put modern legislation to shame two or three generations ago.<sup>1</sup>

In the modern world the progress of physical science and the spread of an acquaintance with its elementary teachings in common education have wakened a new interest in the external world and man's relation to it, while the progress of Physiology and Pathology has given a fuller control over the causes of disease and the conditions of healthy living. Religious faith must assume that the laws of nature are expressions of the Divine will; and therefore at the present day intelligent religious teachers unhesitatingly proclaim the duty of devout submission to the will of God as revealed in the laws of bodily life and health, while no body of educated men advocates any form of physical degradation as a road to Divine favor.

The duties of bodily culture imply an obligation

<sup>1</sup> The Parsee code deserves recognition for the same feature. See Gould's *Origin of Religious Belief*, chapter xi.

either to do, or not to do, certain actions ; and consequently they may be divided into two classes as positive or negative.

(A) *Negative* duties to the body are like those of justice, which are in fact apt to assume a negative form too ; they are of a more determinate character, specifying with some definiteness the precise actions which ought to be avoided. Thus, for example, the laws of bodily health form a physical foundation for duties, like those of temperance and chastity, which guard the body against injuries resulting from the ruinous excesses of sensuality. A ground is also laid for the prohibition of all meaningless forms of self-torture, like many of the horrible penances of the ascetic, which inflict physical pain without having, as in a surgical operation, any rational end in view. It may be said, then, that all intelligent moral codes are agreed in regard to the negative duties which require men to abstain from actions that are injurious to bodily health ; but with this general agreement in regard to what are comparatively minor injuries, it must on first reflection appear strange that any question should have been raised in reference to the extremest injury which can be inflicted on the body,—that of destroying its life. Here, however, we come upon what is perhaps the profoundest discrepancy that exists among moralists in reference to particular rules of conduct.

This discrepancy of opinion on the moral character of suicide represents in general the difference between the moral conceptions of Pagan antiquity and those of Christendom. It must not indeed be sup-

posed that ancient Pagan thought viewed the act of suicide universally with favor. Possibly popular sentiment may have been opposed to it as completely as at the present day; in fact, the laws of some Greek states seemed to indicate disapproval, probably on religious grounds. Among speculative moralists also, not a few illustrious authorities, from Plato and Aristotle down to Plutarch and Plotinus, opposed the legitimacy of suicide by various arguments, religious, political, and ethical.<sup>1</sup> But the action found a long line of illustrious champions among the moralists of the ancient world, some of whom gave an additional force to their speculative theory by carrying it very deliberately into practice. Nor was this championship confined to one school. It was perhaps most prominently associated with Stoicism. But to the Epicurean also, suicide appeared a legitimate and dignified way of escape from irremediable miseries. In fact, in one instance—that of Hegesias, the Cyrenaic—the Epicurean theory of the Sovereign Good was associated with a speculative pessimism which led to an eloquent advocacy of suicide as its logical issue in practice.<sup>2</sup>

It is evident, then, that a powerful current of thought in the ancient world tended towards a view of suicide very different from that which prevails in modern life; and there can be little doubt that this

<sup>1</sup> These arguments are summarized in Lecky's *History of European Morals*, vol. ii. p. 46. This work gives an admirable account of the views of ancient philosophers, as well as of the practice of antiquity. See vol. i. pp. 223-235, where the student will find also numerous references to ancient authorities and modern monographs on the subject.

<sup>2</sup> Cicero, *Tusc. Disp.*, i. 34.

change has been mainly due to the influence of Christianity. The modifications which Christianity has wrought in the moral consciousness of men, have been already ascribed rather to a general change in the point of view than to specific teachings on particular subjects. In the present case, though the New Testament contains no deliverance on suicide, the whole attitude of Christian thought revealed itself in the unequivocal condemnation of Pagan theory and practice, — a condemnation which has been uniformly sustained from the time of the early Fathers. While various minor influences at work in Christianity may have contributed partly to this result, it has been mainly brought about by the radical change of view which Christianity has produced in reference to the sufferings of human life. It is true that under Paganism at times Stoical apathy met these evils with a kind of noble endurance, which restrained the sufferer from a sudden resort to the relief of suicide, and softened for him the blows of fortune. The sentiment of Horace is in fact not uncommon in ancient literature : —

“ *Levius fit patientia  
Quicquid corrigere est nefas.*”

But this patient attitude never gets beyond the dogged endurance of a fate against which it is futile to struggle or complain; it never rises to the invigorating confidence which not merely submits to the trials of life as inevitable, but accepts them with a cheerful and even grateful conviction that they form the wise discipline of an Infinite Love that is invariably working for our good.

Occasional discussions in modern times, like Hume's Essay on Suicide, have revived the tone of ancient Paganism in the treatment of the subject; but they have had little effect in checking the general current of Christian thought.<sup>1</sup>

(B) But personal goodness implies not merely the negative virtue of abstaining from voluntary acts or negligences which are injurious to the body; it requires also that *positive* care for its health, which will make it an effective instrument of our highest welfare. Of course all such positive effort is limited by physical conditions; and many a noble man has been obliged to carry on the work of his life amid an heroic struggle against bodily infirmities, — results of accident, or other causes, like heredity, beyond his control. But even in such cases intelligent moral principle, guiding the daily habits, may go a long way towards neutralizing physical disadvantages; and not a few instances are on record of men like Kant, who with a comparatively feeble *physique* have yet succeeded, not only in living a long life, but in filling it with labors of the highest value to the human race.

This general obligation to maintain the body in healthy vigor assumes the form of a more special duty in consequence of the fact, that nature does not spontaneously supply the means of physical well-being, but compels men to procure these by labor. For the vast majority of mankind this implies the adoption of an industrial calling, by which the means of living are secured. In the pursuit of such a call-

<sup>1</sup> The influence of Christianity in modifying opinion on this subject is fully discussed by Mr. Lecky in Vol. II. pp. 46-65.

ing there is often engendered an excessive craving for material wealth ; but contentment with extreme poverty may impede moral development quite as effectually. Men must enjoy a certain relief from the urgent clamor of bodily wants before they can aspire to spiritual culture in any form ; and there is therefore a sound moral intelligence in the wish which shrinks from both extremes of poverty and riches, and seeks merely what is sufficient for the purposes of life.<sup>1</sup>

The duties of a special calling give, as a rule, a certain degree of definiteness to the bodily training that is imposed upon each individual, by pointing to certain forms of sensitive acuteness or of muscular strength or skill either as being indispensable to his peculiar work or as tending to enhance its value. For we are thus brought back to the fact, that the body is the material organ of a higher life, — an instrumentality on the condition of which depends the quality of the intellectual and moral work we are capable of doing in the world. Thus the duties of bodily culture are seen to be imposed by the demands of spiritual life ; and therefore they lead to the duties of intellectual and moral culture, which they subserve.

### § 2. *Duties of Intellectual Culture.*

The culture of intellectual power is very often treated as if it were the business merely of certain special occupations, — the learned professions, as they are commonly called ; and in many minds it would excite surprise to speak of such culture as a duty of

<sup>1</sup> Prov. xxx. 8, 9.



men in general. But it is neither the obligation nor the privilege of any class of men to monopolize the advantages of the intellectual civilization of the world. There are other occupations, which require as extensive learning and as high intellectual energy as the professions that are specially distinguished in popular language; while there is, in fact, no calling in life, no rank in society, which may not have its worth enhanced by superior intelligence, and degraded by ignorance and stupidity.

But it is not merely in the special occupations of a man's life that he finds scope for intellectual culture. Every man is something more than a specialist: a considerable part of his life must always be made up of the general activities of a human being. Even those activities which are apt to be set apart from all serious moral interests, as mere amusements, afford sufficient opportunity for intelligent selection. Much of the common degradation of humanity may be traced to the want of that culture which enables men to find the purest relief and recreation from professional tasks in intellectual pursuits, — in the enjoyments of literature, or science, or art. But it is in regard to the moral obligations of life that the most imperative demand is made for the direction of cultured intelligence. In this aspect, however, intellectual culture becomes a branch of moral culture.

### § 3. *Duties of Moral Culture.*

Moral culture is that realization of the moral law in human life, which is denoted by the term *virtue*; and

as this is the ultimate end of moral existence, it forms an appropriate close to a treatise on moral science. In accordance with the plan sketched at the opening of this Book, this subject is reserved for the concluding Part.

## PART III.

### VIRTUE.

As already defined, virtue is the realization in subjective experience of the objective law of duty.<sup>1</sup> Virtue is, therefore, a law governing the subjective life. It is not, however, a law imposed by nature, — an *instinct*; it is a law adopted freely by reason, that is, a *habit* formed by intelligent volition.

The explicit recognition of this fact is due mainly to Aristotle, and it forms one of the many merits of his ethical speculations. But his presentation of the fact is somewhat imperfect; his own doctrine is qualified by appearing in contrast with that of Socrates. The Socratic doctrine made virtue a cognition, γνῶσις; and Aristotle very truly points out that it is not a purely intellectual act, nor even a single act of any kind, but a habit, ἔξις, acquired by repeated practice. The two doctrines, however, are not antagonistic; and we shall find that Aristotle himself recognizes a certain truth in the doctrine of Socrates. For the

<sup>1</sup> Professor Sidgwick has a chapter which gives an elaborate explanation of the distinction between *virtue* and *duty*, and points to some subtle shades of meaning involved in peculiar uses of these words (*Methods of Ethics*, Book III. chapter ii.). An old word, Aretology, which is literally equivalent to the German *Tugendlehre*, would be an appropriate name for this part of Ethics, though it should be noted that in Greek ἀρεταλογία had a similar meaning to that of ἠθολογία. See above, p. 2.

habit of virtue must, like the moral consciousness,<sup>1</sup> extend over the whole range of conscious life. Now, in accordance with the Psychology of his time, Aristotle distinguishes two spheres in the life of the soul, — one rational, the other non-rational: and to each of these he assigns a separate excellence, or virtue; the former yielding what he calls the Dianoëtic Virtues, that is, the virtues that are purely intellectual, while the latter forms the ground of those virtues which he names Ethical.

But the truth is, that Plato had already pointed to the same line of thought, and had elaborated on that line what was probably the first, and is probably also the most famous, scientific classification of the virtues. In this classification, reason — the rational or governing faculty of the soul — was conceived as capable of directing itself as well as the non-rational passions; and this self-direction of reason constitutes the virtue of Wisdom or Prudence, *σοφία* or *φρόνησις*. Among the passions was recognized a distinction, to which reference will be made again, between those of which the general type is a craving for pleasure (*ἐπιθυμία*), and those involved in the rebound of our sensibility against pain (*θυμὸς*): and in Plato's system the rational control of the former constitutes the virtue of Temperance (*σωφροσύνη*); of the latter, the virtue of Courage (*ἀνδρεία*). Finally, a perfectly regulated moral character, in which all these virtues are developed in due proportion, forms the supreme virtue of Righteousness (*δικαιοσύνη*) in the largest sense of the term.

<sup>1</sup> See above, p. 30.

Plato's classification obtained general currency among the moralists of the ancient world, especially in the Stoical school.<sup>1</sup> It was also adopted by the moralists of the Christian Church, among whom the four types of moral excellence came to be known as the Cardinal Virtues;<sup>2</sup> and it continued to hold its place, at least in popular and practical treatises, down into modern times. The principle of the classification is thoroughly scientific, and needs only to be modified by the requirements of modern science. Psychology now commonly recognizes three great spheres of mental life, and morality must extend its influence over the whole of these: it must become an habitual disposition of knowing and feeling and willing. This, however, is to be borne in mind, that habit, as formed by voluntary activity, is always a habit of willing, though it be a habit by which the will has been trained to control the direction of knowledge and feeling as well as of the will itself.

There are thus three aspects in which virtue may be viewed, and to each a separate chapter will be devoted.

<sup>1</sup> Cicero even puts it into the mouth of Torquatus the Epicurean in *De Fin.*, I. 13-16.

<sup>2</sup> This designation seems to have been applied to these virtues first by St. Ambrose (*Sidgwick's History of Ethics*, p. 44).



## CHAPTER I.

### VIRTUE AS AN INTELLECTUAL HABIT.

So far as it is a habit of cognition, virtue may, of course, be fostered by the general training of the intellectual powers; for it is an elementary principle of educational science, that the primary object of education, so far as it deals with the intellectual powers, is to cultivate these so that they may be applied with success to any subject that may be taken in hand. Still, even the finest intelligence requires a certain familiarity with any region of truth, in order to comprehend it clearly and readily; and numerous instances occur in daily life, of men, gifted with more than common intelligence, who yet display a certain obtuseness in departments of knowledge with which they are wholly unacquainted. The general culture of intelligence, therefore, is no absolute security against the dangers of moral ignorance. All that can be said in regard to the moral value of such culture is, that it equips its possessor for grappling successfully with the complicated problems of moral life; while many men, though endowed with good feeling and strong will, are yet apt, from want of such culture, to form very narrow conceptions of duty, or even to be at times misled into serious moral blunders.

The value of ethical knowledge for a life of virtue has, therefore, never been denied or ignored ; it has rather at times been exaggerated. This was the case with the doctrine of Socrates, — that all virtue is essentially knowledge, and all vice ignorance, — a doctrine which influenced the ethical speculations, not only of his immediate followers, but of all subsequent moralists, especially of those in sympathy with Stoicism. It cannot indeed be denied that, with explanation, a certain amount of truth may be elicited from the Socratic doctrine. It is obvious that low morality in action is in general connected with a low moral intelligence. From personal experience, moreover, every man knows that, however clear and exacting his conscience may be in ordinary circumstances, there are times when it is warped, or obscured, or even wholly blinded, by passion ; and a plausible defence may be set up for the theory, that in the crisis of any vicious action, the agent does not in reality know the wrong he is doing. A genuine knowledge of right and wrong, it might be urged, must in all cases so determine the sentiments and so direct the will, that no room would be left for any action out of harmony with the knowledge of the moment. Even Aristotle, while combating the Socratic doctrine, recognizes the truth which it embodies, and contends that the vicious man does not act with knowledge, in the highest sense of the term.<sup>1</sup> On this interpretation, however, knowledge must be understood in a special and profounder sense

<sup>1</sup> *Eth. Nicom.*, VII. 3, 14. The whole of the first three chapters in Book VII. are interesting in this connection.



than is commonly attached to the term as denoting a merely intellectual act without reference to its emotional or volitional accompaniments. In this profounder sense it would imply an assent, not merely of the intellect, but of the whole nature,<sup>1</sup> to the moral law.

It is obvious, then, that virtue must always imply a conscience trained into a habit of quickly and clearly discerning what is right in the varying situations of life. Here, however, we are met by a problem which seems to raise a formidable difficulty. By some it has been questioned whether the conscience can be educated, and the negative has been asserted by eminent writers.<sup>2</sup> On the whole, the question is either a mere dispute about the meaning of the word *conscience*, or it resolves itself into the general controversy about the nature of the moral consciousness. If that consciousness is of purely empirical origin, it is of course wholly a product of education, of evolution in time. On the other hand, if in any sense its origin transcends the processes of time, then in that sense it cannot be educated. No faculty or organ can receive from education the function which belongs to it by its very nature. You cannot, it is said truly, educate the eye to see or the ear to hear. In like manner, if conscience is to any extent a native faculty of the human mind, you cannot by education impart to it the function which it possesses in itself. But

<sup>1</sup> Compare Lorimer's theory of conscience in his *Institutes of Law*, Book I., chap. vi. The student might find an interest in tracing the later ethical and theological developments of the terms *γνώσις, σοφία, πίστις*, in the Moral and Religious Philosophy both of Pagan and Christian thinkers.

<sup>2</sup> See Calderwood's *Handbook of Moral Philosophy*, p. 81.

the truth is, the proper function of conscience is not to discern the difference between right and wrong in the abstract, but to apply the abstract law of right to concrete cases, and to discern what it demands in the varying contingencies of daily life. This function of conscience can be educated or trained, and all the difference between a good and a bad man may sometimes lie in the difference of this education.

This education may be viewed either in its general or in a more special aspect.

### § 1. *General Education of Conscience.*

Moral cognition is realized mainly in that habitual function of conscience which has just been described, — the habit of interpreting all the actions of life in the light of the supreme moral law. That is merely another way of saying that, in order to perfect virtue, the mind must be trained to think habitually of human actions in reference to an absolute moral obligation, — an obligation which demands unconditionally that they shall or shall not be done. Even Utilitarians acknowledge that our moral training never reaches its noblest term until we cease our hesitating calculations about the utility of right actions, and learn the habit of prompt decision to do what is right without a thought of the consequences, simply because it is right.<sup>1</sup>

This is the ultimate limit that is reached by many minds in the intellectual culture of conscience; and it is impossible to deny the nobleness which may

<sup>1</sup> See Mill's *Utilitarianism*, pp. 349-353 (Amer. ed.).

often be found in a practical morality that is content to recognize the absolute obligation of right without seeking any ulterior ground of that obligation.<sup>1</sup> The same fine type of mind may be discovered in many other limited fields of mental life, though it is evident that reason cannot permanently or universally refuse to pass the limits within which it is in such cases confined. A man may display the purest mathematical genius while he is allowed to start with the definitions and postulates and axioms of Geometry as *data*, as principles granted; but he may be hopelessly puzzled if he is required to face the questionings of speculative thought with regard to the foundation of these principles. In like manner every one of the special sciences allows its students to assume a considerable body of truth without being obliged to know anything of its ultimate foundation. And the same limitation is perhaps more frequently met with in the various arts. All through the practical life of the world, men are found who acquire the utmost expertness in working out the rules of their art, while these rules remain mere empirical facts of which they can give little or no scientific explanation.

It need not therefore be matter of surprise, that in the art which is the common concern of all men there should often be found a clear knowledge of the rules of right living, along with a ready tact and a firm will in applying them to practical life, but without any

<sup>1</sup> "Such knowledge of the *transcendental*, immeasurable character of Duty, we call the basis of all Gospels, the essence of all Religion: he who with his whole soul knows not this, as yet knows nothing, as yet *is* properly nothing." — CARLYLE, *Essays*, Vol. III. p. 85 (ed. 1857).

interest in the problem of their ultimate foundation. It is obvious, however, that, in this as in the other arts of life, it is impossible to prevent the philosophic mind from inquiring into the meaning and reason of the rules adopted. The very existence — the permanent practice — of any art depends on the vindication of its rules by connecting them logically with some rational principle. The very existence of morality, therefore — the continued practice of the moral law — would be imperilled, if it could not face the most searching inquiry into the origin and basis of its obligation. It may be said indeed, that the moral life can never be completely paralyzed, for it is simply one phase of the life that is essential to man as a rational being ; but the moral growth may in many particular cases be stunted, and its noblest fruits prevented from reaching maturity, by the withering influence of theories which ignore or deny, which question or explain away, the essential nature of the moral law.

Now, we have seen that the peculiar characteristic of that law consists in the fact of its unconditional obligation. But we have also seen that a purely empirical or naturalistic system of Ethics leaves no room for any obligation of the kind. On such a system the moral life of man becomes merely a part of his natural life, every action of his is simply an event resulting from the forces of nature working in accordance with unvarying laws. If this be the case, then it is an idle dream to imagine that any man, in the conditions under which he is placed, could ever act otherwise than he does act. The laws of nature de-

termine with absolute certainty how he is to act in every situation of his life, and thus exclude the possibility of any law which could really require him to act otherwise. It is true, by that power of imagination which often disregards natural conditions we may create an ideal life different from any actual, we may fancy ourselves under an imperative obligation to act up to this ideal, and free to obey this obligation. But our ideal remains a mere ideal. The obligation, which we thus imagine, is not a real fact; it is a mere fiction. The only reality which this ideal represents is the subjective act of imagination by which individuals create the beautiful fiction for themselves; and the only reality in moral obligation is the subjective impulse of the feeling which an individual may entertain, that, if unfortunately the conditions of the moment should determine his actions otherwise than his ideal represents, he or others will probably suffer some pain or be deprived of some pleasure. But the moral law, being thus reduced to an *ideal* fiction of particular minds, can no longer be regarded as a *real* law of the universe; and, instead of attempting to satisfy scientific intelligence by showing that there is a certain sense in which obligation may still be predicated of a subjective feeling after all real obligation as an objective fact has been explained away, it is more in accordance with the demands of scientific exactness to maintain frankly, as many naturalistic moralists have done, that moral obligation in any real sense of the term, that is, any obligation to act otherwise than you are naturally determined, is a meaningless phrase.

If, then, the moral law is a real law of the universe, and its obligation is a real fact, it must transcend the laws of nature by which our natural life is determined; and the moral consciousness of man, in grasping such a law, brings him into touch with an order of things which transcends the order of nature. That transcendental order, however, implies not merely an invariable series of phenomena, extended through space and flowing on through time; nor does it imply merely a Supreme Force producing these phenomena in invariable order without any consciousness of what It does. The moral order can be a reality only if there really is a Perfect Reason who knows the law of a perfectly reasonable life, and who, as Himself the realization of that law, imposes it upon all reasonable beings. In such a Supreme Reason the moral order, which for us is an ideal to be realized, becomes a reality eternally existent; and the infinite authority of the moral law becomes the authority of an Infinite Being, in whom wisdom and righteousness are perfectly realized. Thus the moral consciousness is not completely satisfied with the lifeless abstraction of duty as an infinite obligation. It demands to know what this infinite obligation means as a living fact, and it finds the vitalizing force of the fact in the authority of a perfectly wise and righteous Being. The moral consciousness thus passes over into the religious consciousness; the consciousness of duty reaches its culmination in the consciousness of God. Nature, awed by the grandeur of the moral revelation, sees clearly that she must have derived it from a source transcending her own limits.

“ I knew not yet the gauge of time,  
Nor wore the manacles of space ;  
I felt it in some other clime,  
I saw it in some other place.  
’Twas when the heavenly house I trod,  
And lay upon the breast of God.”<sup>1</sup>

This elevation to the divine point of view is facilitated and confirmed by the fact that the moral consciousness is not the only path by which the human mind makes this ascent. The various lines of thought, which lead to the Supreme Intelligence, are commonly spoken of as Arguments for the Existence of God. The examination of these would carry us away from the immediate problems of Ethics into those of Theology. Here it need only be observed that these so-called arguments are apt to be misunderstood and depreciated by being treated as arguments in the ordinary sense of the term. An argument, as formulated in the logical syllogism, is a procedure by which intelligence passes from one finite phenomenon or set of finite phenomena to another ; and it is impossible to put into the same formula the procedure by which intelligence rises beyond the sphere of the finite altogether into that of the Infinite. This procedure may be represented as running along various lines, such as those of teleology and ontology, as well as that of the moral consciousness. But substantially all the so-called arguments are merely different statements of the same truth, that all intelligent activity assumes that its object is part of an intelligible system, and that therefore all the objects of the intel-

<sup>1</sup> From Matthew Arnold's lyric entitled *Mortality*.

ligible universe are comprehended within the consciousness of a Supreme Intelligence. This is in reality "that primordial truth which transcends all proof," — "the truth which transcends experience by underlying it."<sup>1</sup> These phrases from the most elaborate exposition of Agnostic Evolutionism in our day express a fact which has been more or less explicitly recognized by all the great thinkers of the world, — the fact that all processes of intelligence, whether we call them proofs or experiences, or by any equivalent name, imply a truth which is not a mere particular conclusion reached by one or some of themselves, but is an universal postulate, without which they would all be meaningless and futile. It is surely little short of a contradiction in terms to maintain, that all those processes of intelligence, by which the universe of reality is becoming more intelligible to human beings from age to age, postulate, as their universal implication, that, in its final analysis, the reality in the universe is something absolutely unintelligible.

But we are not concerned so much with the general validity of the procedure by which human thought rises to the Supreme Intelligence who is manifested in the intelligibility of the universe: we are interested in the procedure, mainly as the method by which the moral consciousness is elevated to a clear cognition of duty in its essential nature as an unconditional obligation. Obviously, the mind is by this procedure liberated from the bias of sectional prejudices, and raised to the universal point of view,

<sup>1</sup> Spencer's *First Principles*.



in estimating actions. It learns to see them "*sub specie æternitatis*," to scan them as they may be supposed to appear to the Infinite Intelligence. The value of this mental attitude for the moral life has in all ages met with recognition. Even in ancient Pagan literature, that is a normal and not infrequent sentiment, which has been expressed by Cicero:— "Nemo vir magnus sine aliquo afflatu divino unquam fuit." <sup>1</sup>

But the value of the religious attitude for the moral purposes of life could not be more strikingly evinced than in the various attempts of modern scepticism to construct a religion that will give a moral inspiration to life, without assuming the existence of any Supreme Object of worship. Even Mr. Mill, with all the extreme caution of his Empiricism, though he denies that we have any *knowledge* of realities corresponding to the ideals of religious belief, yet advocates the indulgence of *imagination* in the sphere of these ideals, as a legitimate stimulus to moral endeavor.<sup>2</sup> It was, perhaps, the same idea that Voltaire intended to express in the coarser phrase, that, if there were not a God, it would be necessary to invent one.

For the purposes of the moral life, however, religious aspiration must not be allowed to evaporate in a vague abstraction of the divine, separating it completely from the concrete interests of human life. For practical religion and morality the highest value must be attached to instances of noble human action, which illustrate the application of the moral law. In

<sup>1</sup> *De Natura Deorum*, II. 66. Compare Seneca's "Bonus vir sine Deo nemo est" (Epist. IV., 12, 2).

<sup>2</sup> Essay on Theism, Part V.

the writings of the ancient Stoics, not only are the abstract precepts of the Stoical code embodied in numerous examples of moral heroism, but to supplement the fragmentary nature of such illustrations, it was common to embody the complete requirements of practical wisdom by sketching an ideal wise man. This may help us, partially at least, to understand the vast influence which Christianity has wielded over the moral destinies of man, by holding up as the ideal of faith and practice a Person who is conceived to be the incarnation of God,—the perfect embodiment of the Divine will in human life. It is not for us to discuss the historical reality of this conception. It is sufficient here to recognize the fact, that a Person so conceived has been regarded in Christendom as the proper object of worship for all mankind; and even those who are sceptical as to the historical foundation of the Christian faith, can yet recognize the reality and the value of its influence upon the moral life of the world. “The most valuable part of the effect on the character, which Christianity has produced by holding up in a Divine Person a standard of excellence and a model for imitation, is available, even to the absolute unbeliever, and can never be lost to humanity. . . . Religion cannot be said to have made a bad choice in pitching on this man, as the ideal representative and guide of humanity; nor, even now, would it be easy, even for an unbeliever, to find a better translation of the rule of virtue from the abstract into the concrete, than to endeavor so to live that Christ would approve our life.”<sup>1</sup>

<sup>1</sup> Mill, *Ibid.*

§ 2. *Special Education of Conscience.*

All the methods of educating conscience must have for their object to cultivate the habit of interpreting actions in the light of the universal standard. It is obviously impossible to enumerate all the means which may be usefully employed for this object ; for all the daily routine of a man's life — his social attachments and the habits of his solitude — may be regulated so as to promote the supreme end of his existence. It is the function of the practical moralist and the practical teacher of religion to suggest rules that are likely to be generally useful. But every intelligent man is apt to form particular rules for his own guidance ; and though he may never dream of imposing them upon others, it is in general desirable that he should enforce their obligation upon himself, as long as they fulfil their purpose.

We have seen, however, that the consciousness of duty in its infinite obligation is rendered clearer and stronger by being viewed as the law of an Infinite Mind ; and, consequently, one chief method of educating conscience is to live as if ever in the presence of this Omniscient Judge. Accordingly, this general method entails all the specific acts which serve as means of carrying it into effect. These are the acts which go by the name of *worship*. The essential nature of these acts is indicated by the literal meaning of the term. *Worship* is *worthship*. Like a word of kindred import, *honor*, it may be employed either as a noun or as a verb ; and in this latter use it denotes any action which recognizes the “worth-

ship" of its object. In this general sense a man may be said to worship fame, pleasure, money, etc., when his life shows that he attaches supreme worth to these objects. In like manner, a man worships God when he seeks communion with the perfect wisdom and goodness of the Supreme Intelligence, and thus recognizes such communion as the object of highest worth in life.

Such worship may assume either a more general or a more special form. In the first, it embraces the general tenor of the worshipper's life. When a man lives so as to show that his conduct is inspired by Divine aims, — that the spirit which directs his life is in communion with the Infinite Spirit, — then his whole life may be truly described as a continuous worship of God. In relation to this, the more specific acts of worship may be viewed, either as effects or as causes, — either, on the one hand, as *expressions* of a life-worship, or, on the other hand, as *means* towards its cultivation.

For religion as well as for morality, it is of infinite importance to preserve an indissoluble connection between the formal acts which are specially designated by the name of worship, and that general activity which gives the character of true worship to the whole life. The deterioration of all religions has, in fact, arisen from the dissociation of the two. This is offensively obtruded in most of the polytheistic religions, in which the moral element is either entirely lost, or supplanted by rites that are often essentially demoralizing. The same degeneration of religion is illustrated in the history of Judaism, as shown espe-

cially in the reiterated protests of its prophets, — the prophets becoming thus truly prophetic of Christianity, whose essential spirit demands that religion and morality should permeate each other. Still, notwithstanding the essential requirements of the Christian spirit, it is appalling to observe the frequency with which, all over Christendom, a certain scrupulous religiosity may be found in union with unscrupulous immorality. And, therefore, it becomes an indispensable discipline in moral culture, while grasping firmly the universal ideals of religion, to connect them indissolubly with the particular requirements of every-day morality. That is a noble parable, which has come down to us from Oriental antiquity, — the story of Abou ben Adhem, who, finding his name omitted from the roll of those who love God, requested the Recording Angel to enter him as one who loved his fellow-men, and, on the Angel returning from the Seat of Judgment, was rewarded by seeing his name at the head of the roll.

## CHAPTER II.

## VIRTUE AS AN EMOTIONAL HABIT.

THE moral consciousness, as we have seen, is not a purely intellectual activity ; it contains an element of emotion. Virtue, therefore, as the perfect development of the moral consciousness, must in one of its aspects be a habit of emotional life. In this aspect, however, it may be both negative and positive ; for it requires the repression of emotional excitements that are dangerous to moral welfare, as well as the cultivation of feelings that are naturally purifying and of enthusiasms that are ennobling.

§ I. *Negative Emotional Culture.*

The natural impulses which are most inimical to the moral welfare of man may, with an accuracy sufficient for our purposes, be considered under two heads as the *sensuous* and the *unsocial*. The former are mainly, but not exclusively, an impediment to the personal virtues ; the latter, to the social. A division of this general purport dates back as far at least as the time of Plato, with whom it formed a basis for part of his classification of the virtues.<sup>1</sup> The distinction was expressed by the terms *ἐπιθυμία* and *θυμὸς*.

<sup>1</sup> *Republic*, Book IV. See above, p. 348.

It influences also the treatment of the virtues by Aristotle,<sup>1</sup> and runs through most of the ethical literature of the ancient world. Even modern moralists have not been unwilling to make use of it in their descriptions of human nature. For example, Hutcheson, referring to the two terms just mentioned, in which it was expressed by the Greeks, indicates with a rough force their respective significations: — “prior voluptatis spectat adeptionem, posterior doloris depulsionem.”<sup>2</sup> The one leads the individual to seek the gratifications connected with his bodily sensibility; the other comprehends those irascible impulses which repel injury.

We need not discuss this distinction, either in its history, or in its psychological basis, or in all its ethical applications. It is here taken simply as a fair indication of those emotional excitements which it is specially important to control in the interests of the moral life.

(A) *The Control of Sensuous Impulses.* — It is unfortunate that this form of self-control, though it is such a prominent factor of moral character, finds no adequate expression in English, such as is given in the Greek *σωφροσύνη*, at least from the time of Plato. The term *moderation* is too extensive; and *temperance*, though in etymological meaning equally vague, has in English usage fallen into the opposite defect by being generally limited to the control of the two most common appetites of hunger and thirst. *Continence* is open to a similar objection, as it is ordinarily

<sup>1</sup> See, e. g., *Eth. Nic.*, VII. 6.

<sup>2</sup> *Philosophiæ Moralis Institutio Compendiaria*, I. 1, 6.

restricted to the control of sexual appetite. Still, if we must speak of the virtue in question under one word, there does not seem any recourse but to the old term *temperance*, leaving it to be understood that it denotes a rational control over all the indulgences of bodily sense.

All the pleasures of sense may of course act as impulses to the will ; but all are not equally perilous to the moral life. In fact, some might by the moralist be treated as worthy rather of stimulation than of repression, though these will be found worthy of this more liberal treatment, not so much for the sake of the organic gratification which they yield, as rather on account of the readiness with which they call into play the activities of the mind. This distinction may be taken as indicating what are the precise forms of sensuous gratification in the indulgence of which temperance is specially demanded. There are some sensations which are not readily brought into association or comparison with one another, and which therefore absorb our consciousness in the mere excitement of the sensitive organ. Such are nearly all forms of general sensibility, and, among the special sensations, those of taste and smell, particularly the former. On the other hand, there are sensations, like those of sight and hearing, which at once lead our consciousness away to the intellectual combinations which they readily form and therefore readily recall.<sup>1</sup> These are the sensations which are peculiarly characteristic of man as a rational being ; the others are associated with his life as an animal. It is evidently

<sup>1</sup> See my *Handbook of Psychology*, p. 117.



the rational control of the latter that is commonly thought of as forming the virtue of temperance.<sup>1</sup>

Nor is it difficult to understand why this form of self-control should be considered such an indispensable factor of virtuous character. All virtue — all moral culture — aims at elevating man above a merely animal existence; and consequently any tendency to subject man to domination by the cravings of his animal nature must be directly hostile to all morality. It is hostile to the personal virtues, for these imply that the life is governed by rational principles, not by impulses that are merely natural or non-rational; and certainly of all natural impulses those are farthest removed from any rational origin, which have their source in the wants of animal life. But the tendency in question is equally incompatible with the social virtues. For bodily pleasures, as such, that is, pleasures which are wholly derived from the agreeable excitement of a bodily organ, are necessarily the pleasures merely of the individual whose organ is excited: in other words, they are essentially selfish. Accordingly intemperate indulgence in such pleasures, while directly destructive of personal virtue, is indirectly unfavorable to the social virtues as well. But for the culture of these it is more important to acquire

(B) *Control of Unsocial Impulses.* — These are the various forms of that irascible disposition, which even in moderate explosions tends to dissociate men, while its more excessive outbursts inevitably produce a rupture of social bonds, and spread desolation over human

<sup>1</sup> Compare Aristotle's *Eth. Nicom.*, III. 10.

life. Now, in connection with the duties of benevolence it was shown that even the most amiable affections require to be controlled by rational principle. It is obvious, therefore, that such control is much more imperatively demanded in the case of that natural impulse to which all forms of hatred are due. It is not of course to be denied that the natural impulse of resentment, when restrained within rational limits, serves an useful purpose in society. As an emotional reaction against injury, it forms a powerful check upon the wrong-doing by which it is naturally excited; and it is not desirable to weaken this check by cultivating a morbid softness of temperament, which cannot be roused into healthy indignation at wrong.

But with this admission it is impossible to ignore the frightful excesses to which an irascible disposition is liable, and the appalling havoc which they make in social life. These excesses are met with in both of the forms in which resentment is commonly manifested. It has long been observed that sometimes resentment is a purely instinctive feeling, suddenly excited by any hurt that may be wholly accidental, while at other times it is a deliberate sentiment evoked by the consciousness of intentional injury.<sup>1</sup>

The instinctive feeling is apt, under excessive indulgence, to assume two distinct types. It may appear as that "quickness of temper" which is rapidly excited, sometimes to extreme violence, by any cause, however trivial, but quite as rapidly dies away.

<sup>1</sup> See my *Handbook of Psychology*, pp. 378, 384.

Or it may become a chronic fretfulness of disposition, which is easily irritated by every petty annoyance, and often renders its subject an intolerable nuisance in society. On the other hand, resentment can be deliberately cherished only when the mind is conscious of an injury as intentional. But this consciousness does not imply that there has been any real injury; it may be founded on a pure hallucination, and frequent or excessive indulgence of resentment is apt to create a tendency to imagine injury when there was obviously none in reality. It is this tendency that produces the passions of envy and jealousy, as well as that general uncharitableness of disposition which perverts the judgment to put the worst construction that can be invented upon the actions of others. Sometimes deliberate resentment is provoked by a real injury, but its justice is neutralized by its excess. The intensity of indignation manifested is often wholly out of proportion to the offence that is resented; often a malicious grudge continues to be cherished after a full apology and full reparation have been offered.

The disastrous effect of these abuses on social morality renders rational control of the irascible temperament a peculiarly essential feature of the virtuous character.

The question has been raised, whether this form of self-restraint is a more essential element of virtue than the other. Aristotle held that intemperance, that is, want of control over *ἐπιθυμία*, is a more disgraceful vice than an ungovernable temper, that is, want of control over *θυμὸς*.<sup>1</sup> His reasoning, though antique in form,

<sup>1</sup> *Eth. Nicom.*, VII. 6.

is not without a certain permanent interest from grasping some of the fundamental principles on which such a question must be discussed. It may also be admitted that, whatever may be the speculative theory on the comparative immorality of the two forms of licentiousness, the practical attitude of modern society in relation to the two corresponds with the decision of the ancient moralist. Still, it may fairly be questioned whether this attitude is wholly defensible, — whether it does not rather represent a tendency, not, indeed, to overestimate the virtues of temperance, but to belittle the comparative demerit of offences against the virtues of good temper. It is easy to understand how, with the military ideal of virtue which prevailed in the Pagan world, the judgment of Aristotle should have been readily accepted. But in the Christian ideal there is a prominence given to the virtues of “love, joy, peace, long-suffering, gentleness, goodness, meekness,”<sup>1</sup> which it is not easy to reconcile with the rank hitherto assigned to them in the practice even of Christendom.

### § 2. *Positive Emotional Culture.*

As there are some excitements to be wholly repressed, or held under rigorous check, as dangerous to moral welfare, so there are others whose influence is on the whole favorable to virtue, and deserves, therefore, to be cherished and strengthened. The tendency of these emotions is generally to promote social or personal morality, and they are seldom liable to dangerous excess; in fact, the faulty extreme, to which they *are* liable, is very often rather that of

<sup>1</sup> Gal. v. 19-23.

defect. The nature of these valuable emotions will readily occur to the reflective mind.

In the first place, there are many emotions which may be cultivated with advantage as directly counteractive of the sensuous and the unsocial impulses whose injurious effects have just been described. For instance, the cravings of a morbid physical sensibility may, in many cases, be overcome by healthy physical enjoyments far more effectively than by efforts of direct repression. The gratifications of natural appetite, by abundance of wholesome food, by comfortable clothing and housing, by fresh air and invigorating exercise, followed by adequate muscular and nervous repose, will often go a long way to cure the feverish irritations of unhealthy artificial appetites. Then, again, the unsocial passions, except in the very moderate forms which reason justifies, are essentially morbid excitements, and are to be treated by giving a more healthy gratification to the emotional nature in the purifying enjoyments of social life, whether these are found in the sphere of private friendship or in that of a wider philanthropy.

These kindly sentiments are not merely of negative value as counteracting malevolent passions; they have also a positive worth as fostering the social virtues, while they cultivate a relish for gratifications superior to those of bodily sense, and thus provide a richer soil for the spiritual virtues of personal morality. There are many other emotions which have the same independent value for the moral life. Their influence is in some cases direct, in others only indirect.

In indirect influence a chief place must be assigned to the intellectual feelings, — the love of beauty and truth. The nature of the influence which these exert upon moral culture, it is not difficult to estimate, though there has been a tendency in different minds to the opposite extremes of over-estimation, or of unfair depreciation. It has been the mistake of Puritanism, and indeed of the ascetic tendency in all its forms, to belittle the value of intellectual culture. On the other hand, there is an opposite tendency, represented in an extreme form by the fashion of *Æstheticism*, to exalt the intellectual, and especially the *æsthetic*, emotions into an illegitimate rank as forming a sufficient guide in life without any distinctively moral culture. It is true, that scientific and artistic culture exercise an influence in the direction of general refinement; but, unfortunately, conspicuous examples have shown that such culture does not of necessity imply a rigid regard for duty, and that its refinement may at times be associated with painful moral grossness.

We cannot, therefore, ascribe to purely intellectual emotions any value for morality beyond their indirect influence in promoting general refinement. For the direct culture of a virtuous emotional habit it is necessary to call into play those emotions that are distinctively moral, as well as those emotions of the religious life in which morality attains its highest efflorescence. In order to the culture of these there are three facts which it is important to keep in mind.

I. The most spiritual sentiments, equally with the lowest sensations of animal life, are excited by their

natural causes, not by a voluntary resolution to feel them.

“We cannot kindle when we will  
The fire which in the heart resides.”<sup>1</sup>

It is, therefore, a futile artifice to dictate to ourselves or to others what particular emotions ought to be felt. Common sense usually resents such dictation. If an emotion ought to be felt, it can be excited by an adequate stimulant; and, therefore, the only rational method of procedure is to bring the natural stimulant of the required emotion within the range of our conscious life, and allow it to operate. Accordingly, the mind must be allowed frequently to dwell on illustrious examples of personal purity and heroic unselfishness; and it is not undesirable to present at times deeds of wrong-doing in their undisguised hideousness in order to give play to the healthy sentiment of honest indignation.

It is obvious that the effect of these emotional stimulants must depend largely on the art with which they are presented; and here a wide scope is given to artistic skill in promoting the ends of the moral life. It is true, that the immediate aim of Art is different from that of morality; but morality embraces within its range the whole activity of man, and cannot release from its obligations the labors of the artist. This does not imply that Art must be degraded to any inartistic function, —

“To point a moral or adorn a tale,” —

by picturing all the sweets of life as flowing into the lap of good people, and all disasters as accumulat-

<sup>1</sup> From M. Arnold's lyric, *Morality*.

ing upon the heads of the wicked. But if Art is true to fact, while glorifying the discipline which virtue receives from suffering, it must at least distribute to moral action the unfailing retribution that attends it in the Divine government of the world.

A noble ideal is thus opened to Art in a mission which, while not interfering with its legitimate function, yet enables it to co-operate with other activities in promoting the Supreme End of human existence. This is the mission which Plato seems to have anticipated for Art in an ideal state of society, and which has been an aspiration among the more earnest artists and art-critics of all times. This mission may be carried out, not only in the productions of what are technically styled the Fine Arts; but a certain moral refinement may also be given to that taste which clothes with its own attractive forms the whole material environment amid which the moral life is spent, — the ceremony of social usage, the pomp of judicial and political procedure, and the ritual of religious worship.

We are thus also reminded of the fact, that, as man's life in general, so his moral life in particular, is always normally social; and therefore all emotional stimulants are powerfully enhanced by social influences. There is a spiritual as well as a material contagion in society. The corruption of good manners, resulting from evil associations, may always be counteracted, and moral elevation may be sustained, by companionship with the good.

II. But the dependence of emotions on their objective causes is qualified by the fact, which has been



referred to already, that they are also dependent on subjective conditions, on the varying moods of the sensibility. In consequence of this it is a familiar fact, that the same object may produce radically different feelings in different persons, or even in the same person at different times. Now, although the moods of sensibility are often due to physical agencies which we cannot command, yet they are far from being altogether beyond our control. In fact, every kind of sensibility, like every organ of the body, depends for its healthy vigor on its exercise. It is therefore completely within our power to render ourselves more or less sensitive to particular influences. Many, indeed, of the most irresistible susceptibilities of the mind are habits, formed by culture, and capable therefore of being modified by the same means; while some of the most revolting forms of emotional callousness arise from a course of conduct which has interfered with the normal play of some natural feeling.

The normal play of a feeling results in a nervous thrill, which affects some muscular region, and produces a movement which comes to be associated with the feeling as its natural expression. It is this play of feeling in expressive movement, that constitutes its indulgence; and as such movement is almost always within our power, our feelings themselves can in general be controlled. As illustrated already in the case of benevolence, any feeling may be cultivated to a more intense activity by being allowed freely to find vent in its customary forms of expression; or it may be starved out of existence by being

persistently refused the indulgence which is its necessary food.

III. As the emotions are thus proved to be largely under the control of the will, moral culture must aim at their habitual regulation; in other words, virtue becomes, in one of its aspects, an emotional habit. But this aspect must receive its proper rank in relation to others; and here, if anywhere, it is essential to recognize the truth embodied in that theory of Aristotle's which makes virtue an intermediate course between two faulty extremes. For there are two extremes, against which it is equally necessary to guard, in estimating the value of emotion as a factor of the moral life.

I. One of these is the extreme of Stoical apathy, which was described above. This development of the moral life is defective on various grounds.

(*a*) It is apt to become a veritably morbid callousness, and has in fact often assumed that form in cases of excessive culture, not only among ancient Stoics and Cynics, but among ascetics of all schools. It is not the aim of virtue to eradicate nature, but to raise it into complete harmony with reason.

(*b*) Moreover, this paralysis of sensibility, though favorable to the negative virtues of self-restraint, yet takes even from these their genuine merit, while it annihilates the most energetic motives of the personal virtues. This is especially the case with those actions which strike the noblest tone in the moral life. For, without entering into the theological dogma, noticed above, with regard to works of supererogation, it is obvious that there are, in private as well as in

social history, occasional crises which call for virtue of a more exalted strain than the ordinary little deeds of goodness which make up the routine of the moral life; and therefore Aristotle has, properly, recognized an heroic virtue as distinct from the common forms of goodness as brutal vice differs from vulgar types of evil.<sup>1</sup> Now, for such extraordinary virtue an extraordinary enthusiasm is required; and therefore in presence of any sublime call to duty, an immovable apathy — coldness, lukewarmness, even moderation — may be an inexcusable moral defect.

All these considerations are powerfully confirmed by the fact, that the violence done to emotional life by the total suppression of natural sentiments, tends to defeat its own end, — fails to develop the heroic endurance at which it aims. For endurance is not a mere immovable apathy in midst of the stimulating personal and social interests by which human life is inspired. It is rather that strength by which the spirit can stand the blows of fortune without being crushed by their power, and rise from their prostrating effects with unimpaired moral energy for renewed exertion in the duties of life. This recuperative force is not created by simply blunting all sensibility to the pathos of life, but rather by retaining that young elasticity of spirit, which rebounds from any emotional prostration into sentiments of reinvigorating power; and it is therefore almost certain to be weakened or destroyed by a general deadening of the emotional nature. A great historical illustration of this is afforded in the contrast between the Athenian and the Spartan characters. On the occasion of any great

<sup>1</sup> *Eth. Nicom.*, VII. 1.

national calamity, while the Spartans maintained a self-restraint that is almost incredible, the Athenians were usually carried away for the moment by an uncontrollable outburst of grief; and yet, as Grote has remarked, when it came to active and heroic efforts for the purpose of repairing past calamities and making head against preponderant odds, the Athenians were decidedly the better of the two.<sup>1</sup>

2. There is, however, an opposite extreme which overestimates the value of moral sentiment in the virtuous character. There are two dangers to which such sentiment is exposed.

(a) Those who have cultivated a sensibility that is readily and powerfully excited by the moral facts of life, are liable to emotional disturbances which may be too violent to be controlled by reason, and may sometimes find vent in directions extremely disastrous to the moral well-being.

(b) But there is an effect which is still more enervating to all moral vigor, and that is the degeneration of moral sentiment into mere sentimentalism. This is an effect which is peculiarly apt to be produced in minds of sufficient refinement to enjoy literary and other artistic representations of life, which are fitted to evoke emotions favorable to morality. The mind is then apt to dally with its own pleasing excitements, and to rest satisfied with these as if they were a meritorious substitute for active exertion in the cause of virtue.

For such defects the only remedy is culture of the will.

<sup>1</sup> *History of Greece*, Vol. X. p. 187. (Amer. ed.)

## CHAPTER III.

## VIRTUE AS A HABIT OF WILL.

THIS aspect of virtue underlies both the others. All virtue is a habit of willing. For morality, indeed, as distinguished from mere legality, the intellectual and emotional aspects are essential; for they determine the motive — the spirit — by which the moral life is governed. But we have seen that these aspects of virtue depend for their vitality on the influence which they are allowed to exert upon the conduct of life. A persistent neglect of the admonitions of conscience tends to paralyze it so that it loses its clearness and readiness of decision; and a persistent indulgence in vice blunts the finer sensibilities by which the moral life is sustained, and gives an appalling force to passions which are utterly incompatible with virtue. Even for the culture of the intellectual and emotional habits of virtue, therefore, it is essential to cultivate habitual firmness of will in directing the whole life. All education becomes thus education of will.

As a habit of will, virtue may be either negative or positive.

§ I. *Negative Virtue.*

In this aspect, virtue is a habit of willing *not* to do certain actions, and it is forced by its very nature to

assume this form. Man advances to a moral life only as he rises above the unrestricted domination of natural impulses, and learns to control these by rational volition. This control, however, implies not merely the stimulation of natural impulses towards rational ends, but also at times their repression. For as they are essentially non-rational, they often seek indulgence in unreasonable directions, or in forms of excess which transgress the moderation that reason demands. Accordingly, self-restraint has always been recognized as forming an important factor of the moral life. Its familiarity in human life is proved by the numerous terms by which it is described in all civilized languages. Indeed, in some moral and religious systems of the Cynical or ascetic type, the importance of self-restraint has been unreasonably over-estimated by virtue being represented too exclusively in its negative aspect.

But the necessity of self-restraint is enforced by a perplexing fact which cannot be overlooked in any earnest study of human nature. Not only have we to do with passions which may, if unchecked, prove inimical to our moral welfare; but whenever the struggles of the moral life begin, we find that these passions have already acquired a certain mastery over the rational will, and that we have to grapple with an established tendency to irrational indulgence. To all appearance, therefore, this tendency is not simply a habit which each individual forms for himself; it seems rather a disposition which all bring into the world with them as an inherent part of human nature. The consciousness of this disposition has taken defi-

nite form in the Christian doctrine of original sin, which has exerted a deep and wide influence over Christian Theology, and given a passionate intensity to the struggles of the moral life in Christendom. But this conviction of a sinful disposition extending back into the very beginnings of life is not confined to the Christian consciousness. The penitent Hebrew, conscience-stricken by the appalling force of evil in his life, felt as if he must have been born in sin and conceived in iniquity.<sup>1</sup> In Greek literature also the same thought is not infrequent. In fact, it was sometimes connected with a theory, or fancy (as some may prefer to call it), which ascribes to man a previous state of existence, and traces the origin of his innate sinful dispositions to sinful acts voluntarily perpetrated in that pre-natal life. This is not the place to discuss the various theological and psychological questions connected with this apparently instinctive tendency to sin. We are interested in the subject merely as modifying or complicating the requirements of moral culture.<sup>2</sup>

In view of this perplexing fact all moral evolution becomes of necessity revolution. It is not merely a culture of good habits; it is an eradication of bad. As the moral dispositions are already to some extent

<sup>1</sup> Ps. li.

<sup>2</sup> The student who wishes to pursue this subject further, may of course consult any of the great works on Christian Dogmatics in general, or any monograph on the subject of sin in particular. There is a very elaborate work *On the Christian Doctrine of Sin*, by Julius Müller. The subject is also treated at length, on its philosophical side, in the first part of Kant's *Religion innerhalb der Grenzen der blossen Vernunft*. This part is devoted entirely to the *Radical Evil in Human Nature*. It will be found at the end of Abbott's translation of the *Kritik of Pure Practical Reason*.

formed, and formed wrongly, they must be re-formed. The nature of this process of reformation is determined by the nature of vice or sin. But vice is merely the obverse phase of virtue. Now, one theory, which was traced to the teaching of Socrates, makes virtue a form of knowledge. On this theory vice must of course be a form of ignorance, and is therefore to be removed in the same way as ignorance in general is overcome, that is, by instruction. But even on this theory the process of moral improvement is at times very inadequately conceived. For the intellectual activity, by which ignorance is conquered and knowledge attained, would be wholly misunderstood if it were represented as a purely receptive process; it is always essentially a voluntary effort. If this holds good with regard to intellectual education in general, it must be much more evident in the case of that intellectual education which is implied in moral culture. All such education is necessarily a process of volition.

For, as has been explained above, virtue is something more than knowledge. It implies something to be done, rather than something to be known. This, it will be remembered, is the fact to which Aristotle gave scientific exactness in his definition of virtue as a habit; and it explains to us why the moral reason fails to find complete satisfaction in any conception of the moral life, which would treat it as a purely intellectual process. “‘The *Enchiridion of Epictetus*,’” says the imaginary Herr Teufelsdröckh, “‘I have ever with me, often as my sole rational companion; and regret to mention that the nourishment it yielded



was trifling.' Thou foolish Teufelsdröckh! How could it else? Hadst thou not Greek enough to understand this much: *The end of Man is an Action, and not a Thought*, though it were the noblest?"<sup>1</sup>

This indicates the method in which virtue is to be acquired. It is by acting rather than by knowing, by practice rather than by theory; that is to say, it is by that exercise in the voluntary direction of our conduct, by which alone the power of the will can be educated. In the present section we have to consider how this educative exercise of the will is to be applied in cultivating habits of self-restraint.

I. In the first place, as we have just seen, the culture of these habits is complicated by the fact, that we have to deal, from the very beginning, with evil dispositions already existing, and that, therefore, all training in self-restraint implies a repression of these dispositions. In order to do this it is obvious that a man must, first of all, be perfectly truthful to himself, perfectly frank in acknowledging to his own consciousness the faulty nature which stands in need of reformation. In the Socratic method the first step towards improvement was to convince a man of his ignorance; for without this conviction, it was held, a man must want the initial impulse to seek knowledge. Under a deeper conception of virtue and vice, the method of Socrates, which required a conviction of ignorance, is transformed into the Christian method, requiring a conviction of sin as the initiatory stage of a spiritual morality.

II. But this conviction can escape from the empti-

<sup>1</sup> Carlyle's *Sartor Resartus*, Book II. chap. vi.

ness of a mere abstract conception, or the futility of a sentimental regret, only when it is realized in specific efforts of will planned for discipline in self-control. For such discipline it is not enough to refuse our passions merely those gratifications which are clearly wrong. Such self-denial is the very scantiest restraint which a moral being has to impose on himself, and does not imply any discipline adopted for the specific purpose of moral training. You do not learn a science by merely picking up such facts as may drop on the path of common experience, nor do you learn an art by the occasional clumsy attempts to practise it, which may be forced upon you by the necessities of life. In both cases it is always assumed as a matter of course, that a special education is absolutely indispensable. And yet, in the one art which is the common concern of all men — the art of virtuous living — this rudimentary principle of all learning is very generally ignored; and the power of self-control is left to be trained at random, by such restraints as may happen to be enforced by physical and social surroundings. But this ignores altogether the indispensable conditions of moral education. Without a special discipline, exercising the will in acts of self-restraint, it is impossible to acquire that habitual power of will, by which alone the passions can be kept under reasonable control. For, in order to perfect self-restraint, it is not sufficient to have the power of resisting only the petty temptations which assail us in the familiar routine of life, and which, from their familiarity, can be anticipated and combated with success. All men are exposed, more or less fre-

quently, to unusual excitements, by which the moral intelligence and will are apt to be surprised ; and a strength of will adequate to cope with the feebler emotions of common experience, may be overborne at once by the unexpected force of those immoderate excitements. Moral training must, therefore, be planned to develop a force of will sufficient to resist not only the vulgar temptations which are easily thrown aside, but even the most powerful passions by which life is ever likely to be assailed ; and a culture which has been content with the refusal only of illegitimate indulgences, will not afford an effective protection even against these, when they take us at unawares by allurements of extraordinary fascination, or by emotional explosions of unwonted force.

The special discipline, which has just been described, is the method of moral training expressed by the term *askesis*. This word was often used for the careful and rigid discipline by which an athlete trained himself for a great athletic feat at the games of ancient Greece ; and sacred literature has sometimes, with singular fitness, cited this method of training to illustrate the discipline by which the energy of moral will is strengthened.<sup>1</sup> This wholesome and rational *askesis* is not to be confounded with an irrational and morbid asceticism. The latter runs into the excess of acting towards all pleasure, however natural and moderate, as if it were in itself a moral evil, and as if the sacrifice of such pleasure were in itself, without reference to any ulterior end,

<sup>1</sup> 1 Cor. ix. 25-27.

a virtuous act. But a rational askesis, while allowing a moderate indulgence in the natural pleasures of human life, yet recommends the occasional sacrifice of these; not because such sacrifice is of any moral value in itself, but because the voluntary effort of declining a legitimate indulgence develops a firmer will, and thus tends to produce a habit of self-restraint sufficiently powerful to withstand the most tempting allurements that are incompatible with moral well-being.

This askesis is essential to guard against ungovernable temper as well as against ungovernable appetite. In the moral history of the world, the desire of controlling the cravings of our animal nature has given rise to various disciplines, — such as fasting, and other forms of self-mortification. The same elaborate exercises have never been developed for the control of irascible passion; perhaps owing to the fact noticed above, that an immoderate temper has not been commonly stigmatized with so much disgrace as an immoderate appetite. But, undoubtedly, the highest morality demands the cultivation of that habit of self-control by which the unsocial passions are held under rational restraint. This habit, like that of temperance, can never be adequately developed by checking merely such outbursts of temper as are essentially unreasonable. We must train the will by frequent askesis in repressing an angry word or action, even when the occasion might make the word or action perfectly legitimate as an expression of honest indignation. Such a discipline receives a pointed form in the well-known recommendation of

St. Paul to prevent angry passions from seducing to sin by closing each day in a spirit of reconciliation with the world: "Let not the sun go down upon your wrath."

The elaborate system of fasts and penances in the Catholic Church was, in its essential spirit, admirably designed for that training in self-denial which has just been advocated and explained.<sup>1</sup> Undoubtedly, the system was allowed to degenerate into many gross abuses; but without questioning the general gain to the moral life of the world by the protest of the Reformers against these abuses, it may be feared that Protestantism has thrown away a valuable instrument of moral training by abolishing the old penances and fasts without providing any adequate substitute. The principal evils of the mediæval discipline were probably associated with its publicity. This gave an undue prominence to the overt action adopted for disciplinary purposes, and this action received a religious value as an external form without reference to its spiritual intent. Such publicity with its accompanying evils was developed in strange disregard of the explicit warning directed by Christ against abuses of a similar character, which corrupted the discipline of religious life in his own country.<sup>2</sup> In the light of that warning, it is obvious that the value of all such discipline for the training of the will must depend on its internal or spiritual aspect. It must

<sup>1</sup> Even the askesis of ancient Greek gymnasia, and the universal military drill of many ancient Pagan states, like Sparta and early Rome, had a value in the education of will-power, for which there is no adequate substitute in the educational systems of modern communities.

<sup>2</sup> Matt. vi. 1-18.

avoid unnecessary publicity; it must be conducted so as not to be seen of men. But the man who quietly, unostentatiously, resolves to deny himself an allowable pleasure; or even to subject himself to a hardship that is not absolutely obligatory, in order that he may school his will into habits of self-restraint, is drawing upon the true fountain of spiritual force, and will assuredly obtain the reward he seeks.

This self-denying discipline, when it does not consist in the infliction of positive pain or hardship, must be an abstinence from some gratification. Such abstinence, however, must not be limited to single acts; but must in many particular cases be extended over long periods, if not even over the whole life. The requirements of moral training in this respect can be fully defined only by an intelligent consideration of each particular case; but certain general principles will be obvious to any earnest mind. Some of these bear upon objective, some upon subjective conditions.

1. In the first place, there are some objects, especially those that gratify bodily appetite, which, by their peculiar action upon bodily tissue, are apt to produce an inordinate craving, and thus to impose a formidable, if not insuperable, physical barrier in the way of temperance. The use of such stimulants must obviously be accompanied with the greatest precaution; and, if stimulants are used at all, no precaution can be more effective than that of occasionally abstaining from them for the sake of moral welfare as strictly and cheerfully as any intelligent man would in general give them up for the sake of

bodily health. And this rule applies, not merely to the coarser stimulants which modify the bodily sensibility, but to all causes of emotional excitement which are apt to transgress the limits of moderation, especially if the excitement enters the region of un-social passion.

2. But the obligation of abstinence may be imposed by subjective conditions. A man may be the victim of moral weakness in some particular direction. Either from the faults of his earlier life, or from hereditary disposition, he may be afflicted with a perilous tendency to some form of excess. The tendency in such cases may be so overpowering, that nothing but moral disaster can result from any attempt to cope with it when it is excited to activity; and the only course consistent with the commonest moral prudence is to avoid all situations where the dangerous excitement is likely to arise. As a rule, any man can, by voluntary effort, put himself out of the road of a temptation, even though he might be utterly helpless to struggle against it, once he is under its power.

For this reason, among others, the discipline of abstinence is peculiarly obligatory upon the young. This holds especially in regard to the use of stimulants. In its normal state the organism during youth cannot, on any medical theory, be regarded as requiring for its healthful activity the abnormal assistance which stimulants afford; and their use, while the organism is growing, may impart a taint which it may become extremely difficult, perhaps impossible, to eradicate. But apart from this, it is in

youth that all the habits are being formed ; and it is then that every human being must, by careful training, school himself into habits of self-restraint, and avoid the formation of habits which render self-restraint difficult in after-life. For this purpose, therefore, it is imperative to keep poison from the mind as well as from the body ; for it is a mournful fact, that literature and art are sometimes prostituted to pollute the mind with impure ideas, whose suggestion may be a perpetual drag upon the soul in its aspirations after a pure morality.

The discipline of abstinence, however, must not be carried so far as to exclude that experience of evil and that actual conflict with it, which form an essential part of moral training. The innocence of childhood is a pretty ideal for the period of life to which it properly belongs. The attempt to prolong it into youth or manhood can rarely be successful ; the victim of such an attempt will often be surprised by the rude shock of a sudden encounter with vices, before which his infantile moral energy may collapse at once. But even if such an attempt be successful, it aims at a false ideal. At best the innocence of childhood is merely freedom from actual sins ; it is not the possession of positive holiness ; and it would be a serious moral blunder to confound it with the tried virtue of the man who, in the thick of the battle of life, grapples with temptation every day, and, in spite of occasional defeats, is steadily fighting his way towards the immortal victory.

And therefore, also, the plea for abstinence must not overlook the success which may often attend a



vigorous resolve to confront temptation boldly, and trample it under foot. There are crises of exalted enthusiasm, when this may be the wisest policy to pursue; but it is a wise policy only when such enthusiasm is at hand to back up the effort by its extraordinary force. A march into the enemy's territory, an assault upon his stronghold, may be at times advisable in moral, as in other, warfare; but it is always a perilous game to play, and can be justified only by certainty of success.<sup>1</sup>

### § 2. *Positive Virtue.*

Virtue is not merely a negative habit of refraining from action; it is also a positive habit of doing actions. In fact, these two aspects of virtue are not absolutely distinct. For, on the one hand, a positive effort of will is implied in the restraint which checks a passion from finding vent in action, and often even a positive external act is required to make repression effective. On the other hand, the repression of an obstructive passion is often necessary to clear the way for positive action. In the culture of positive and negative virtues alike, therefore, the object is to train the will into the habit of directing both internal and external life to moral ends. Accordingly the same general principles may be applied here, which have been explained in the previous section.

(A) In the first place, it must be borne in mind

<sup>1</sup> The records of asceticism tell some strange stories of fantastic, morbid, perilous experiments in this form of temptation. On the other hand, Tennyson's *Northern Cobbler* gives, in all its natural homely pathos, a singularly wholesome and inspiring picture of a courageous defiance of powerful temptation, maintained successfully through many years.

that virtue does not consist of sporadic thoughts and sentiments and volitions which have no connection with the permanent habits of the agent. It is precisely these habits, constituting his general character, that alone entitle him to be called a virtuous man, and a virtuous character is simply an habitual will to act virtuously. It is this habitual will, therefore, that forms the object of moral training.

But, as shown above, an habitual tendency of the opposite kind is so deeply ingrained in all men, that it seems like a native disposition of the human mind. Accordingly, as was also pointed out in the same connection, moral culture becomes of necessity a reformation or revolution. But this change is not merely negative, — not merely the annihilation of the old disposition to evil; it is the creation of a new disposition to positive goodness. The nature of this moral change has been expressed by various figures, but by none more appropriate or striking than that embodied in the Christian doctrine of regeneration, which represents the change as the birth of a new or higher life in the spirit of man. But it must not be supposed that this doctrine is merely a fiction of Christian theology, to be proved by citation and exposition of certain Scriptural texts: it is a fact obtruded more or less prominently in all thoughtful reflection on the growth of man's moral life. Indeed, among the Stoics the necessity and actuality of this change were sometimes accentuated with a harshness scarcely equalled in the sharpest distinctions, which Christian writers have ever drawn, between regenerate and unregenerate men.

(*B*) But this general renovation of moral disposition can become a reality only in specific actions ; and therefore we have to consider what are the actions by which this renovation is to be realized and confirmed. Here, as in the previous section, it must be obvious that a moral discipline, adopted for the specific purpose of training the will, cannot be restricted to those actions which are imperatively demanded by the moral requirements of the moment. In these the agent simply does what it is his duty to do ; and his action remains in a certain sense morally unprofitable, because it is not designed to make any specific gain in moral character. In order to such gain, it is indispensable to adopt a discipline which shall train the will to habits of positive goodness ; and a discipline designed to serve this purpose, must consist of actions which are not included in the determinate requirements of duty. Such actions may, therefore, in a certain sense, be spoken of as works of supererogation ; it cannot be said that the agent is under an obligation to do precisely these rather than any other actions of a similar intent. But, on the other hand, these actions are not supererogatory, in the sense that the agent is under no obligation to adopt some discipline, such as they involve, to form a character of positive goodness.

The actions, which serve the purposes of such a discipline, are obviously not those which are included among the bare requirements of civic law. As explained above, these represent only in an imperfect form the moral obligations even of justice. Accordingly a certain sphere of discipline is offered in those

obligations of justice which cannot be enforced at law. The voluntary fulfilment of these will tend to habituate the will to a clear and quick recognition of the rights of others.

But even the highest requirements of justice are simply the determinate obligations which every man is imperatively bound to fulfil at each moment as they arise. Since it is not a matter of choice with him whether he ought to fulfil these obligations or not, they cannot form a discipline undertaken optionally for the special purpose of moral culture. All that is implied in performing an obligation of justice, is that the agent abstains from doing a wrong. But what is now required is a peculiar askesis to educate the will into the habit of doing positive good. Such an askesis must therefore be sought rather in those indeterminate obligations of benevolence which do not represent the definite moral demands of any particular moment. At any moment when a particular deed of benevolence is not imperatively demanded, it may be optionally performed for the purpose of training the will to positive virtue. Nor is it desirable, in a discipline of this kind, generally to wait for a more convenient season in which to perform an act of benevolence. On the contrary, the value of such an act for moral discipline is greatly enhanced when the circumstances render it inconvenient; and nothing will school the will into habits of prompt and vigorous activity in goodness more effectively than an occasional exercise in which we force ourselves to do a kindly act simply because it happens to be unpleasant at the time. And here again it is important

to renew the warning of the great Teacher against the danger of weakening the internal discipline of spiritual life by diverting it into any kind of external show. As in the culture of negative virtue the self-denial, adopted as an askesis, becomes most effective when it is conducted so as not to be seen of men, so in the culture of positive virtue those acts of generosity bear the richest fruits, in the performance of which the left hand is not allowed to know what the right hand doeth.

Apart from the liberal exercise of the obligations of positive benevolence, there can scarcely be said to be any living morality; the vital forces of the moral spirit shrivel into the dead forms of a spiritless legality. It is for this reason that any self-satisfaction over the fulfilment of the bare obligations of justice stands as a hopeless obstacle in the way of all progress to that elevated sphere of the moral life, in which the positive virtues luxuriate; and in all ages those who have sunk into serious moral disgrace, but whose spirits have remained open to penitent self-condemnation, have gone into the kingdom of God before the self-righteous Pharisee.

## CONCLUSION.

THE discipline, which has been described as necessary for moral culture in all its phases, is seen to be demanded by the essential nature of virtue; in other words, the laws of moral culture are those in accordance with which habits are formed. It may therefore be worth while to gather in a brief summary the rules which have been assumed or illustrated in the preceding chapters.<sup>1</sup>

1. The first maxim appropriately refers to the initiation of moral training in any particular direction: it points to the importance of making a good start. A great gain is made at the very outset, if some step can be taken that commits a man irrevocably to the course upon which he is determined. It is this that gives a deep moral significance to religious vows or sacraments, as well as to those formal pledges which are often taken, without any explicit religious sanction, as an incitement to moral effort. Such a step may assume various forms. All that is essential is, that it should be an act by which a die is cast, a Rubicon crossed, in life, — an act which creates either

<sup>1</sup> Some of the most useful suggestions on the formation of habit, I owe to Professor Bain's *Emotions and Will*, especially to the chapter on the Moral Habits. Professor James has very justly called attention to the value of these suggestions (*Principles of Psychology*, Vol. I. pp. 122, 123).

a physical obstacle or an overpowering motive against any subsequent faltering or change of purpose.

2. But not only must there be a strong determination to begin with ; it requires to be persistently carried out. For in the formation of a habit the main agency is not the initial impulse, but rather the repetition of an association till it becomes practically indissoluble. It is therefore of prime importance, that, during this process, the association shall not once be broken. The injurious effects of such an interruption are often felt in every sphere of habitual action. In training accuracy of muscle, a miss — an awkward stroke, a clumsy blunder — will often shatter confidence and impair steadiness of nerve for a while. Every teacher knows how an inadvertent slip in learning the multiplication table, or any other task of memory, shows a provoking tendency to repetition. Most men have to endure the mortification of finding themselves at times victims of petty mistakes which they may have made but once, which yet for a long time afterwards they can avoid only by constant caution. This fact is illustrated with peculiar power in forming the habits of moral life, perhaps mainly because in these passion is often called strongly into play. For in forming associations it is not merely the frequency of repetition that tells, but also intensity of impression ; and therefore it is a familiar experience, that even a trivial incident is recalled with ease long years after it happened, if only it chanced to be accompanied with some vivid emotional interest. Now, a breach of moral discipline is, perhaps most commonly, due to a sudden outburst of passion, with which the

will is not strong enough to cope; and this explains why there are few facts in life more disheartening than the complete collapse of moral energy, that often follows a single irregularity in the course of training by which an old vice is to be eradicated or a young virtue strengthened.

3. In this light we have an additional reason for a maxim, which has been illustrated at length in the preceding chapter, to avoid, while a nascent virtue is still tender, exposing it to unusual temptation. There is many a life brightened for a time with a fair promise of virtue, which is afterwards nipped in the bud by a devastating storm of passion, or by the chilling atmosphere of lukewarm or callous companionship.

4. But there is an additional maxim which, though sufficiently recognized in other spheres of activity, and even in other spheres of education, does not generally receive the prominence it deserves in moral training. The maxim is founded on the necessity of avoiding a dissipation of moral energy by attempting too much at a time,—the necessity of concentrating energy in order to effective work. This is the principle embodied in the homely proverb that condemns the Jack of all trades, who is master of none. The same principle, in special reference to intellectual culture, is expressed in a remark of Locke: "The great art to learn much is to undertake little at a time." But the principle applies in moral culture as well. It has been already pointed out,<sup>1</sup> how the limitation of human power affects the devel-

<sup>1</sup> See above, p. 336.



opment of the moral life, leading at times even to an apparent conflict between the claims of private and those of social morality. On this ground it is important that at each stage of moral progress the individual should concentrate his energies in those directions in which they are specially required. Every man of ordinary prudence takes special precautions against any disease to which he may from any cause be peculiarly exposed, against any habits which are peculiarly injurious to his health. The same prudence, applied to the moral life, will lead a man to find out his peculiar weaknesses, and to direct his efforts specially to the removal of these. There is, therefore, a sound practical sense in the suggestion of *De Imitatione Christi*,—that if we were only to overcome one vice every year, we might come near to perfection ere the close of this life.

In all the methods of moral training which have been thus described, it is evident that exertion of will is implied, if it is not explicitly assumed. In fact, although for the purposes of science we distinguish intelligence and feeling and will, it must never be supposed that they are separated in actual life as they are in scientific exposition. Such separation is peculiarly impossible when intelligence and feeling and will are viewed in their ethical relations; for all moral activity is an effort of will under the direction of intelligence, and the impulse of intelligent emotion. All moral training is therefore essentially a training of the will. Accordingly the moral habits, which in the aggregate constitute what we understand by a man's character, are thus also to be viewed

as essentially habits of will ; so that character is truly described, in an often-quoted saying of Novalis, as completely formed will.

In this saying, Novalis seems to have had in view character in its highest sense, that is, what we name distinctively *moral* character. For an immoral or vicious character is not a completely formed will ; it is a will that is yet but incompletely developed, that has not yet delivered itself from the bondage of natural or irrational passion into the free activity of reason. A will thus completely formed is virtue. Such a will, therefore, is the end of all culture ; and consequently Kant was right in describing it as the Sovereign Good, for it is the only object that is good in itself. It is true, there are objects apart from the will which are spoken of as naturally good, as bringing a good by mere natural causation independently of moral effort. Such an object is pleasure, — the various forms of agreeable excitement which arise from the action of natural sensibility. But neither is natural pleasure in itself a good, nor natural pain in itself an evil. It depends on the voluntary use we make of them, that is to say, it depends on their relation to our will, whether pleasure and pain shall be evil or good. They are therefore not absolutely, but only relatively, good ; they are good by reference to the will that controls them, while the perfect will remains the Sovereign Good which gives goodness to every other object in life.

It thus appears that men can find their Sovereign Good only in volition, in intelligent moral action ; and Ethics, even as a speculative science, would fail

to convey its most important lesson if it did not enforce the truth that the essential value of morality consists in its practice. "We do not engage in these inquiries," said Aristotle, "merely in order to know what virtue is, but in order to become good men."<sup>1</sup> There is, of course, a certain sense in which a similar remark may be made of all practical sciences; but not to the same extent. For arts that are not intrinsically connected with morality have a purely scientific interest; they may be, and often are, studied merely for the interest of knowing them, without any intention of carrying the knowledge to practical account. But this is because these arts do not form absolutely essential factors in the life of every man; the ends which they have in view are merely particular purposes which individuals may form or not, as they choose. But the end of moral culture is precisely the essential end of all human existence. It forms the stake that is cast in life by all men, with but one chance to win or lose. It is therefore only by the attainment of this end, that life becomes in any sense a success: without this end it is an irreparable failure.

Accordingly, it is by the light of its moral end alone, that life receives any rational meaning. Apart from this, it becomes, in its ultimate analysis, absolutely unintelligible. And therefore it is singularly fitting that the genius of our great dramatist should describe a typical representative of the man who loses hold of ethical aims as finding in human existence nothing but a meaningless show.

<sup>1</sup> *Eth. Nic.*, II. 2, 1. See also X. 9, 1; and compare Epictetus, *Ench.*, 51.

“ Life’s but a walking shadow ; a poor player,  
That struts and frets his hour upon the stage,  
And then is heard no more : it is a tale  
Told by an idiot, full of sound and fury,  
Signifying nothing.”<sup>1</sup>

And when life is thus divorced from rational purpose,  
all significance vanishes out of the universe too ; the  
external objects of thought become fictions as mean-  
ingless as the internal objects of the will ;

“ This round of green, this orb of flame,  
Fantastic beauty, such as lurks  
In some wild poet when he works  
Without a conscience or an aim.”<sup>2</sup>

<sup>1</sup> *Macbeth*, Act V. Sc. 5.

<sup>2</sup> *In Memoriam*, 34.

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