

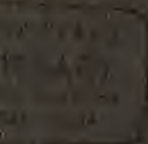
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THE  
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J. MARK BALDWIN  
JOHNS HOPKINS UNIVERSITY

EDITED BY

HOWARD C. WARREN  
PRINCETON UNIVERSITY

AND

CHARLES H. JUDD  
YALE UNIVERSITY

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The Social Will

BY

Edwin Andrew Hayden

Dissertation presented to the University faculty of the University of  
Michigan for the degree of doctor of philosophy



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## INTRODUCTION.

The following thesis has grown out of general studies in sociology and psychology which I prosecuted under the direction of Professor Cooley and Professor Pillsbury. So far as anything new is offered in the thesis, I may say it consists in this: that the processes rather than the products of collective mental activity have been kept systematically in mind. Suggestion and imitation have received very little attention, in the belief that they contain practically nothing beyond what was already a matter of common possession in the doctrines of association and apperception. I believe that the conception of a social personality as a collective total organized out of mental systems that interact in definite ways, is of more fundamental significance.



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## THE SOCIAL WILL.

BY

EDWIN ANDREW HAYDEN.

### CHAPTER I.

#### THE SOCIAL CONSCIOUSNESS.

1. In discussing the phenomena which distinguish social groups from others, Mr. Spencer writes of insect communities as follows: ". . . though insects exhibit a kind of evolution much higher than merely organic—though the aggregates they form simulate social aggregates in sundry ways; yet they are not true social aggregates. For each of them is in reality a large family. It is not a union among like individuals independent of one another in parentage and approximately equal in capacities; but it is a union among the offspring of one mother, carried on, in some cases for a single generation, and in some cases for more; and from this community of parentage *arises the possibility of unlike classes having unlike structures and consequent unlike functions.* Instead of being allied to the specialization which arises in a society, properly so-called, the specialization which arises in one of these large and complicated insect families is allied to that which arises between the sexes. Instead of two kinds of individuals descending from the same parents, there are several kinds of individuals descending from the same parents; and instead of a simple coöperation between two differentiated individuals in the rearing of offspring, there is an involved coöperation among sundry differentiated classes of individuals in the rearing of offspring."<sup>1</sup>

2. Spencer has in the foregoing indicated some distinctions of fundamental importance, especially in the idea that insect groups are more like an expanded family than a society strictly

<sup>1</sup> *Principles of Sociology*, vol. i, pp. 5-6.

so-called. Wundt has expressed the same idea more forcibly by saying that the so-called "animal states" are "sexual communities, in which the social impulse that unites the individuals, as well as the common protective impulse, are modifications of the reproduction impulse."<sup>1</sup> But the fact that in most communities differentiation of function is based upon a thoroughgoing differentiation of structure, so that individuals performing unlike services are physically unlike, possesses no more than a biological significance. The important thing, so far as these and other animal groups are taken to be the precursors of real societies, is the way in which the individual comes to share in the group life—to what extent the group life modifies his life and how far the group life is plastic; that is, how far it is capable of change through the organization of its own economy. Defining society as an organized total of thought, feeling and volition, we find only human groups to be truly social; so that we cannot take mere reciprocity of services, as is likely to be done in a narrow economic view, to be the measure of social development.<sup>2</sup> We do not count the slaves of Athens an integral part of the Athenian society, but rather look upon them as the physical or economic background of the small group of free citizens, among whom there went on an active exchange of thought and feeling. A society is animated by a common consciousness of historic events, of traditions religious, political and industrial; and it is chiefly in so far as economic relations modify these contents of the social mind that exchange of services is a matter of importance to the sociologist. So long as foreign merchants at Rome were mere traders with the Roman people, they did not constitute an integral part of Roman society; but when through the business relations created, and more particularly through other relations arising from the marriages which they contracted with Roman citizens, it became necessary for the courts of Rome to deal with cases between the stranger and the citizen, and thus to gradually develop a system of legal rules defining their rights, there was going on a process of assimilation, changing something which was in its inception merely economic, into something to

<sup>1</sup> *Outlines of Psychology*, 2d ed., p. 311.

<sup>2</sup> See Tarde: *Laws of Imitation*, p. 64.



a degree social.<sup>1</sup> The foreigner was then beginning to share something of the desires, thoughts, and feelings of the citizen. Reciprocity of thought, of feeling, of desire, of motive to action, rather than reciprocity of service is the real index of social relations.

3. In respect to the mental characters displayed, communities may be divided into two widely contrasted types, the instinctive and the social. Insect communities are the best examples of instinctive groups, while a modern state, as a highly organized purposive association, is the best example of the social. The mentality of an individual in an instinctive group is largely predetermined at birth. The individual inherits a reflex nervous mechanism in which a perfected correlation exists between certain sensory stimuli and certain movements essential to its welfare. Many naturalists are inclined to regard the instinctive acts of wasps, bees and ants as pure mechanical reflexes, the most successful attempt to show this being probably that of Bethé.<sup>2</sup> If this view is true the only psychical attributes which can be attributed to these animals are, in accordance with the usual postulates of physiological psychology, a certain amount of sensation and feeling due to the sensory stimulation, either from external objects or from the movements themselves. Use does not seem to modify to any appreciable extent the acts of these individuals: so that the particular act is performed about as well the first time as ever and then only in response to immediate excitation. Whenever the excitation occurs, the response follows, no matter if the present conditions under which it occurs involve collateral results of a detrimental nature. It is a matter of frequent occurrence that the same instinct is found in various degrees of perfection among allied species; and this fact with other evidence, strongly supports the view that slow mutations do occur in the mental constitution of instinctive groups. This change is brought about by the selection of inborn variations, and not through the transmission of habits, which latter means some capacity for learning on the part of the individual. Nat-

<sup>1</sup> For a brief account of the Roman Law of the Nations, above referred to, see Bryce, *Studies in History and Jurisprudence*, p. 570 ff.

<sup>2</sup> Pfäuger's *Archiv. f. Physiol.*, vol. 70.

ural selection at once reconciles the apparent contradiction of individual rigidity and specific plasticity in a thoroughly satisfactory manner.

4. When we pass to other animals, we do not find instincts so highly specialized nor so mature at birth. Habit steps in to perfect the instinct; that is to say, repetition improves the inherited coördination between stimulus and movement. In consequence of this less perfect inborn connection, instincts are in these cases both more adaptable and transitory. It is a well known fact that the instincts of many wild animals are somewhat modified by domestication and further, in the absence of proper conditions to excite the instinctive act, the instinct may die out. The gain in having instincts vague and general lies in the accommodation to circumstances which is thus secured: the loss lies in the lack of definiteness and precision of coördination. To the extent that instinct is highly specialized, is the mental life of the individual limited to processes directly connected with the instinct. This limitation is especially evident in the case of animals whose life shows an organization of mental processes standing in immediate relation to two dominant instincts—the sexual and the alimentative.<sup>1</sup> It is doubtful, however, whether, even in the case of animals which profit most by their experiences, free ideas or representations are to any extent present; and if present, they are probably aroused chiefly “on the spur of the immediate practical advantage,”<sup>2</sup> i. e., upon peripheral stimulation. Such associations as animals do form seem to be chiefly between sense impressions and impulses to activity. Representations of various sorts are peculiarly a human possession. In the form of memory images of either the remote or resident sensations of an act, they appear at a certain level of mental development as a matter of utility to control action in some cases as peripheral stimulation had done before. “With the rise of language, experience became conventionalized, and set rules replaced the less reliable images. These still persist, however, (1) where arrangement and previsions do not per-


<sup>1</sup> See Wundt: *Human and Animal Psychology*, secs. 23, 24, 27 and 28.

<sup>2</sup> See monograph by Thorndike on Animal Intelligence.



mit linguistic statement, and (2) as phantasy images.”<sup>1</sup> Briefly, the processes of the mental life of animals do not extend much beyond what Wundt terms passive apperception, and at best, there can be but faint glimmerings of the mental processes which we know in the human mind as understanding and imagination.

5. In the foregoing description of the animal mind, much has, by implication, been said of the human or social mind. It is not a mind in which there exist reason and instinct as parallel psychic processes: it is a mind in which instinct still remains as impulses or tendencies to action which are perfected by training, and which are controlled by a coördinated adaptation of means to ends. Rationality, in other words, consists, to a large degree, in the harmonious synthesis of the perfected impulses in a unified life of thought, feeling and action. But purposive control, exercised through a knowledge of results, exists in all degrees of perfection; so that we must take the difference between the social and the sub-social to be one of degree rather than of quality. Instinctive communities like those of ants and bees, have, in one respect, the necessary basis for the development of a social consciousness, viz, a continuous group-life, which some of the higher species of solitary habits, like the gorilla, do not possess. It is only in human groups that we find both requisites to a collective consciousness, viz, continuity of the group life and plasticity of the individual mind. Here the individual mind gets a content and organization through its contact with other minds; in fact in consequence of the rudimentary state of its instincts, such contact and control is necessary to the perfection of its powers. The function of an organized social life in the development of the individual mind is to furnish a definite and continuous set of impressions and to organize these into fundamental mental systems. In the case of unstable groups like the Fuegians, the group life is too discontinuous, too intermittent to permit the individual's mind to come in contact with impressions sufficiently definite and varied for the organization of a complex mentality. The most that we can expect in cases

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<sup>1</sup> Bentley, The Memory Image, *American Journal Psychology*, vol. xi, no. 1, p. 25.

where individual capacities are not much amplified by social discipline beyond what they are at birth, is an acuteness of sense discrimination,—a conclusion which the facts of comparative human psychology support.<sup>1</sup> I have intentionally used the phrase, “acuteness of sense discrimination,” rather than the words used by Burton in writing of the Bedouins, viz, a “high organization of the perceptive faculties,”<sup>2</sup> for the reason that perception, in a high degree of organization, implies apperceptive activities which only a social state can make possible. A developed world of sense implies something more than the mere capacity to discriminate impressions: it implies further the power to compare them, and thus to discern deeper unity than the mere contiguity of space or time. So far as thinking goes, the uncultivated mind is content with the reproduction of concrete individual experiences, and is unconcerned with the causal relations of phenomena the perception of which requires much analysis and abstraction. Hence in the classification of the objects of experience such a mind seizes upon the obvious and superficial attributes. The scientific mind, however, by the aid of delicate instruments, which have been perfected by the combined thought and effort of many generations, amplifies its powers of sensible discrimination infinitely beyond those of the savage, and by means of the capacity of analysis and abstraction which arises in the social order, coördinates the impressions of sense into an orderly world of cause and effect. In other words, the social life has given him an apperceptive basis for the interpretation of sensations, and this basis becomes more and more the condition of the way in which he perceives the external world.<sup>3</sup> This fact has well been developed by Professor Dewey<sup>4</sup> in the following passage: “Every higher analytic stage influences immediately the lower process, rendering it more definite. It is synthetically combined with it. Every process of reasoning expands a judgment; every judgment enlarges a concept; every concept adds new meaning to a percept. As we universalize, we also

<sup>1</sup> See Spencer: *Principles of Sociology*, vol. i, ch. vii.

<sup>2</sup> Quoted by Spencer, *op. cit.*, p. 78.

<sup>3</sup> See Pearson's *Grammar of Science*, ch. v, sec. II.

<sup>4</sup> *Psychology*, ch. ix, Intuition. Consult the entire chapter.

see the particular more in the light of the universal, and thus make it more significant and more definite. . . . The more the element of reasoning is involved, the more does the percept mean, or tell us of the object. There is a complete implication of every stage of self-development in every other. The scale from perception to systematization looks at the development as an analytic process of growing universality; the scale from systematization back, looks at it as a synthetic process of growing definiteness. As a matter of actual psychological fact, there is no separation of ascending and descending movement, but every concrete act of mind is an act both of perception and reasoning, and each because of and through the other." In brief, stimulation arouses in the cultivated mind apperceptive processes by means of which external objects are cognized in their general relations, but it arouses in the savage mind only discrete existences. The necessity therefore of social life for the full realization of the capacities of the mind, even in the domain of sensation, is abundantly evident; and still more so when we come to the higher phases of mental life and the more delicate and subtle feelings and emotions. These latter arise only in some social situation, involving the relation of self to others, and presuppose some highly developed means of communication. This we have in language.

6. The so-called language of animals can scarcely be called a language, for signs discharge no further function than arousing certain responses through a connection, largely inborn, between certain sensations and certain movements. Gesture language, which is so extensively employed by savages that have a scanty vocabulary of articulate speech, can become a true language, i. e., an expressive one, because it has in itself the possibility of becoming an instrument in some degree of conceptual thought. Gesture can express concepts of a low degree of generality, i. e., "universals comprehending particular objects as their subordinate elements; but they can only to a very limited extent fix attention on universals having as their subordinate elements other universals."<sup>1</sup> It is only in speech, however,

<sup>1</sup> Stout: *Analytical Psychology*, vol. ii, p. 226.



either oral or written, that we find an instrument of expression capable of responding to the complex needs of the civilized mind. It is unnecessary here to enter into the psychology of thought and language farther than to remark that words come to have significance through contiguous association with the various apperceptive systems of the mind. What I desire to do is to specify a little more carefully how speech functions as a social process. First of all, conventional language is a system of signs of "extreme flexibility,"<sup>1</sup> to borrow Kuelpe's term. Composed of a few articulate elements, it is capable of combining these into an indefinite number of word complexes that can express all varieties of objects, qualities and conditions. Linguistic invention, which at certain stages of social culture, is as much an impulse or desire as other kinds of social invention, forms in accordance with the general laws of the language new words and phrases which are readily assimilated with the old stock. In this way language soon becomes an instrument perfectly subservient to the will of man. Being a temporal rather than a spatial complex, it is more adequate to deal with the continuity of our mental life than other forms of expressions, such as painting and sculpture. A statue may portray a single emotion or situation in a manner that surpasses verbal description; but in the complex relations of life, where time relations are important elements, and where for practical volition it is necessary that mental systems should be unfolded in their details, language is alone adequate to the task. Again, language fixes permanently our systems of conceptual thoughts. I do not mean by this that concepts do not change with the progress of civilization, but rather verbal description enables us to understand a conceptual system, no matter how long since it may have been expressed. We have no trouble in understanding Newton's views on the nature of light, although the corpuscular theory is no longer held. Provided we have had the requisite experience and have competent powers of understanding, we can, by saturating ourselves with his writings, organize in our own minds to a considerable degree, the apperceptive systems acting in his, and thus come to understand something of the nature of his achievements.

<sup>1</sup> *Outlines of Psychology*, p. 14.



Language thus makes possible the transmission of acquired knowledge from one generation to the next; and in this way the coöperation of individual minds extends in point of time far beyond the allotted span of life.

7. Thus the cultured mind bears in its type or quality unmistakable evidence of its social origin; and it is equally true that its contents, or in other words, the ideas with which it is stocked, are but individual totals interconnected in a collective mental process. Not only does the child's hereditary equipment in the way of instincts and capacities imply a social history, but the discipline which transforms this heritage into a reality is social to the last degree. The pedagogical romanticism which holds that the human mind can be developed by the indiscriminate and fortuitous play of physical forces upon the senses is a delusion from top to bottom. The child's earliest experiences with physical things is under the guidance of persons, and so habitual is the association of persons with things that he at first views physical objects almost entirely from the standpoint of social utilities. It is a long time before he is able to make complete abstraction of the personal element in the way in which it is done in such objective sciences as chemistry and physics. A horse for instance does not mean an object of certain anatomical and physiological characteristics, but something on which he can ride, which his father owns, etc. His attitude is rather that of primitive man in the stage of mythologic thought. The savage reads into nature his own thoughts and feelings, and sees in natural forces personalities of various kinds. So predominant in fact is the personal bias in the savage theory of things that it has been given the significant title of "personalism." And the general features of this mode of thought are found to be so uniform among people in a certain grade of mental development, even in the entire absence of historic contact, that the tendency of the human mind to think in personal terms must be classed as one of its fundamental traits. So the child, in recapitulating the broad features of race history, shows the same tendency toward a personal view of things. The whole system of education through which he passes is largely a procedure clarifying the relations which the immediate social facts, viz,



personal ideas, sustain to each other or to things. Aside from a few theorems respecting the combination of numbers, arithmetic is a quantitative exploitation of social relations in the business world. Historically it is an evolution from a primitive concrete social arithmetic which existed long before any theory of pure number was thought of. Geography, too, is a social discipline, being in fact the study of the earth as modified by human action. And of course history in the political sense of the term is preëminently a study of social relations and activities. The personal element, however much crowded into the marginal regions of consciousness, remains an inseparable part of the totality of conditions which make possible a study of natural forces. In fact, the psychologist whose province of study is the human personality in all phases of its manifestation, is not dealing with an experience different as a manifold from that which the physicist studies. The difference lies in the point of view. The physicist makes abstraction of the personal variation or event, or better treats it as a constant factor, by giving the limits of error to his results, whereas the law of personal variation is precisely the thing of interest to the psychologist.

8. In the period of mythologic thought, the consciousness of the individual self is beginning to emerge, as is evident in the fact that primitive man projects his own thoughts and feelings into the process of nature. Although he is for the most part unaware of the fact of projection, yet the image of self, thus reflected in nature, serves with tribal experience, as a nucleus around which the feeling of self clusters. There is now felt a kinship for nature which is wanting in the latter stages of scientific thought. As soon as scientific investigation begins to discover regularity in the flow of natural events, the personalities of nature are metamorphosed into natural processes, entirely unconscious in themselves, and totally objective to the human mind—processes which may thus become a matter of universal apperception. But even then the personal feeling for nature still remains in the religious and poetic consciousness, which feels in the unity of nature the presence of an immanent reason.

## CHAPTER II.

### THE SOCIAL PERSONALITY.

#### *A. Desire.*

Tarde has analyzed the mental life of society into two fundamental processes, desire and belief.<sup>1</sup> I have accepted this analysis as probably the most rational one in the present state of the analytical psychology of the social mind.

1. Reaction, or movement in response to external stimulation, is shown by all systems of energy. With some the stimulation, although very slight, results in the immediate disintegration of the system; with others the stimulation produces a temporary change in the configuration of the system, after which the system regains its former condition. In the words of mechanics, the first are said to be unstable, the second, stable systems of energy. Living aggregates are the most complex specimens of the second kind. We see both plants and animals going through a coördinated series of activities which from the outside, seem to be under the guidance of some purpose or end. Examined more closely, however, most of these activities are found to lack the one essential feature of purposive control, which is this: responding to new situations by an activity that is due to an internal development and organization of impressions. If an adaptation has been developed to an external element A, which uniformly in the history of the species has been associated with B and C, both harmless to the organism; and if A is now connected in a concrete total consisting of D and E, both harmful to the organism, but for which no inhibitive adjustment exists, then the reaction to A will occur with the same certainty as before, with perhaps death as a consequence, owing to the harmful results coming from D and E. A survey of all the facts relating to activity of this sort precludes the supposition

<sup>1</sup> *The Laws of Imitation*, New York: Henry Holt and Company, p. 145.

that it has anything in it analogous to what we know in ourselves as purposive or voluntary control. We describe behavior of this sort in a negative way by saying that it is unlearned or native; or, in other words, that it is the immediate expression of the inherited constitution. It is the most widespread and basic form of behavior in the animal kingdom. But in the higher vertebrates, as has been already noted, these instinctive, or native connections, are changed in the course of the individual's life, such modification being especially pronounced in the case of man, with whom instinctive actions produce experiences which, organized into memories, result in forming an idea of the end or object toward which the striving is directed.

2. An impeded activity manifests itself in consciousness as a longing or craving—a feeling of unrest, which, when processes of attention and knowledge are developed, sets going a series of mental changes that terminate in removing the feeling from consciousness. These feelings are parts of an interconnected process of ideational and affective elements which form a total with clearly distinguished features. Such interconnection changes the vague feeling into a definite one, conscious of the means of satisfaction, that is, into a desire. The attachment of the feeling to a specific ideational content marks the rise of voluntary control. In the course of time a definite means of attaining the object which satisfies a desire is selected. With this selection comes the repetition of a definite set of experiences to which the feeling adheres. The desire stretches over all the component parts of the process of realization, and thus includes a representation of the means as well as of the end. In fact the means as something existing apart from the end is an abstraction. In so far as any part of the process of realization is unforeseen the desire is vague and ill-defined. Conversely, to the extent that any part of the process of realization becomes better defined is the desire less impulsive. As the organization of experience goes on a desire whose satisfaction involves the willing of a complex act is likely to split up into a number of reciprocally limiting and hence more specific desires, forming a system in which there exist various degrees of subordination and ascendancy. Anything that arrests the process of realization at any



particular point, emphasizes that part and tends to disengage it from the total activity, and raise it to the status of an independent volition. The detachment of a partial volition is also facilitated by its functioning as a component of several volitional processes. Again the particular experiences connected with a partial volition may be a source of satisfaction in themselves, independent of their connection in a more comprehensive process. The ideal representation of this satisfaction is equivalent to the formation of a new desire. The ascendancy which a desire may attain is limited in two ways: 1st, by the relation of the desire to the self, as being a member of the individual's entire system of desires; and 2d, by the fact that the volitional process through which a desire is realized, tends to become automatic. Perfect coincidence between the appearance of a want and its means of satisfaction would to a large extent do away with that ideal representation which is the very essence of desire. The only thing that will keep a periodic desire, receiving full satisfaction from passing to the marginal regions of attention, is some change of the circumstances in which it recurs. Such change means a modification of the desire, so that complete satisfaction is no longer obtained. The desire is then again able to command the attention, and lead to the devising of new means of satisfaction.

3. Purely practical desires are far from constituting the entire system of desires even in the case of primitive man. Specific desires of a non-utilitarian character soon appear in connection with mythological systems. As soon as the mental progress of a people has reached a point where wants are to some extent anticipated, the mental life begins to expand beyond the immediate present, and the imagination on the basis of certain social experiences constructs an ideal world, where desires quite remote from economic wants receive satisfaction. In mythological systems, as is well known, we have a blending of science, religion and philosophy, not only as regards the concepts, but also the desires and beliefs peculiar to each. Out of this complex the more intellectual desires of science and philosophy detach themselves and culminate in the pure love of knowledge for its own sake, while the other desires less directly con-

nected to the order of sensible experience, become interconnected in a separate system of moral and religious desire.

4. Knowledge, however, remains for a long time subordinated to practical ends, that is, it remains imbedded in volitional processes that aim to effect some change in the world of things. The development of perception and images of memory is the psychic side of a process which has for its other side the definition of motor activity. The attainment of an object of desire, as already pointed out, necessitates the ideal representation of a series of partial acts, and the more detailed such construction the more perfect the satisfaction of the desire. Thus the selection of the best means of attaining a given end involves an increasing amount of intellectual activity as experience expands. Hence it happens that the apperceptive activities of relating and comparing, of analyzing the mental aggregates formed by association out of the cognitive elements of motor experiences, may arise in the course of practical activities. But deliberation on the choice of means postpones the satisfaction by the amount of time which it occupies, and thus conflicts in one way with the realization of desire. The checking of a motor tendency weakens it so that deliberation may be protracted to a point where it defeats its own purpose. This antagonism between thinking and doing is a matter of common observation. The practical man seldom takes interest in theoretical questions, rarely engages in mental activities that have no aim beyond affecting some change in the world of ideas. It is by means of the social heredity that a reconciliation of this conflict is secured. Individual wills enter into a more comprehensive psychic process, the social will, by which interconnection society is enabled to attain it sends by a mental division of labor. In this way activities may be going on simultaneously in the social mind that would be somewhat incompatible in the individual mind. Mental activity of a theoretical sort is limited to one social group, and practical endeavor to another. The final expression of some epoch-making conception is invariably the work of some thinkers of transcendent genius. Once the idea becomes articulate it spreads through the social medium, and after its incorporation into the fabric of social thought, it becomes a source of common desire.



5. While we can speak with truth of the interaction of individual wills in a higher or collective will, we should not forget that the individual will is part of a concrete personality, and that these personalities interact more or less in their entirety. Out of this interaction arise the personal ideas and feelings which in the period of primitive culture enter into the apperception of the external world. Personal ideas and feelings are gradually detached from the objective ideas and their related feelings, because of the difference in the relation in which the two sets stand to the will. This detachment does not extinguish the system of personal ideas and feelings, for they continue to exist in a world of their own, the world of social relations. The separation between these worlds, however, is never complete, for as a matter of history the two have ever interacted. Though the universe of personal ideas and feelings ceases, in the course of time, to influence immediate sensible experience, yet in the larger and broader aspects of life, where religious faith finds play, it ever remains of sovereign importance. When sensible experience comes to check or suppress the fundamental impulses of man, the will transforms the elements of social experience into "an existence that fully corresponds to the wishes and requirements of the human mind,"<sup>1</sup> forming the universe of moral and religious belief.

6. The specific content which desire assumes, is a matter of national history. Says Tarde: "Every organic want is experienced in the characteristic form which has been sanctioned by surrounding example. The social environment, in defining and actualizing this form has, in truth, appropriated it. Even desires for nutrition and reproduction have been transformed, so to speak, into national products. Sexual desire is changed into a desire to be married according to the different religious rites of different localities. Desire for food is expressed in one place as a desire for a certain kind of bread or meat; in another, for a certain kind of grain or vegetable."<sup>2</sup> Desires are thus refined by the social experience coming from the volitions which they themselves create. It may be said with Tarde that the means of

<sup>1</sup> Wundt, *Ethics*, vol. i, p. 59.

<sup>2</sup> *Laws of Imitation*, p. 44.

satisfaction in a measure create the desire, for in defining and particularizing it, they limit the lines along which volition moves in its effort to satisfy the desire. This statement seems to be contradicted by the fact that the means do not always lie in the order of sensible experience. But in answer to this, it should be noted, that desires attaching to a universe which the individual regards as imaginary, are, as a rule, rather evanescent, arising in connection with complex modes in the cognitive synthesis of social experience, and further that imaginary creations bear a close resemblance to the objects of sensible experience so far as conditions of space, time and the general qualities of human nature are concerned. Persistent desires, however, fail to receive full satisfaction in the imaginary creation of the individual, for there remains beneath all an abiding sense of the unreality from which there is no escape, except in those cases where the imaginary creation has been produced by the transformation of historical experience and has thus acquired the status of a belief.

### *B. Belief.*

7. Another mode of consciousness in which the ideational and affective compounds of experience are connected, is belief. The representation of the satisfaction of desire involves a series of specific affirmations which are not detached judgments but interdependent parts of a total process connecting means and end. Such interconnection is belief. Belief involves knowledge, but is not identical with it, for we have perfectly clear and distinct ideas about many things that we disbelieve, as on the other hand we believe some things of which our conceptions are by no means the clearest. The multitudinous creations of fancy recorded in the literature of the world, are things that do not arouse in us the sense or feeling of reality. A cognition in order to become a belief, must have some "fringe of consciousness" added to it. It must be able to evoke in the mind an emotional color in addition to the feelings of meaning and relationship which, though evanescent, form the staple of the cognitive consciousness. Belief stands in intimate relation to the self on the affective side, and to the objective world on the cognitive

side. Things which are a matter of common consent, being acted upon from day to day as habit, are usually not regarded in the light of belief, because the feeling of assurance, or the "emotion of conviction," as it has been called by Bagehot, is absent.<sup>1</sup> When, however, some obstruction to our practical or theoretical endeavor arises, leading to the postponement of gratification, the mind is confronted with a situation in response to which the feeling of the reality or unreality of some particular thing emerges. Deep conviction is associated with strong feelings. When such conviction is challenged the whole self recoils: "Men in these intense states of mind have altered all history," writes Bagehot, "changed for better or worse the creeds of myriads, and desolated or redeemed provinces and ages. Nor is this intensity a sign of truth, for it is precisely strongest in those points in which men differ most from each other. John Knox felt it in his anti-Catholicism; Ignatius Loyola in his anti-Protestantism; and both, I suppose, felt it as much as it was possible to feel it."<sup>2</sup> Both Knox and Loyola were one with the cause for which they stood; the emotion of conviction assumed a fanatical ascendancy because of the intense self-feeling involved, the belief in both cases commanding the whole resources of the will. The rationality of a belief as measured by the criteria of reality set up by science, is in general a matter of subordinate importance, as the social function of belief is to organize the fundamental desires of humanity, and to do this a belief must possess strong affective elements. Religious and moral, and in some instances political beliefs, possess these characteristics.

8. It may be said in a general way that the world of sensible experience is taken commonly to be the ultimate universe of reality. This attitude of strong conviction toward the reality of the external world, arises, as Stout has clearly shown,<sup>2</sup> from the limitations which are imposed from without upon the activity of the will. We find ourselves unable to manipulate the objects of perception just to suit our fancy; in the effort to do so the feeling of their reality clearly emerges. So too, when

<sup>1</sup> *Literary Studies*, The Emotion of Conviction.

<sup>2</sup> *Analytical Psychology*, vol. ii, pp. 239-243.





we run across some stubborn fact of experience which blocks all our processes of thought and refuses to be explained away, we become painfully aware of the frailty of our ideal creations. Thus thought combinations in proportion to the facility with which they can voluntarily be altered lose the moments of reality. It is especially for this reason that the mind is usually alive to the unreality of the images of the imagination. In other cases where the alteration has occurred independent of the will as a matter of mere association or assimilation the mind is likely to accept the modifications as real. The illusions due to preperception are examples of this sort. Frequent repetition of a thing makes us strongly disposed to believe in its reality: the more often a psychic process is recollected, the less is the effort necessary to restore it, so that while it is becoming more firmly fixed in the memory, the mental experiences connected with its invention are being forgotten. The fictitious idea, when thus freed from all such associations, may find lodgment among the true memories, and thus seem to the individual to refer to some part of his past life. Association has brought the idea within the circle of remembered sensible experience. The rate at which the transformation of the contents of memory goes on has much to do with the extent to which the feeling of unreality is aroused by a fictitious idea. Frequently the memories of history become changed in the course of centuries into unrealities rivalling the boldest creations of fiction; yet so gradual has been the change, that the mutations have escaped detection. Such alteration of the memories of history frequently serves the high purpose of allowing greater scope to the sway of social ideals. In the period of mythologic thought sensible experience does not conflict with monstrous beliefs in ghosts, demons, and other supernatural agents, for the reason that nature then mirrors the capricious impulses of the savage, but as soon as perceptions are brought under some concept of order, these beliefs or those into which they are changed, are likely to be held valid, not of the present order of things, but of some past or future state of existence. If, however, such beliefs still remain potent in their influence on human conduct, it is through the fact that they still retain a stable connection with some system of sensible experience.



9. The native attitude of the mind toward its thought combinations is one of belief, an attitude which is checked through painful experience. A successful issue, whether a matter of accident or not, confirms the belief, and a few successful trials, when disproof is difficult, are sufficient to firmly implant the belief in the mind of the race. Something of this pristine faith is necessary to the mental health of a people. Though many of the cosmological beliefs of primitive man have disappeared with the rise of science, yet no void has been left, for the reason that science has brought to light innumerable uniformities in natural phenomena. In fact, science has increased the sum of faith in the objective order, and at the same time has expanded the sphere of religious feeling. It is only when the impersonal attitude of science is assumed toward all the departments of life that human faith, which finds its most adequate expression in religious faith, is on the way to extinction. The skepticism which is present in a decadent civilization, is the result not so much of its science and philosophy, as the moral disorder of the social life, which makes the individual mind the theater of discordant and distracting impulses. Individual or social faith is but an expression of life, after all. An harmonious, expansive life has an abounding faith in the essential truth and goodness of the world, while a life tormented by conflicting passions accepts the same order with misgiving and doubt.<sup>1</sup> But at the same time faith reacts upon life to expand or contract it. A people outgrows some of its beliefs, just as an individual does. Many beliefs which at one time in the history of a culture were real organizing forces, come later to be obstacles to progress. The belief in the divine right of kings, by the halo with which it surrounded the regal head and the obedience it inspired, was a powerful cementing political force in the more unenlightened periods of social development, but the conception was certainly obstructive in French history at the time of Louis XIV, when impulses of democracy were beginning to express themselves that were later lashed into the fury of the Revolution by the stubborn resistance which they encountered. So monasticism, though it did noble service in bringing hope and consolation to

<sup>1</sup> See Paulsen: *A System of Ethics*, p. 421 ff; also James: *Varieties of Religious Experience*, p. 41.

minds distracted by the confusion and disorder following the fall of Rome, was too narrow for the new life of the Renaissance. In a similar way the political and economic conceptions had to expand in order to compass the new social vitality in European life produced by the discovery of the possibilities of the New World.

The tendency of social development is to make the sphere of desire and belief coincident. Every desire which remains unsatisfied, that is, detached from the affirmation of the means of satisfaction, soon dies, as, on the other hand, no belief acquires a permanent social ascendancy, which is not intimately connected with the needs of humanity.

### *C. Desire and Belief in Relation to the Will.*

10. Desire and belief are brought into systematic coördination through the activity of the will. Many desires and the corresponding beliefs are different phases of the same total psychic process in which impulsive acts become purposive through the effects of memory. Other desires and beliefs are independent of each other in origin except in so far as they have a general connection in the same will or personality, and are brought into coördination through apperception. It is in the activity of the will that consciousness alters its contents in a definite direction. Out of the ideational and affective experience connected with such control arises the notion and feeling of self. As a result, desire and belief, through their interconnection in volitional processes, stand in intimate relation to the self. The universe of desire represents "recognition in feeling of the distinction between the actual and the unrealized self,"<sup>1</sup> while the universe of belief stands for the habitual attitude of the self in affirming or denying the possibility of realizing desires. The unification of desire and belief through the activity of the theoretical or practical will, is eminently a social process. Those phases of experience which are not directly modified by the will form a total which the mind regards as independent of itself: while

<sup>1</sup> Dewey: *Psychology*, p. 364.

the other phases subject to volitional control, form the contrasting total of the self. Now in the early history of civilization, the separation of self and object is imperfect both in thought and feeling: the increased coöperation of individual wills which comes with social experience widens the sphere of sensible experience on the one hand and on the other the sphere of internal experience connected with self-activity. The final result is that complete detachment in thought and feeling of the self from the manifold of perceptual experience, which is seen in its best estate in the scientific consciousness. Out of the internal experience develops not an isolated personality, but a consciousness of a plurality of like selves, sharing a common life of thought, feeling and action.

11. The external expression of the social will is the activity of social life. Individual wills are linked in associations of various degrees of complexity, each association having interests, desires and beliefs, in a word, a life peculiar to itself. Within each group of individual wills are to be found common motives to volition, with the result that group ends are achieved in a more or less rational way. Individual wills are not, however, of equal importance in the organization of motives. Within certain limits the statement is true that the greater the number of individual wills interacting the less deliberative, the less rational, the resulting action. The final expression of a great conception is as a rule the work of a few minds; the organization of this into a social impulse is partly the work of suggestion and partly of choice. Some writers, like Le Bon, seem to imply that a collective mind really exists only at the moment when a group of individual minds are simultaneously affecting each other as in a crowd. We do not restrict the individual will to the complex of ideas and feelings that happen to be above the threshold of attention at a particular instant: and in an analogous way, there seems to be no good reason for restricting the social will to the sum of ideas and feelings appearing simultaneously in a group of interacting minds.

12. While impassioned discussion upsets for the time being all rational deliberation, nevertheless more temperate discussion enables the individual to get glimpses of new and important aspects of a subject which will assist him in the calm of his



private moments to reach a more satisfactory solution of the problem. While social deliberation does not attain the degree of rationality and control which the processes of thought in a highly endowed individual mind possess, yet it is far from receiving justice at the hands of the theory of suggestion.<sup>1</sup> The most transcendent genius is connected through a graduated series of capacities to the average mediocrity, so that the organization of public opinion is by no means a process consisting first of all in the invention of an idea by one supreme mind, and the subsequent incorporation of this idea in other minds by mere association. Frequently the acceptance of an idea appears to be automatic, when in reality the acceptance of the idea marks the completion of a mental process whose development involved complex apperceptive activities. Still it remains true that collective thinking is in general less controlled than individual thinking. An idea which has been perfected in one mind cannot be communicated in its final form to another mind; the second mind must repeat to some extent the process of development which the idea underwent in the first mind, and in so doing gives some play to association to bring in irrelevant ideas. Today natural selection is a datum in reasoning on biological matters; yet a quarter of a century nearly passed before the idea became apperceptive in the collective mind of biologists. So far as the net gain in positive knowledge is concerned, much of the thinking and feeling of that period was sheer waste of mental energy. The collective thinking of society would be far less efficient than that of a single mind, were it not that a multiplicity of coöperating minds permits a division of mental labor. This division extends to all phases of the collective mental life. Society has as its disposal a vast fund of knowledge which it turns to account through various associations, each of which has more or less clearly defined aims and within the limits of these aims a will of its own. That is to say, the various associations have a range of motives outside of which choice cannot be made without its prescribed character being violated. But with one exception, the state, the range of motives is far from being

<sup>1</sup> See Baldwin: *Social and Ethical Interpretations*, ch. vi, Sec. 5. Also Giddings: *Principles of Sociology*, ed. of 1896. 150 ff.



exhaustive. The social will expressed in the state is free in the sense that the only limit to the range of motives which actuate it is its own psychic constitution, and in the further sense that it is capable of making a rational choice of motives. That the social will exerts a directive force is unmistakable. The state has made notable achievement in the domain of education, industry and politics; and the part which it is destined to play in the future gives fair promise of being greater than in the past. Mr. James Bryce puts the matter fairly when he says:

“Modern civilization, in becoming more complex and refined, has become more exacting. It discerns more benefits which the organized power of government can secure, and grows more anxious to attain them. Men live fast, and are impatient of the slow working of natural laws. The triumphs of physical science have enlarged their desires for comfort, and have shown them how many things may be accomplished by the application of collective skill and large funds which are beyond the reach of individual effort.”<sup>1</sup>

13. The ends of the state are thus more comprehensive than those of any other association; while the autonomy of its will and the indefinite range of its motives give it a unique psychic character. The state reflects upon its past and plans for remote future ends. It has one supreme end, the welfare of society, which it strives to attain through a series of particular volitions, in which it evaluates, to some degree, its motives according to the mode in which they modify its character. The voluntary control exercised by associations within the state is chiefly prudential; the choice of motives being largely made from the standpoint of interest or advantage. These associations seldom scrutinize their motives from a moral point of view; such evaluation as they do make, is limited to those negative cases in which some question arises as to the prescribed (legal) limits of their authority. The individual will may be subordinated to a number of partial or group-wills; but as a rule there is one particular group-will in which this subordination is completest. This corresponds to the dominant universe of the individual

<sup>1</sup> *American Commonwealth*, 3d ed., vol. ii, p. 539.

mind. But to each social group to which the individual sustains organic relations there is a related universe of desire and belief, forming a small social world within itself. When the individual will comes into relation with the total will of society, the point of contact is in some one of these particular universes; or, in other words, the contact is not between individuals as members of society in its entirety, but between individuals as members of the same or different particular groups. At the same time the desires and volitions of the various social groups are subordinated to a still higher psychic unity, the personality of society.

14. That the concept of a social personality stands for a reality is evident from a variety of considerations. If we take an historic survey of the mental life of a people, we invariably find in the existing fabric of its civilization elements coming from a remote past. Its religious, moral and political beliefs have resulted from the combined thought, feeling and action of many generations. Thus a civilization is a psychic synthesis of the past experiences of a society. While the civilizations of the earth have many broad traits in common, yet each has a content and organization peculiar to itself, forming a genius or temperament that binds into a delicate unity the most diverse products of its activity. These differences of national genius are not things of a day merely, but characterize a nation throughout its growth and decay. The social mind has a character or disposition as truly as the individual mind, founded upon certain fundamental desires and beliefs and correlative modes of action. They are the elements which give stability to the psychic life of society. They are of course rooted in the habits of the individual personality. A certain way of thinking and acting spreads through a community; repeated again and again, it becomes a mechanized process whose unfoldment is more or less independent of attention. The mechanization of the original attentive process has been effected through social discipline, and for this reason there is an interconnection of individual dispositions in a wider mechanism which we may fitly term the social disposition. But these mechanized processes possess something higher than a merely vital or biological significance, even in the stage

of complete formation, because as Stout remarks, they "may enter as component parts into a total process which as a whole is very far from being automatic. The inverse of this is seen in habits of thinking and willing. Here a comprehensive habitual tendency realizes itself on special occasions by means of special processes which are not habitual."<sup>1</sup> Hence it is that social habit is never a closed automatic series functioning independently of the will, and that custom, the external expression of the social disposition, never sinks to the level of instinctive control.

15. The extent to which habitual tendencies enter into the volitional acts of a community varies with the stage of civilization. The despotism of custom in the period of primitive culture is a notorious fact. Habit then forms the chief ingredient of motives, while at the same time the range of individual variation in habit is narrow. Contiguous adhesion plays an important part in the unfoldment of volitional processes. In this stage of mental development the individual will does not organize experiences into complex apperceptive systems, and thus return to modify the social will in a serious way. With the growth of civilization, the range of variation in habit is increased; habits are multiplied, but at the same time, as already noted, they function in processes having a degree of conscious control. The development of the social will involves at the same time the differentiation of the individual will; so that in a state of advanced culture, the individual will functions in some ways as a tendency more or less complete in itself. Here the individual will has certain ends and purposes which are purely personal, as in particular interests relating to private property. As a complex social environment requires the readaptation of volitional processes to new circumstances, some component parts whose unfoldment was previously more or less automatic, now demand attention, and in consequence become to some extent independent volitions, so that in this way a continuous enlargement as well as particularization of the universe of motives goes on. The individualization is not to be conceived, however, as the segregation of some particular will from the whole social will, but as the infoldment of the social will, out

<sup>1</sup> *Analytical Psychology*, vol. i, p. 262.



of which arises a number of reciprocally limiting and partial wills, externally manifest in the corresponding lives of the social groups concerned. The extent to which the infoldment modifies preëxisting social habits varies with the different social groups and with the habits themselves. Some groups retain more than others the character of the primordial society, while some habits are but slightly modified in any of the social groups. The latter are the basis of the national culture, forming the stable elements of the social personality which enable it to withstand the profound shocks of political revolutions.

16. When the growth of civilization has reached a stage in which the individual will is enabled to organize social experiences in a manner peculiar to itself, volitions may then speedily mature in a single mind and spread to the other minds of the community. Such volitions are in relation to the entire history of a culture somewhat ephemeral. They are produced by a mental activity which, to a considerable extent, operates independently of the apperceptive control exercised by the permanent beliefs of the race. They gain a temporary ascendancy owing to the action of highly special and accidental causes; but they do not persist for any length of time, not because they lack cohesion of parts, but because springing up at various parts of the social medium, they act as mutually inhibiting motives in the social mind. A general condition which favors the appearance of these transitory beliefs is a skepticism resulting from the weakening of old beliefs. In a period of social anarchy, the times are rife, owing to the excited condition of the public mind, with a multitude of beliefs, "which appear first here and then there, only to disappear, until the advent of some clear formula or some suitable mechanism which throws all the others into the background and which serves thenceforward as the fixed basis for future improvements and developments."<sup>1</sup> We have here an instance of the general law of apperception that when for any reason the systematic control exercised by any mental system is temporarily suspended, the forces of association may come into play to fill the mind with a multitude of disconnected ideas until some new system supervenes. These unstable beliefs

<sup>1</sup> Tarde: *op. cit.*, p. 148.



function as more or less independent units. If they have strong affective components, they act with great vigor and energy, and thus set going external events that destroy the condition of their existence. They are thus likely to pass into action at once though a long course of action is out of the question. We have a record of their work in the violent, turbulent periods of history. But extreme mobility of opinion is possible only as the terminal phase in the mental evolution of a people, in which the foundations for a civilization and a national culture have been laid in the ground-work of a few fixed beliefs.

## CHAPTER III.

### THE SYSTEMATIZATION OF BELIEF.

1. In the early history of the social mind the apperceptive control is relatively simple, association or contiguous adhesion being the chief form of the interconnection of psychic processes. The lax interdependence of associative systems makes it possible for somewhat contradictory beliefs to be held. The absence of unifying principles of experience permits an indefinite extension of associative systems through mere accretion; so that we find in the history of the human mind a period whose most salient feature is the accumulation rather than the systematization of belief. There is, however, an evident limit to the extension of belief, notwithstanding a freedom from apperceptive restraint, viz., the uninventiveness of the primitive mind. There is too much solidarity of the individual and social will in the early stages of civilization for the former to elaborate social experiences in a fashion peculiar to itself; but the very conditions which free the individual will at the same time extend the sphere of apperceptive control. The creations of the developed individual will are notably more numerous and at the same time more coherent than those of the primitive will. Early inventions are largely modifications of memory contents; later inventions are a combination of the elements of experience under the motive of a purpose or end. The latter involve a more detailed analysis of experience and a more comprehensive and systematic synthesis of its elements.

2. (a) The mental systems into which historic experiences are organized, are never in the social consciousness in their fullness at one time. A system is able to exert an influence on the stream of consciousness without the necessity of its parts being explicit, i. e., it may act as a total tendency from the fact that there is a common trend in all its parts. Much of the social control existing before the collective mind has reached a high

degree of self-consciousness, is in mental systems, the fundamental unities of which in the ordinary run of things remain largely implicit. But when new conditions confront society, the likelihood exists that the various parts of a mental system are not excited with equal force owing to the unusual modes of stimulation, and as a result some, perhaps all, of the parts become explicit. Times of profound political 'disturbances are preëminently the periods in the history of a nation when social dispositions are unfolded through the excitation of their components. The unfoldment may at times be violent, but even then the fundamental beliefs of the race come in to give a more or less definite trend to the outburst.

2. (b) The systematization of belief means in its individual aspect the specialization of the universe of intercourse. As the interaction of mental systems becomes more definite in the individual mind, so the interaction of individual minds becomes correspondingly more controlled. The fundamental systems into which social experience becomes in the course of time organized, display certain special tendencies which they did not have in earlier times, although they remain interconnected in the general mental fabric of the civilization. Thus in the modern secular state, we find changes in political ideas spreading through society without involving to any serious extent the religious beliefs; while in the old Hebrew theocracy, religious ideas were so closely interwoven with political, that the utterances of the prophets as the acknowledged oracles of God, seriously modified at times the affairs of state. To each of these fundamental systems of belief corresponds a conative tendency of the social will. The transference of an idea or mental element from one mental system to another frequently occurs in the history of a culture. Men's views of the world and life change: which means not so much that the facts of common experience are different as that the mental systems into which they are incorporated are different. But a belief cannot function in two distinct mental systems at the same time. The æsthetic attitude toward an impression is incompatible at the time of its existence with the scientific. Social beliefs are coördinated through their interconnection in the social personality; but when this coördi-



nation is disturbed, the ascendancy and isolated action of one system ensues. Under such circumstances the belief is likely to incite acts which the interconnection of the belief had previously inhibited. In this way social indignation acting independent of legal sentiment may result in the avenging of wrong through mob-violence; so, too, religious zeal, freed from other social emotions, may result in a fanaticism that counts its victims by the score. On the other hand the union of independent systems restricts each in a manner corresponding with the principle of combination, as we see in the modification of the political ideas and institutions of a state when it is united with others in an empire.

3. There are two widely contrasted types of mental systems. In one the unfoldment depends upon contiguous adhesion, i. e., a given fact emerges into consciousness largely through its dependence upon the immediately preceding facts. In the other there is a central principle of control: a part emerges not because of its relation to the preceding part alone, but to all other parts of the system as well. Where there is such solidarity in the interaction of the individual wills that any one of them but slightly changes the collective activity, such changes as do occur in the social mind are largely associative. Associational changes stretch over psychic processes ranging from sense-perceptions to the interconnection of mental objects in a temporal process. Modification of sense perceptions have an indirect interest to the social psychologist in the fact that the sensory product may be combined along with other ideas through memory in a belief. Thus illusions acquire special significance if they become incorporated in a mythological system. Of direct importance are the changes occurring in a temporal succession of ideas. One of the factors at work is the natural effacement which mental objects undergo through the failure of memory. Details are forgotten, only certain features remaining permanent mental possessions. The permanence of an impression depends not only upon certain qualities of its own, but upon a group of highly variable subjective conditions. As a result there is an uneven fading in the contents of a memory process, with the result that reproduction is always an imperfect reinstatement

of the experience. An associative system may thus break up passively through internal dissolution into its component parts, which then become attached again through association to other systems. A similar phenomenon is observed in the social mind. Distinct streams of thought become confluent in the course of history when the circumstances of their origin are forgotten. A striking historic personality serves as a center of attraction for myths and legends derived from independent sources. Another source of unconscious modification is found in the rôle which associative systems frequently play in being parts of a more comprehensive system which as a whole is apperceptive. We may take in illustration of this what Wundt calls "the change of purpose in custom."<sup>1</sup> Speaking of the funeral feast he says: "In its earliest form the funeral feast is a sacrificial feast. Primitive man offers sacrifices to the gods at every important occasion of his life, and will certainly make an offering at the burial of a kinsman. In part he desires to obtain the divine favor for his dead, but in part—and this is probably the more ancient idea of the two—the dead man is himself an object of worship. . . . A second motive, which came into operation at a later date, but may gradually have ousted the original worship of the dead, lies in the symbolic meaning of a feast eaten *in common*. The common enjoyment of meat and drink is for primitive man a religious symbol of brotherhood; more especially if the feast have anything of solemnity about it, if it be sanctioned, so to speak, by the presence of the gods. . . . It is this final form of the funeral feast whose traces have been longest preserved. With its passage from a sensible to a symbolic meaning it has gradually lost its religious reference. The funeral feast, that is, becomes simply a *commemorative* feast, at which mention is made in conversation and discourse of the virtues of the dead." The changes in the feelings and ideas which were associated with the given custom are unintentional modifications brought about by the confluence of mental systems. The funeral feast and the commemorative feast were alike in this respect, that in both there was the enjoyment of meat and drink in common; and in consequence of this likeness it

<sup>1</sup> *Ethics*, vol. i, p. 139 ff.

was but natural that the funeral feast should attract to itself the feelings and sentiments associated with the commemorative feast.

4. In apperception the changes produced in consciousness take place in a state of attention according to some motive which controls and preconditions the change. Society adjusts itself to new conditions by the conscious adaptation of old stores of knowledge. The adaptation is generally effected first at one center and then spreads throughout the social medium. Social theory which finds in the interaction of individual minds the essential phenomena of hypnotism only, is inclined to draw a radical distinction between the mental processes going on at the social center where the adaptation is first effected and the mental processes going on at the centers which repeat this adaptation. The first have been dignified by the name of invention while the latter have been forced to acknowledge the impeachment of mediocrity in the name of imitation. Now the distinction is of profound importance for a theory of social progress which is directly concerned with mental products, but is of less importance for social psychology, which aims to study the interconnection of individual mental processes in collective mental processes. Invention marks the termination of an apperceptive process in which a determinate psychic compound, image or conception is produced. In imitation an image is communicated to the mind in a more or less completed form. Through whatever medium the communication occurs we have contiguous association between the verbal symbols and mental systems, by means of which certain mental systems are brought into conjunction that would have forever remained isolated in that particular mind. In this way association can be of material assistance in producing favorable conditions for an apperceptive action between two mental systems: but its action can extend to nothing beyond bringing the two systems together in consciousness, and exciting the partial system upon which apperceptive interaction depends. If the mental systems are relatively simple, the apperception is of the ordinary degree of complexity; so that to superficial observation nothing seems to be involved beyond the mere lodgment of a communicated idea in the par-



ticular mind. Now in invention the same two features of association and apperception are at work, though not in the same relative proportion. In invention the conjunction of mental systems is less externally determined by social suggestion, while the interaction is likely to be more prolonged and persistent. Invention implies more comprehensive mental systems and more sustained attentional control. But there is no case of invention in which social contact, or what this amounts to, psychologically speaking, viz, association, has not played an important part. The history of the theory of natural selection sheds considerable light upon the psychology of invention. I take the following short account from Morgan:<sup>1</sup> "Charles Darwin and Dr. Alfred Russell Wallace both reached the conception of Natural Selection on reading Malthus's work on Population. Both had acquired a system of knowledge concerning the relationships of animals and plants. In both the net results were constantly in mind. As they ranged in thought over the system, now one and now another factor was in the focus of attention, with a rearrangement of the other factors around it. They read Malthus. Unless some factor in the Malthusian universe of discourse coincided or was congruous with some factor in the universe of biological thought, the two could not come into fruitful relation. But there was a mediating factor common to both—over-production of offspring. There were other features sufficiently congruent to enable the Malthusian discussion to throw light on the problems of biology. Hence arose the suggestion . . . of Natural Selection through the elimination of the unfit." Here social suggestion communicated to the minds of the two distinguished naturalists a mental system, which was combined in an apperceptive way with the systems of biologic relationships already formed, into a more comprehensive system the fundamental unity of which was the concept of natural selection. But the same mental processes are involved in the humbler achievements of everyday life.

5. Owing to the interconnection of individual wills in a wider volitional process, it happens that a change, originating in an individual mind, spreads through the social medium in

<sup>1</sup> *Psychology for Teachers*, p. 87, new ed.

some determinate fashion. A change in a given mental system spreads to other mental systems in the order of the degree of relatedness of the latter to the former. In so far as the mental systems are more thoroughly organized in the minds of respectively different social groups, we have, corresponding to the order of psychic excitation, an order in the modification of the life of social groups. Social changes begin as changes in the desires and beliefs of a certain group, followed by like mental changes in the groups whose interests are most closely identified with those of the first. But to the extent that other desires and beliefs happen at the time to be ascendant in the minds of the other social groups, the disturbance originating in the mind of the first group meets a corresponding resistance to its spread. The excitation is in its earlier stages of a general nature and becomes more specific as the infoldment proceeds. Accordingly we find deep social changes beginning as vague mental tendencies, which are nothing more than feelings of unrest and dissatisfaction with some existing institution, and which continue for some time in this merely negative attitude of protest. Later a plan emerges that seeks to remove the cause of dissatisfaction by substituting some other arrangement that will realize the needs in this direction in a better manner. The plan becomes a motive to a series of volitions that may have profound and revolutionary changes as a consequence. The earlier phases of such social movements involve the excitation of some universe of belief in its entirety, with a corresponding indefiniteness in the reaction of the social will. The component systems of the particular universe are all equally aroused, so that none of them can become appercipient in preference to another; but later on one of these gains some ascendancy, and events now take a definite turn, owing to the resulting univocal nature of the motives to social volition. The period of incubation of a social movement is thus one in which component mental systems of some universe of beliefs are struggling each against the other to become explicit in the public mind. The issue depends upon a variety of conditions, which lie partly in the mode or circumstances of stimulation and partly in the nature of the mental system itself.

6. The recency of its activity conditions the ascendancy of a mental system. A system out of use is undergoing continual decay. Soon the parts begin to function independent of each other, and to restore the system to its former degree of efficiency requires a process of recollection that is discursive in a degree proportionate to the time during which the system has been dormant. A mental system that has been in recent action may function more efficiently than one which has been out of use for some time although, in the event of continued disuse, it would soon fall into a greater degree of incoherence than the later system. Besides reproduction of an incoherent system generally brings in through association irrelevant ideas that delay the apperceptive activity of the system. At times these are incorporated within the system, as already noted in the case where memory images become changed into images of the imagination. An interesting example of how recency conditions the efficiency of a mental system is given in the memory of the late seismic disturbances. The news of the South American earthquake brought to mind in even considerable detail, the facts of the California disturbance, but only vaguely those of the Charleston.

7. Intensity and vividness of the elements of a mental system are important conditions of its strength. It is chiefly on account of the intensity and vividness of its elements that the world of sensible experience is taken to be the ultimate universe of reality and that the creations of fancy never command belief until they find lodgment in the memory series. Intense and vivid experiences such as are incident to political revolutions are more deeply engraved on the social memory, although the latter have been repeated many times. Ihering advances the proposition, in opposition to the Savigny-Puchta theory, that all great legal principles have been established by what he calls the "struggle for right." Undoubtedly the intensity of the experiences incident to a struggle in which some legal principle is born, is an important factor in helping to maintain the assertion of the right involved, before it has crystallized into a social sentiment. Le Bon has well described the effect which startling events produce on the public mind: "A hundred petty crimes



or petty accidents will not strike the imagination of crowds in the least, whereas a single great crime or a single great accident will profoundly impress them, even though the results be infinitely less disastrous than those of the hundred small accidents put together. . . . The probable loss of a transatlantic steamer that was supposed, in the absence of news, to have gone down in mid-ocean, profoundly impressed the imagination of a crowd for a whole week. Yet official statistics show that 850 sailing vessels and 203 steamers were lost in the year 1894 alone. The crowd was never for a moment concerned with these successive losses, much more important though they were as far as regards the destruction of life and property, than the loss of the Atlantic liner in question could possibly have been.”<sup>1</sup>

8. The support which a mental system can command from the other systems with which it is connected, is of material assistance in the maintenance of its ascendancy. Now we have already seen how association may bring into relation two mental systems that might otherwise remain disconnected; and if such conjunction occurs when the mind is especially active, the two will probably unite in a more comprehensive system whose total energy is greater than that of either. Under such conditions a given mental system, with its associate, in their joint activity, can effectually oust from consciousness another system, although considered in itself it may have less inner stability than its rival. What is called the social opportuneness of an idea or invention, depends upon such associative conjunction. An idea that is harmonious with the general set of the public mind, rallies to its support a whole mental array, while another idea, equally meritorious but lacking such support, fails to command general attention. Not that the mental systems are wanting which under other circumstances would yield the latter support, but that for the time being, they are prevented from acting. With a change of ideas in the public mind, the defeated invention may later gain a speedy acceptance. The great leaders of mankind have well understood these facts, and before trying to put their plans into execution, have either waited till times became ripe through the natural course of events, or have

<sup>1</sup> LeBon, *The Crowd*, pp. 78-79, London, 1900.

sought by direct instruction to develop in the public mind, mental systems that would support their plans.

9. The most important factor in institutional heredity is none of those above discussed, but another, viz, repetition—unceasing repetition with, of course, full command of attention. The groundwork of a civilization is a few fixed beliefs which have been thoroughly wrought into the mental constitution of a people by incessant repetition. The stress which has been laid upon imitation as one of the most fundamental facts of social life, does but enforce in particular words the importance of repetition in giving stability to the ideas, concepts and beliefs of a race. Society maintains a vast disciplinary agency whose sole purpose is to instill into the minds of the young the fundamental facts and values of its culture as data upon which immediate action is demanded. In this routine of the common, oft-repeated experiences, lies all that is most vital to the welfare of a people. Art has largely drawn its themes from the realms of common experience and in this fact lies its suggestiveness. The experiences repeated from the earliest years of childhood, organize into mental systems that require a minimum of stimulation to arouse them; they form a delicate consensus in the way of a sensitivity to the genius of one's civilization which a foreigner never fully acquires.

10. The degree to which feelings of relationship interpenetrate a mental system, has much to do in determining its strength. In a highly organized system, each part reflects and supports the other; so that one part is never in the focus of attention without there being an excitation to some extent of the others. Owing to the reciprocal action going on between the parts, the system is kept from dissolving and in readiness to function as a unit. A series held together by mere contiguous adhesion has no more strength as a total system than the weakest bond existing between any two members; nor does the increase in strength in the connection between any two members improve that between the others. On the other hand, in a system which is a manifold of numerous relations, it is impossible to modify the connection of any two parts without involving the others to an extent proportionate to the number of inner relations. The

best examples of these systems are those expressing quantitative relations as mathematical demonstrations, mathematical theories of physical phenomena, etc. The theories of mathematical physics may fall or stand with a single fact, there being at times a delicate dependence upon quantitative relations within very small limits of error. The corpuscular theory of light gives an admirable general explanation of refraction, but fails when quantitative relations (the index of refraction), are taken into account.

11. In general we may divide mental systems into two distinct classes so far as their cognitive elements are concerned, the group of perceptual data constituting the so-called 'facts' of a science, and the system of concepts by means of which the mind apprehends the facts. The concepts are in reality the laws or principles of the particular science. Now the progress of science means not only the multiplication and more exact determination of perceptual data, but the extension and deeper organization of theory as well. While the theories of a science are conditioned by its data, theory returns to condition the discovery of new facts; for as science develops, the discovery of new data is less a matter of accident, and more a matter of rational procedure based upon existing knowledge. Notwithstanding the intimate relation between fact and theory, their elaboration represents partially independent historic movements: that is to say, the accumulation of facts may go on for a considerable length of time before any need of the revision of hypothesis or theory is felt, just as a further improvement of a theory is possible with reference to the sphere of existing fact. Both the sphere of fact and theory become more coherent with the progress of science. A fact before it is admitted as a datum in the body of existing knowledge must be repeatedly verified; while a theory before it can gain an ascendancy, must submit to critical experimentation devised for the specific purpose of testing the theory.

12. Conceptual systems are not however limited to branches of knowledge with which the idea of science is especially connected. We find the great fund of social knowledge, religious, political, economic, arranged in more or less articulate schemes,



based upon some principle or concept. Experience combines into systematic totals long before the plan of combination becomes explicit in the public mind. In such cases the universal elements of experience do not exist apart from the concrete totals whose plan of combination they determine. What is termed practical sagacity or wisdom consists of mental systems organized in this way. Later the universal elements are disengaged from their concrete embodiments and are explicitly stated in rules. We find for instance in the universality of custom the operation of general factors or tendencies but dimly comprehended, which emerge later in special moral precepts of the practical understanding and again in more fundamental principles of ethical science in the way of certain norms. In the sphere of industrial activities, at times new practices spread through the social medium by the imitation of a particular model, and in this way certain general factors are at work, causing concrete elements to combine into similar wholes. Later these universal factors become explicit in a new concept as in the case of the capital concept in modern times. While the multiplication of concrete social acts goes on with the growth of civilization and the increase of population, the number of distinct universal principles serving for the organization of experience, does not exceed a certain small number. This universalizing activity of the mind corresponds to what is, objectively considered, the discovery of laws of greater generality. In truth, within any sphere of fact already a matter of social acquisition, the growth of culture means the replacing through combination and substitution of empirical formulæ by a smaller number of laws possessing a correspondingly higher generality. Progress in the evolution of conceptual systems is partly a matter of combination and partly a matter of substitution. Many theories which have appeared in the history of science are mutually exclusive; others have resulted from the synthesis of empirical generalizations that have covered partial phases of a group of phenomena; still others have resulted from a more precise quantitative statement or detailed application of an idea already developed in its general features. The later part of the history of events that led up to the discovery of the Newtonian

theory of gravitation well illustrates the progress of generalization through the combination of preceding hypotheses; while progress through substitution is seen in the replacement of the corpuscular theory by the wave theory of light. Substitution then occurs in the case of theories covering the same range of phenomena; combination occurs where theories formulating the order in the component parts of a system, are united in one more general theory valid for the whole system.

13. Conceptual systems comprehending special determinations and having numerous inter-relations, are difficult to displace for the reason that the mutual excitation of parts multiplies the amount of mental energy available at any particular moment. But too high articulateness is at times a source of weakness. No theory ever does full justice to the facts, which must be pruned here and expanded there to fit into the ideal limits of a formula. It thus may happen that a theory is expressed with too much mathematical exactness, and gains so great an ascendancy over the mind because of its logical symmetry that really significant facts are ignored or transformed by such prepossession. The mental system, because of its completeness resists modification, and like a group of physical particles under high internal stress may fly to pieces when exposed to the repeated shocks which the progress of discovery causes. A lower degree of articulateness at times insures a higher degree of vitality, because room is afforded for growth and expansion. Nothing enforces this point better than the inductive philosophy associated with the name of Darwin. Stated with circumspection and a manifest desire to do full justice to all the facts concerned, it never aimed at finalities but only tendencies highly probable, with the result that it has quietly assimilated the facts gathered in so many lines during the last half-century. So, too, in Roman and English law, we have two instances of legal systems whose universal fitness for defining the rights of man, has been due in a considerable measure to the absence of a certain degree of logical refinement.

14. The spread of an idea through the social medium is checked by indifference or opposition. Where there is lacking the mental system with which an idea has some points in con-

tact, it fails to command the attention. Scientific conceptions which formulate highly specialized experience, do not enjoy a currency beyond a small social group, for the reason that in the minds of the generality, the mental systems are wanting which can incorporate the idea. Owing to the superficial contact the mental processes aroused by the idea are very transitory. In the case of opposition, however, the idea stimulates the mind to vigorous action, in calling forth mental systems which have elements that resist the incorporation of the belief into the context of social thought. The various conditions affecting the stability of social groups are so numerous and in their joint action so complex that we find as a matter of history that very few beliefs are uniformly organized in the individual minds of society, but rather that corresponding to the external division of labor in social activity, there is an internal division of thought and feeling, making the social mind a complex of different component mental systems. As a result an idea encounters in its spread through the social medium a resistance varying with the stability of the social groups which antagonize it. In all minds some struggle goes on before the idea is assimilated: in some the assimilation is comparatively speedy; in others somewhat tardy. If the mental conflict terminates in each mind in practically the same way, in the incorporation or rejection of the idea, the struggle has been an individual affair. The transmission of an idea under these circumstances is like the onward movement of a wave in a homogeneous medium: as the wave retains throughout the same form, so each mind repeats the apperceptive activity. What we have here is the repetition of an individual process forming a total process of nearly identical parts. The total process corresponds to an aggregate idea of the individual mind. It is only in rare cases, however, that the transformation of social belief is accomplished by the quiet spread of an idea from one individual mind to another. Such peaceful solution occurs only with matters of obvious utility, where sentiment, habit and prejudice are of minor importance. Conflicts involving beliefs deeply rooted in social history, which because of their fitness to express the fundamental needs of humanity, have strong affective components, are of a more



bitter and violent nature. In proportion as an idea involves emotional interests, it is destined to encounter somewhere in its course firm and obstinate resistance. As soon as there is a division in society between those who oppose the idea and those who affirm it, the seat of conflict has passed from the individual to the social mind. In the minds of one party to the conflict the idea has been incorporated into the dominant universe of belief; in the minds of the other, the idea has aroused an antagonistic mental system. Now mental conflicts of a social nature may be settled in either of two ways: by discussion or by force. Solution by discussion occurs under a variety of forms, depending in part upon the particular nature of the conflict or opposition. The opposition may arise from ignorance. In this case the mental systems which can assimilate the idea, are wanting or imperfectly formed. The idea is sufficiently grasped to touch some universe of belief, but owing to its vagueness it discharges no further function than arousing and keeping ascendant the particular belief. If the belief has strong affective components it leads to practical endeavors that resist the spread of the idea. The removal of the conflict is a matter of education. The idea must be presented as a mental system in the process of unfoldment, like a scientific exposition or judicial opinion,—not as a total: for the component parts, representing a less complex mental synthesis than the whole idea, are more readily assimilated, and their interconnection in a belief follows, once they are firmly established. The mental systems on which the assimilation of the idea depends vary all the way from mere aggregates of general experience to organic combination of concepts in still higher universals.

15. The conflict may arise from the indeterminateness of the mental systems engaged, as between two rival theories that derive equal support from the rather meager data. The discovery of some pertinent fact puts an end to the struggle by suppressing one theory and confirming the other. Such contests are not likely to be spirited in an age of speculative caution when the scientific ideal of suspended judgment on matters not yet adequately investigated is being realized, though in the early history of science, when superstition formed the staple of

its pretences, disputation rather than investigation was the rule.

Other conflicts occur between mental systems through their connection with other systems which are antagonistic. The conflicts of moral precepts in particular cases are frequently of this sort. Moral conviction, for instance, may lead to refusal of a gift of money intended for some worthy end, if it comes from a fortune dishonestly accumulated. There is no conflict of a moral nature between the desire to use money for a worthy end and the desire to be honest. The conflict in the present instance arises from the peculiar concrete circumstances under which the two desires are conjoined. The removal of the conflict in a way that suppresses neither desire, is by setting them free from this particular conjunction and uniting them again as parts of other concrete systems.

16. Free discussion, however, is a mode of solution successful with only a portion of the public issues. Disputes which involve matters deeply connected with social welfare, are subject to legal control, being decided by a body constituted for that purpose. The psychology of prestige and obedience explains the mental processes leading to the solution of these conflicts. Lastly the conflict may attain such a degree of intensity through the feeling engendered that a peaceful solution is impossible and nothing short of an armed struggle can remove the division in the public mind. We have here the intrusion of a physical factor in the domain of psychological causation. The victorious idea in this more than in the preceding case gains an ascendancy through external constraint; and though not becoming an integral part of the mental life of the defeated party, does yet secure an outward conformity. The opinions and sentiments which only violence could suppress, are still secretly cherished; but they weaken as time changes the outward conformity into second nature. The consciousness of force owes its strength to the objective circumstances of its excitation: it does not represent an apperceptive synthesis, and hence does not reflect the inner constitution of the personality.

17. (a) A conflict of any social importance marks a stage in the collective mental life clearly separated from what precedes

and from what follows. In its external aspects, it forms a turning point in the history of nations. Even when the idea fails to be incorporated in the minds of one party to the conflict, society being reconciled to a permanent division of opinion, the conflict has not left the mental systems in the minds of that party in their former condition, for the points of contrariety have been emphasized and rendered more suggestible. In subsequent issues in which this belief is again concerned, either by itself or as a part of a more comprehensive movement, the heightened suggestibility of the points of conflict is destined to play a part in the trend of social thought.

17. (b) A conflict causes social thought to return upon itself. Without some object to arrest the flow of thought, mental life would move on under the inhibitions and reinforcements coming from the play of the forces of association. Opposition causes a backward movement of the social mind to the earlier phases of the struggle; and on this follow mental processes working toward a removal of the conflict, either in the way of the repetition of the mental history of the conflict, or along lines outside of the historic development of the conflict. Much more in the social than in the individual mind is a mental conflict likely to extend to related mental systems; so that along with the fundamental issue usually go many collateral ones.

18. At times the deadlock in the social mind is relieved as noted above, not by an apperceptive activity, but by a moderation of the ardor of the strife, which permits a division of public opinion on the matter at issue. What differences of opinion are tolerated, depends upon what society regards as essential to its welfare. A theocracy punishes blasphemy as the gravest of offenses, because it feels the religious faith of its people to be the strongest social bond. Intolerance arises from the ascendancy of an idea which has considerable internal strength but which is under no systematic control through an interconnection with other ideas in a more comprehensive mental process. Not until the idea encounters resistance so that its immediate command of the will is checked, does the intolerance abate to any extent. Mental conflict raises the status of an idea above that of a mere impulse to action, by bringing it into connection



with other ideas, and thus marks the beginning of rational, apperceptive control. Then the mental changes are manifest on the social side in the weakening of the authority of custom. "As far as it goes, the mere putting up of a subject to discussion, . . . is a clear admission that that subject is in no degree settled by established rule, and that men are free to choose in it. It is an admission too that there is no sacred authority—no one transcendent and divinely appointed man whom in that matter the community is bound to obey."<sup>1</sup>

19. In mental conflict the mind becomes aware of its own activity. In customs and usages are embodied unities of experience which the social mind does not clearly apprehend, though they exert a control on social thought through the felt similarity of one individual case to another. When some particular circumstance arises which because of its novelty, does not readily assimilate with existing customs or usages, mental conflict ensues, resulting in the synthesis of concrete social experiences into higher systems. It is here that emerge the general principles of experiences, moral, political, religious and utilitarian.

Now there are certain general limitations connected with apperceptive action that should be noted. History is irreversible. It is absolutely impossible to restore any past social epoch. The outward arrangements and appointments may be much the same, but the inner sentiments and feelings which clustered around the old régime, and which are the really vital elements, are gone forever. The experiences which have come with the intervening years, have produced a new background in the social mind.

20. Sentiments and ideas which express what is distinctive in the mental life of a people, cannot be bodily transferred from one culture to another. They must be transfigured into harmony with the national genius, if they are to be anything more than floating ideas or mere facts of memory. Hence a belief which represents a long social growth, cannot be assimilated by a foreign civilization in its subtler and more transitive phases. Scientific and mathematical conceptions are the least subject to national limitations, for the reason that they relate to a domain

<sup>1</sup> Bagehot, *Physics and Politics*, p. 161.

of experience which is apprehended by the least variable of human faculties, that of sensible cognition; but the delicate sentiments of social life which find their most adequate expression in the great works of poetic genius, are in a considerable degree the exclusive property of the particular culture.

## CHAPTER IV.

### THE CONSCIOUSNESS OF MORAL RIGHT.

1. The interaction of individual minds takes place with varying degrees of intimacy in relation to the self. As already pointed out, experience organizes in the individual personality into two widely contrasted universes, the physical or impersonal and the social or personal. The feelings which in concrete mental experience, are attached to these two universes, differ widely in their nature. The attitude of the self toward experience regarded in the mere light of fact, is one of disinterestedness. All facts then stand upon the same level so far as their value for the self is concerned: and if the self does exercise any selective preference, it is on account of the feeling which arises from the relation of one fact to another as members of a conceptual system. We have examples of these impersonal feelings of relationship in the feeling of harmony which arises when some conception dawns upon the mind that injects order and system into a mass of disconnected facts; in the feeling of scientific curiosity which impels the mind to seek further knowledge along some particular line, as well as in the feeling of wonder in the presence of something that contravenes the usual order of experience. The two attitudes are mutually exclusive, though alternation between them, at times even somewhat rapid, is in the general run of things possible.

2. When in the contact of one mind with another the point of orientation in the universe of intercourse lies almost exclusively within some cognitive system, the consciousness of self both in the way of idea and feeling, shrinks to a minimum. As the collective mental activity moves within the domain of processes of knowledge, ideas and feelings of relationship form the content of the psychic material communicated. The plane of communication may vary all the way from the bare excitation of mental images up to elaborate interaction of conceptual sys-



tems. In these cases the mental contact is at points on the universal side of experience, sharable by all individual minds. But even here that particular center of mental energy which we call the self is to some extent excited, since the impersonal feelings which color the given ideational processes, represent the reaction of the self as a totality, without involving an unfolding of its parts. If under conditions of mental conflict an unfoldment of the parts of the mental system which constitutes the self becomes necessary, self-consciousness becomes explicit: the idea of self in its relation to other selves together with the various related feelings, comes into full view. Moral situations in particular are favorable to the evolution of the consciousness of self.

3. So long as mental life is such as arises in connection with responses to present stimulation, it stands on a plane of organization no higher than that of animal want; mental changes are then merely an incident in the mutations of experience resulting from variations in the objective order itself. When, however the reinstatement of former experience is possible from central excitation, under any form that will lead to the same practical result as did the original sense stimulation, animal want is passing into a higher mental organization of desire. And later desire becomes still farther removed from immediate practical volition when the reflective analysis of experience and the combination of the resulting elements into products similar to perceptual realities, take place. Desire then arises in connection with ideal universes. Many of these universes remain merely floating systems of the mind, in more or less complete detachment from a group of habits necessary to volition; others are brought into intimate relation with the will, and come thus to exert a direct influence on the turn which the pursuit of practical ends is likely to take. Now among these ideal universes is one of particular importance in the change which brings in the relation of the self to others: viz, that universe in which some type of personality is imagined and desired. The self is here viewed with respect to its inner organization, as composed of certain dominant desires and motives in partial abstraction of the external conditions which surround the self, whether these

circumstances are a matter of hereditary accident or produced by the will of the individual himself. It is not meant by this that the self sets the circumstances of its volitions over against itself as a mechanical opposite, but rather that it sees ramifying through the material changes which its volitions effect, a certain type of personality, the actual or realized self. If some other type of personality is preferred to that which the practical activities of the self reveal, to that which is really immanent in volition, a division exists in the personality on account of the presence of an unsatisfied desire in the form of an ethical ideal. Moral progress consists in the successive incorporation of such ideals into the universe of practical desire as they arise in the course of individual development. In other words, the mental universe in which some type of the self is imagined, must, in order to be an ethical ideal, command that practical assent of the mind which has already been discussed under the title of belief.

4. The universe of the ideal self is social in the sense that it does not contemplate an isolated self, but a self united by definite ties to other like personalities—ties which reflect very clearly the relations obtaining in the existing social order. The extent, however, to which the ideal universe is likely to deviate from the actual social world, varies considerably in the history of culture. Where there is great solidarity of the individual and the social will—where, in other words, the mental life of society is made up largely of processes of association, the deviation is slight. The social will constrains the individual will into a narrow conformity to a type, since individual and social aims are not clearly distinguished. The moral character consists largely of certain fixed habits of thought and action with their related feelings, being thus a will developed out of responses to concrete moral situations in which personal example has served largely as the guide. The morality of such an age is not a morality of reflection that comprehends broad humanitarian ends: it is tribal and sectional, yet withal a mechanism that responds with wonderful delicacy to the demands of that particular social life, serving besides as the indispensable basis of further moral growth. When the individual will comes to function in some degree as an independent volitional process, as it

does with the appearance of imagination, understanding and reason, the universe of self-consciousness, as already noted, includes as one of its ideational elements, the conception of an ideal self. To the extent that this representation is an integral part of that universe: that is, to the extent that it receives the support of self-feeling and its affiliated mechanism of well-formed habits, does it become a force in the transformation of social life. Conduct is then motivated by an end more or less clearly conceived, which serves as a unifying principle of mental life—unifying not merely in the logical sense of securing consistency within some group of ideas or concepts, but in the far deeper psychological sense of permanently satisfying the most urgent and fundamental desires of man. The moral consciousness at this stage of its development presupposes a complex social life in which there is considerable multiformity of experience. Out of a reflective analysis of the complex social experience, through which the individual is enabled to apprehend the universal elements of his civilization, grows the ideal self—ideal, and yet imagined as achieving its career under the special historic conditions of the social order in which the individual exists. The ideal self has, however, become a far more complex and fluid creation than was its predecessor of primitive times.

5. The social universe, actual and ideal, within which the realized and ideal self exists—the realized self in the practical conations of the mind and the ideal self in the imaginary universe of unsatisfied social desires—is the universe of moral consciousness. The ideational content of this universe is not its distinguishing trait although the general proposition is true that the ultimate psychologic fact of the moral consciousness is a personal idea. Moral action, in other words, is not action defined by a particular physical content, but action defined by the attitude of the self. The self here reacts to other selves as concrete totals rather than as individualized aspects of the general processes of social life. The self is truly moral so far as the welfare and experience of other personalities is included within its universe of practical motives. Whatever in the way of mental cultivation, material possessions and other externals



contributes to the efficiency of the self in willing and helping to realize the welfare of others, comes thus to have a moral significance. So far as the ends of the self include the welfare of others merely as an incident, the plane of behavior sinks to the level of prudential conduct; so far as the injury to others is object of direct or indirect volition conduct becomes immoral. In matters of merely prudential content the agent accepts other personalities as a psychologic fact and makes abstraction of all thought whether his relation to them makes for the attainment of the ideal in their lives. Conduct solicitous of the welfare of others is felt to possess, because of its psychic inclusiveness, the higher moral worth, securing as it does in the long run, greater breadth, richness and stability of individual life. It is in conduct based on the perception of an ideal that the self is most frequently thrown into the condition of mental conflict; and yet notwithstanding the pain and worry incident to this, the appearance of inclusive ideals as motives to volition is felt to mark a higher stage of moral development for the reason that the experience out of which the ideal is abstracted and which the ideal returns to illumine and unify, has then a deeper social significance. The relation between the individual and the social will, which heretofore had existed in concrete in particular volitions, now becomes a definite object of cognition, enabling the individual to enter sympathetically into hopes, sorrows, ambitions and disappointments of others. Aside from its foundation in a mechanism of firmly rooted habits, the moral will is largely a matter of the sympathetic imaginations. A life guided by rationally perceived motives is likely to be more stable and harmonious than one based upon immediate feeling; for in the latter case the consciousness of the unity of the self with the other is in the form of an isolated impulse with a corresponding lack of apperceptive control. The outcome then depends upon the adaptation of a preformed mechanism of native and acquired disposition to the particular situation.

6. Moral evil is essentially a condition of affairs in which individual and social life is narrow, restricted, unstable and inharmonious. It implies a condition of mental conflict,—a conflict, however, in which mental systems instead of uniting

into higher and more comprehensive groups, are dissolving into minor and fragmentary ones. Mental conflict, as we have already seen, is the fundamental condition of psychic development. It becomes more pronounced—not necessarily more turbulent or violent—as the complexity of the social personality increases. The partial wills through which the desires of social groups express themselves, are not of equal importance in the determination of the total will of society: so that it frequently happens that the will of a particular social group encroaches upon the wills of other groups, and in various ways makes its own interests ascendant in the collective mind. In proportion as these interests are simply group interests, the ascendancy has the effect of shrinking the general volume of social life, and thus perverts the course of moral progress, except in those early stages of social growth when the most important condition of mental development is the formation of definite habits of obedience to some authority. At times the ascendancy of a partial will means the dominance of an ideal capable of serving as the basis of more comprehensive social organization, and although imposed by force upon the antagonistic social groups, lifts them to a higher plane of social life if they are capable of assimilating the ideal. Conflict of this sort is evidence of an overflowing vitality, struggling to embody itself in new forms. On the other hand the conflict may grow out of the dissolution of social bonds that have previously restrained and coördinated the activities of the various social groups. Thus freed from subordination in any collective activity, the impulses of each group begin to assert themselves in a turbulent fashion, with much energy, perhaps, but with the energy coming from the dissolution of an unstable system.

7. Aberrations of the individual will which are a reflex of social disorder, must be carefully distinguished from the immoral tendencies of the individual will that are private. The individual caught in the maelstrom of social revolution, will give his sanction to deeds of violence which in times of ordinary peace and security he would blush to think of. The usual balance within the universe of motives has been upset by objective conditions. But even in times of social unity and concord,

there is a considerable number of individual wills which stand out in more or less conflict with the social will. Under these circumstances we have order and uniformity in the peripheral stimulations that the individual mind receives, along with a lack of harmony of thought and feeling. The conflict evidently results from some peculiarity in the inner constitution of the individual mind. In some cases the aberrant will is systematically controlled by a universe of motive which the social will unreservedly seeks to inhibit. This universe may be of considerable complexity, so far as mere intellectual relations are concerned, but in respect to personal relations and feelings it is poverty stricken. The purposes of the self are more or less coherent, conflicting, however, with the ends which society deems vital to its welfare. In other cases the individual will does not come into systematic conflict with the social will, and yet may considerably disturb the moral consciousness of the community. A will of this type is not actuated by a permanent universe of immoral motives—in fact it may possess a considerable wealth of social feeling; its deficiency lies in its impulsiveness. Irritating circumstances seriously disturb the mental balance, setting free an isolated impulse that does violence to the objective moral order. In a final category may be put those cases of delinquency which result from a general weakness of the mental organization. They do not come into contact with the deeper currents of social life to any serious extent; the resistance which they offer to the disciplinary agents of society is of a negative kind, consisting in a failure to return to the social fund any contribution for the energy which society expends in their care and maintenance.

8. Thus the immoral life reflects but a fragment of the social life or reflects it in an irregular and riotous manner. In moral crises through which the individual mind may pass, there is profound emotional disturbance; and yet in spite of this, numerous mental systems are excited whose mutual restraint prevents precipitate action. In the excitement of crime there is lacking such reciprocal inhibitory action: the emotional disturbance runs a serial course in which oftentimes a successive accumulation goes on terminating in a violent outburst of passion that accom-



plishes the act willed in such a horrible fashion as to surprise the agent himself.

9. Returning to the consideration of the ethical ideal as a variant of realized conceptions of conduct, we naturally encounter the question, What limit exists to the deviation of the ideal from the practical morality of the times? What is there to guarantee that the ideal which a nation sets before itself is something more than a chimera, perhaps luring it on to ruin and destruction? There is no *à priori* guarantee, although there are some conditions which help to predetermine the variability of ideals, or what amounts to the same thing, to make extreme forms relatively infrequent. In the first place, as explained above, the ethical ideal is a psychologic fact resulting from the normal workings of the human mind upon personal and social data. Any new moral principle or precept, or more inclusive application of some old principle, is first of all conceived by some mind of superior moral insight. The personality of the moral seer is an outgrowth of the common social life both in the way of hereditary equipment and acquired content: so that its idealizing activities are constrained to move within a definite circle of experience. Man's physical heredity guarantees on the average a native disposition adapted to a social economy, so that response to social situations is possible long before any intellectual apprehension of social relations is reached. Instinct finds expression in conscious processes in the form of desire, first in connection with purely practical acts concerned with vital ends, then in connection with apperceptive processes that aim at the removal of some conflict in the world of things, and still later at the removal of conflict within the world of ideas. But even in the universe of abstract relations, the desires of our common humanity come in to direct the imagination and the understanding in the construction of an ideal through which these desires are to receive ampler satisfaction. The moral reason views existing imperfections in their relation to an infinite process of development, and in this way satisfies in part the desire for harmony and order in the objective moral world. But it does not rest content with merely doing this. Though the intellectual processes excited by conflict in the universe of ideal desires are

in some measure independent of practical volition, the primitive tendency of the mind toward action never completely disappears. The moral will is preëminently a practical will, striving after something more fundamental than consistency of ideation—striving in fact after a consistency co-extensive with the personality in its thought, feeling and action. Again, an ideal far removed from the existing moral sentiment of the community, although it is a logical development of that, cannot command a passionate devotion from the people because of its lack of apperceptive contact with the social mind. The impractical moral ideal thus fails to find serious lodgment in the public mind, not only because it fails as a postulate of the practical will to unify the desires already ascendant in a more satisfactory manner than at present, but also because its pursuit involves too much pain and effort. The ideal must fit into the preformed mechanism of the social disposition and be able to organize the practical interests of life. There is continually going on a selection of ideals, and even at times a selection of the idealist. Preoccupation with ideal interests, to the neglect of vital conditions, brings into play the forces of physical selection. Competition between races with the resulting selection maintains a certain harmony between the national ideal and the national character. If the practical activities excited by the ideal are uniformly unsuccessful, the ideal soon loses its ascendancy. The Roman ideal of universal empire feeds on the success of Roman arms.

10. The utility of an ideal lies not alone in the harmony and consistency of life which it makes possible, but also in the hope and courage and through them the vigor of life which it inspires. One of the peculiar traits of moral feeling is the permanent satisfaction which it brings the individual, no matter what the external accidents of his career may be. The finely constituted moral nature feels that, no matter what obstacles have prevented it from achieving a career rich in material content, it has still nobly fulfilled its destiny in the world by putting forth every effort to live the moral law as it conceived the same.

11. (a) The individual cherishes an ideal not only of himself but of the social order of which he is a part. The interaction of these common desires of individual minds forms a collective

process that is a social ideal. The social ideal is generally much vaguer in its lineaments than the individual ideal, yet is frequently a powerful stimulus to action because of the social emotion which stands back of it. In the social ideal the collective mind expresses as clearly as it can the desires which it has in regard to its own constitution. The social ideal is generally most clearly understood by the ruling class, who are the chief organs in the selection of means and ends in the actual historic process in which the ideal strives to embody itself. But almost every individual consciousness feels to some extent national sentiments, no matter how lowly its organization may be. History, literature, myth, folk-lore, in short, all tradition relating to the deeper emotional interests, bring the ideal into more or less clear expression in the individual mind. We may thus speak with propriety of a national ideal so far as there exists in individual minds a common motive to volitions that aim at realizing a particular type of social personality. Usually the social personality moves on a much lower ethical plane than the more exalted individual wills. Nations, in their dealings with each other, have been actuated largely by prudential motives, for the reason that the national safety has been regarded as of supreme value. The broader sympathy which has followed from commercial intercourse and the ascendancy of a religion preaching the brotherhood of man, has mitigated somewhat this national egoism. We get evidence of a movement toward a higher plane of collective ethics in some matters of international concern in the idea that the lives of all nations have a moral worth in part relative to a collective process that embraces all humanity.

11. (b) A higher form of collective ethics means more comprehensive apperceptive control in the social mind. Moral conflict involves the mutual restraint as well as the mutual assistance of mental systems which are components of the personality. In a healthy condition of public morals, when rights are carefully protected through the strict and impartial enforcement of the law, the desires and volitions of the various social groups are harmoniously combined in the social will. There is a full and complete synthesis of the claims and interests of the various groups according to accepted standards of right. On the other



hand when there is a systematic violation of the rights of any class, we have a partial and incomplete synthesis of mental processes in the social mind, due to the suppression of the desires and volitions of the social group. The suppressed volitions assert themselves as soon as the restraint is withdrawn, causing a renewal of the mental conflict. In such periods of public disorder, motives of the social will do not restrain each other but add their energy one to another along the line of violence and confusion.

12. The moral springs of action are kept in a healthy condition only by effort. The social will in its effort to restrain the individual will into harmony with itself, strengthens the habits on which its character is founded and invigorates its emotional life. All social institutions rest upon conflict in the processes of the social mind, since through conflict the social will is spurred on to constant endeavor, and thus escapes the penalty of idleness,—extinction and decay. The resistance of the physical gives us our industrial economy: of ignorance, our educational economy: of evil, our moral economy. I speak of these as economy: for running through them is the law of rational effort which aims at a maximum of achievement for a given expenditure.

13. The primary ethical feelings of love, friendship, duty, obligation, attach most firmly to the ascendant personal universe of the individual. What particular group of persons shall constitute the personnel of this universe, depends upon the factors which determine the strength of mental systems. In the early stages of social growth, the ascendancy lies in the tribal association. Other forms of association like the family are too unstable to furnish a definite set of experiences that will organize into a permanent universe of personal or social relations. The tribal union is the instrument most concerned in the preservation of social life in the early struggle for existence; and round it are associated the most vivid, most intense and most frequent of social experiences. The result is that the consciousness of tribal ends forms the most stable mental system in the individual mind, attracting to itself the moral feelings that are the first to appear in social progress. Further mental develop-

ment of the social personality brings changes tending in two directions: one which is intensive, permeated by the intense feeling of natural affection, resulting in the partial will of the family group; the other extensive, embracing a multitude of personalities within its scope, the will of the state. The will of the family group is the first form which appears in that process of infoldment in the social will that gives us ultimately an individual will which has ends of its own, and which enables the social will to find self-conscious expression. The collective result of this process of infoldment is a rational social will declaring itself through the agency of the state. Corresponding to these two wills of the family and the state, are two systems of moral motives in the individual mind, differing somewhat in their constitution. In the sphere of family relations the most fundamental motive is the feeling of natural affection, the tendency of which is toward a complete obliteration of individual and group interests, as separable factors, while in the sphere of civic relations the sentiment of law, or the feeling of legal right, is the basic motive—a motive of the understanding in which more or less complete abstraction is made of the concrete determinations of personality, and the individual is viewed simply as the subject of certain rights and reciprocal duties.

14. Certain ceremonies, in particular the ceremony of adoption, helped to extend the rigid limits which custom imposed on the morality of primitive times. It is but natural that the stranger should be practically without rights according to the standards of primitive morality, for the reason that the savage sees the individual only in the light of tribal ends, and so excludes the stranger from the scope of social feeling. The thought of the stranger as the member of some unknown or hostile tribe arouses in the mind of the savage a real mental conflict, just as soon as the feelings of common humanity begin to prompt him to extend to the stranger the privileges of his family or clan. The device of adoption according to the primitive way of thinking changes the personality of the stranger in a manner satisfying to the demands of tribal safety, and creates between the stranger and the savage a system of reciprocal rights and duties sustained by the common impulses which the tribal will aroused in their

minds. Adoption extends the sphere of obligation without impairing the strength of the feeling, since the ceremony itself is a solemn affair by which the sanction of the tribal gods is obtained for a more intimate personal relation. It makes the limits of social feeling more elastic, but could evidently work only little change in the mental disposition of the tribe, founded as it is upon rigid customs. Far more powerful for change is the contact brought about by war or commerce; especially if political union under a single head is the result, provided the two cultures are equally virile, or nearly enough so, in order that one may not completely extinguish the other. With the thorough intermixture of the two races, goes on a corresponding incorporation of their cultures, resulting in a more complex civilization, and a greater openness to foreign influences. The individual moral universe has been both broadened and deepened: the virtues common to the two cultures have now a wider social validity, while each culture has contributed some virtues peculiar to itself.

15. Besides the rules of conduct valid for the entire social order, there are special rules valid only within some particular social group. This necessarily results from the fact that social groups have desires and sentiments of their own. Certain virtues are more fundamental to the life of one group than they are to another. The differentiation in class morality is for obvious reasons pronounced when social classes are rigidly separated from each other by hereditary lines. The desire of the superior caste to maintain their ascendancy leads to the adoption of elaborate ceremonials and usages which make the difference in rank plain to the eye and so accustom all to the thought of rank as a just and necessary principle of social organization. Moral respectability lies chiefly in meeting the ceremonial exactions of one's caste. A socialization of caste morality begins when an interchange of thought and feeling between the different castes sets in. The movement of ideas is more rapid from above downward, as the intellectual fermentation in the upper social ranks is the more vigorous; but in compensation there is a slower and more massive flow of social feeling upward from the heart of the multitude which suffuses the whole social life.



The combined result is a system of national virtues that serve as a groundwork for the more special virtues of the various social classes.

16. A social life of manifold activities, characterized by a rapid interchange of ideas, is governed less by habit and more by a consensus of motive resulting from an openness to suggestions and impressions along numerous lines. Such openness is due to the increased range of individual experience which makes possible the elaboration of mental systems of varied content. The resulting increase in the breadth of sympathy leads to a change in moral values. The past no longer commands the obedience and loyalty that it once did, for its sanctions lose something of their former force, owing to a growing disposition to accept the institutions of the past for what they are worth as contributing much or little toward realizing the dominant ideals of the present. While the individual will has now vastly extended its realm of social relation, it has been to some extent forced to make abstraction of those details of personality which were formerly the chief source of inspiration and strength. Though the old feelings which clustered around the narrow but deep personal experience of family life have been somewhat weakened by the change, in their stead have come others which may even more constrain the individual will to self-sacrifice. The individual mind is assailed by an indefinitely larger number of impressions, and so far as these have a common tendency they organize in a cumulative way into motives of considerable strength. But the relaxing of the bonds of traditionary constraint which results from the openness of the individual mind to social impressions of numerous orders, makes possible a great number of ideas which may be operative in determining the activity of the imagination to the construction of a corresponding number of ideals. Some confusion then results in the matter of moral values. This invariably happens in the opening up of new lines of social endeavor. It becomes at times under such conditions difficult to subsume all the concrete acts of practical conduct under the old moral principles. The difficulty continues until through the mutual inhibition of antagonistic motives and the rational synthesis of harmonious incen-

tives, the will is supplied with some definite moral concept that sobers and tempers the imagination. Once that confusion exists as to moral values within a particular domain of social life egoism asserts itself in the more vigorous natures and causes self-deception in regard to the moral quality of actual achievement. When some conception emerges capable of harmonizing some of the new practices with the great body of accumulated moral precepts, the accidental and the transient, which are essentially the immoral complications in the situation, disappear and the social mind goes back in thought and feeling to the permanent ends which are the indispensable basis of all development.

17. The principles of morality thus seem to stand in vital relation to the mental health of the individual and social will. Certain disturbances of feeling are symptomatic of mental disorder: melancholia, for instance, indicates the severance of the natural relation between feeling and action: the mind becomes suspicious of itself, suspecting the sincerity of its own motives; minutely attentive to its feelings in themselves for no ulterior reason. In the excitement of mania, on the other hand, the mental life expands: projects enter the mind with astonishing rapidity, in utter disregard of physical possibility or of moral obligation. But out of the fury nothing permanent emerges, for the very violence of the emotive processes suspends the apperceptive activity necessary to efficient mental work. Contrast with these two conditions that of a mind sound in its moral constitution. In the latter we see a general hopefulness, faith, respect for self and others urging the will on to systematic and controlled endeavor. Much the same may be said of the social mind. Faith in itself, hopefulness of the future, reverence for the past, a sentiment of honor and of law—these in moderation are the indispensable conditions of high efficiency in the social will. Wide-spread corruption, especially if it occurs with a general state of social apathy and indifference, is an unmistakable sign of social decay. These conditions are of course reflected in the individual life; but such demoralization of individual life differs both in its origin and in its nature from personal degeneracy. The former is due to a lack of proper discipline from

the social medium; the latter to an internal derangement of the personality resting on an impaired physical heredity. But there are some cases where the two merge imperceptibly into each other: many succumb to temptation in times of profound social disorder and excitement who under less exacting conditions would round out a career of decency and respectability. There may be no impairment in the abstract conceptions of right, duty, law, justice, but the blunted moral feelings cause an impairment of the practical moral judgment, so that the moral identity of concrete acts that belong to the same moral category is not perceived. Moral conceptions become detached from moral attitudes and form a sort of floating mental system. Moral feeling "is a function of organization," writes Maudsley, "and is essentially dependent upon the integrity of that part of the nervous system which ministers to its manifestations as is any other display of mental function. Its sanction is given to such actions as are conducive to the well-being and the progress of the race, and its prohibitions fall upon such actions as would, if freely indulged in, lead to degeneration if not extinction of mankind." Moral feeling then is the most sensitive index of the mental integrity of the individual who has received a thorough training in a social environment enforcing rigorous standards of conduct. A delusion may seize a community and lead to official acts that violate all canons of justice and mercy, as did the witchcraft delusion at Salem; but seizures of this sort are usually ephemeral, as history testifies. They do not excite the apprehension that a delusion of the individual mind does, because they are largely a matter of the intellect, aroused by external excitation, while a delusion of the individual mind exists in spite of the innumerable impressions of the social environment which tend to inhibit it. With this goes a derangement of the affective life which does not accompany a belief merely erroneous. But in spite of these exceptions, the general proposition remains that the immoral life both public and private is the life of disorder, confusion, violence and weakness.



## CHAPTER V.

### THE CONSCIOUSNESS OF LEGAL RIGHT.

1. The social will, in its composite organization, lacks the unity of the individual will in action, though motivated by more numerous and more comprehensive ends. As a mental system it is composed of minor groups that can function in far greater independence of each other than is the case with the contents of the individual will. The affective processes are likewise much more delicately balanced in the individual personality than in the social personality. We find, for instance, a frenzy of excitement spreading through a community which in the case of the individual would indicate grave mental disorder in the way of systematic mania. An emotion in spreading through the social medium undergoes considerable mutation as it spreads from one social stratum to another and even from one individual to another within the same social stratum. Take the instance of a piece of legislation which affects certain property rights. The social classes who possess no property view the matter with comparative indifference, while the particular group whose interests are threatened oppose in anger and indignation the proposed legislation. The emotive attitude of the individual mind toward a situation is for the moment unitary, but emotive processes in the social mind may at a particular moment possess all shades and variations. Now we have seen that the moral consciousness is essentially the personal, the personality in some form or other being the end of action. It is then evident that the very condition for moral contact in its higher aspects, is an intimacy of individual contact by which each comes to have detailed knowledge of the personality of the other. As the sphere of contact widens, the finer and more delicate adjustments of friendship cease, partly because of a lack of intimate knowledge of other people, and partly because of the absence of certain emotive processes, instinctive in their nature, which

the bare notion of social relations would not excite to any extent. Intimacy sometimes arises from a community of interests, as in the case of certain voluntary associations; but this is generally feeble in comparison with that which arises out of the instinctive needs of humanity. Still more attenuated is the personal feeling when we pass to economic organization, where men enter into coördinated activities largely from a desire for certain physical objects capable of satisfying human want. The contact there is reduced down to a sphere of ideas relating to physical processes. In so far, however, as in any of these spheres of contact, the personality of the agent comes in as a conscious factor or condition, rights and duties are created. Obligation attaches to the contract between the employer and the laborer, as to the rate of wages, hours of work, etc., not because of the laborer's position in the industrial organization as an economic force, but because in and through the terms of the contract ramifies the personality of each. Now it is evident that an emotion which arises from intimate personal knowledge and relation can never be a motive to the social will in the full sense of the term. In order to rise to the level of social motivation, an idea must arouse those mental systems which are organized with approximate equality in each individual mind. The social will, in so far as it is truly social, aims at ends valid for the whole social organization, and never makes the individual as such the direct object of volition, or, in other words, the personality of the individual comes in merely as an incident in the pursuance of general ends. The juristic personality is merely an abstract conception; a construct of the understanding and reason, and is a convenient fiction by means of which legal relations are systematically thought of. Thus the law specifies certain mental qualifications necessary for testamentary competency, and in doing so takes account of certain well-known facts of human nature: but even in the judicial application of the law, where the law comes in contact with the concrete personality, the history of that personality is a matter of concern only in so far as it helps to determine whether the given individual possesses the specified soundness of mind. The law is interested in maintaining some and suppressing other systems of personal relationship more than it is

in the instrument of these relationships, the concrete personality, although it is constrained to operate through the latter in doing so. This, of course, is the ideal of what the law should be, rather than the practice which actually obtains, though it is a psychologic fact like any other ideal.

2. The first way in which the social will acts upon the individual will is in the way of restraint, through the mechanism of the law. It arises out of conflict between individual wills which disturbs the consciousness of right of the community and especially the consciousness of right as organized in the government. The psychologic difference between the consciousness of law as it exists in the mind of the community and in the mind of the government may be expressed by saying that in the first case it has more of the nature of a sentiment and in the second more that of volition. The fundamental condition for this inhibitive reaction of the social will is the externalization of the idea in the individual mind in the form of some act, since this is the only way in which an idea in the individual mind can set going a collective process. The reaction of the social will has a double effect: one on the individual will and the other on the social will itself. The individual will has the consciousness of its guilt brought before it, and at the same time through the special discipline to which it is subjected, may undergo an educative process that leads to the formation of a character as harmonious, at least, to the social will as the condition of personal liberty demands. In other words, the excesses of the individual will are brought within the limits of tolerance of the social will. The crime conflicts with the consciousness of law in the public mind. If the crime goes unpunished, there is a blunting of the feeling of legal right. As soon as a community habituates itself to letting crimes go unpunished, the feeling of hostility which the infraction of right arouses, weakens, as no feeling remains intact which becomes permanently disjoined from the corresponding act. Punishment maintains the integrity of the feeling of right in the social mind, because it furnishes a definite channel for the expression of the feeling and thus avoids the paralyzing effect of what would be otherwise a mere emotional fermentation, besides emphasizing the concept of the right.



The social will also comes into contact with the individual will in a more positive fashion, performing functions that are more creative than those of mere inhibitive supervision. The social will as organized in the state sets before itself certain specific ends that aim at realizing a certain type of social personality. The state appears as an undertaker in various enterprises whose magnitude is so great and the return for which is so remote and imperceptible that private associations are not disposed to assume the risk. The most powerful motive in private association, outside of religious impulse, is the economic one. As economic value rests upon scarcity, implying limitations in the powers of production, there are many things desirable because of their social utility whose pursuit cannot be brought within the scope of this motive. Many lines of endeavor which from the standpoint of immediate economic return, appear insane and delusive, like the chemical tinkering of the alchemists, do yield in the course of centuries enormous returns on the energy invested. Back of all economic activity must be a sentiment of patriotism, of religion and of kinship. A high industrial economy comes only after centuries of effort during which an intense race spirit and consciousness has been fabricated. An ardent race feeling is an absolute necessity for survival in the struggle for existence going on among competing social groups. Let a nation lose faith in itself; let it become indifferent to its own past achievements, and view without emotion the sacrifices of its martyrs and heroes; let mutual trust and confidence, sympathy and virtue pass away and its doom is sealed. A national song or hymn, a work of great poetic genius—in short, art in all its varied forms gives articulate expression to the deepest hopes and aspirations of a people and so converts a vague emotional tendency into a social volition that molds the national life and raises the plane of collective endeavor both in the way of its spiritual and material achievements. In the encouragement, direction and control of the social agencies making for the higher life—even in some cases directly supervising them—the state appears as the most efficient instrument of the social will.

3. The contrast between the legal and the moral in regard

to personal relations, pointed out in the opening paragraph of this chapter, calls for further consideration. We may speak of the impersonal character of certain social relations, not in the sense that they are relations holding of impersonal, i. e., physical things, but in the sense that the universe of intercourse between the minds concerned is a mental system in which abstraction is made of the specific determinations of personality. When a judge, for example, renders a decision in strict accord with the merits of the case, as we say, he is treating the matter in a way as objective as a scientist does the facts of nature. His personality is simply the instrument through which the social will expresses itself in respect to the point in question. Of course self-feeling may be present but not in the way of prejudice against or sympathy for the party to the case: it is present in connection with the ideal he has of himself as the impartial administrator of the law. But in accordance with the fact that any mental system shares in some degree the unity of the personality, there is reflected into the decision to some extent the personal bias of the judge, either unconsciously through the limitation of habit and temperament, or consciously with a knowledge that such is the case. The result is dependent upon the special circumstances. In the case of the intended departure from the strict demands of the law, if it is done from prejudice, passion, hatred, and other egoistic motives of no moral worth, positive mischief is the probable result; if the departure is made from a consideration of the higher moral ends of social welfare, and if no injustice is done thereby to any particular person, undisputed gain follows in the way of making the law as a whole a more efficient instrument of social progress. The unintended modification of the law goes on through judicial interpretation. The law at best can only deal with classes of acts, with only very general reference to the material conditions of the act: so that acts are continually occurring which differ so much in their material circumstances from anything previously coming under judicial cognizance, that the highest legal insight is demanded in dealing with them. Right here is an opportunity for the development of professional and technical opinion through the collaboration of decisions that grow

and expand in the course of time to such an extent that a new right has been created. In this collaboration of judicial opinion are acting also those general social influences modifying the spirit of the entire legal system. But it is the manifest ideal of justice to reduce the personal factor to a minimum, and to do this certain checks and balances are introduced in the judicial machinery. In some cases appeal is permitted; in other cases the verdict is a collective decision of a court consisting of several judges. A collective verdict is held to minimize personal bias by broadening the view of the case through the interchange of judicial opinion and the cancellation of irrational or chance factors. The law should correspond with the general sentiment of justice in the community, though it frequently happens that a law securing a fair average of justice in former times no longer expresses in many of its details the existing social sentiment. Judicial interpretation plays an important part in maintaining the vitality of the law by a process of slow but continuous adjustment to social changes. The legal sentiment of a community is in a healthy condition when it does not consist of the mere motive to preserve the legal system, but of a willingness to obey it because it is felt to be the most important objective condition in the moral progress of mankind.

4. The consciousness of law varies in its organization in the minds of the various social groups. It is most sensitively constituted with respect to those rights the maintenance of which is most necessary to the ends and purposes of the group life, as determined by the psychological conditions governing the strength and stability of mental systems. Out of the experiences which enter into the composition of the dominant universe in the mind of the group, imagination develops an ideal which the group seeks to impose upon its members—the ideal through which the group-conscience declares itself: nonconformity to which on the part of the individual will calls forth the reaction of the group will, sometimes in the way of personal disapproval, at other times in the way of compulsion exercised through the channels of the law. It is in those fundamental points round which the self-feeling of the group flows, that the individual is likely to have the clearest consciousness of right as defended



and protected by the law. The consciousness of legal right, if it really figures as a motive to the will, is something more than a mere system of abstract concepts of the rights and duties enforced by the law: back of these must be the self-feeling which arises when something is felt to be an important condition of the welfare of the self. It is especially on the side of feeling that the vigorous enforcement of the law strengthens the consciousness of legal right. If officials are derelict in their sworn duty, allowing an open violation of the law, the injury done extends far beyond the incidents of the particular case; the feeling and respect for all law is weakened in the public mind. Not only is the strict enforcement of the law in those cases in which the state takes the initiative in punishing, of fundamental importance in keeping alive the feeling for the law in the public mind, but perhaps equally important is the action of the individual in asserting his right in cases where the state leaves the enforcement of the right optional with the individual. Where the individual puts forth his own effort to assert the supremacy of the law, although it may be from a purely egoistic motive to pain his assailant or recover material damages, and not for the sake of the law itself, still his own consciousness of law is strengthened and through his example that of others. In fact the failure to assert the right impairs to some extent the moral vigor of the individual concerned, for his self-feeling has been aroused without issuing into appropriate action. The willingness to abandon one's own right, even if the law views it with indifference, is incompatible with that sturdy and manly sense of justice and of law demanded of every citizen of a democracy. A virile sense of right in the minds of the great mass of people is the best safeguard against the prostitution of public interests by corrupt officials, for it makes demands of them in the way of rectitude and honesty that a timid spirit, hesitating to demand its dues, does not.

5. The energy with which the feeling is aroused in a conflict of right, depends upon the conditions governing the interaction of mental systems. The invasion of a legal right is a special instance of conflict in the social mind. Some act is committed which cannot be incorporated with the system of rights main-

ained by the law: the act is an objective fact, a system of perceptual relations, which arouses into full or partial activity the system of ideas and feelings constituting the consciousness of the right. Within certain limits the consciousness of legal right is strong in proportion to the frequency with which the law is invoked to resist the invasion of rights. Where the legal institutions have been developed largely as the result of national effort, the nation is likely to have a healthy sense of justice. Nothing confirms this proposition better than the history of legal development in England, in particular that of the common law which is a vast body of rights developed through judicial decisions determining particular concrete rights. A people which has much to do with the creation of its own laws, has its consciousness of the fundamental principles of moral right and justice largely bound up with the consciousness of law. A class which has never made use of the law as a means of its material or moral welfare, has no conception, much less a feeling of right. The rights which it does have, are due largely to the good will and conscience of the ruling classes. Rights which have been thus conferred, and not won by effort, do not rest upon habits of action firmly rooted in the personality of the class whose welfare they sustain. Aggression does not call forth a moral reaction in the form of disturbed feeling of right, but only the response of animal hostility. Too much litigation may, however, impair the consciousness of right. The enforcement of rights through the agency of the law is a rough and harsh process; and in the pain and irritation which is necessarily incident, the moral feeling for the law is frequently lost in the feeling of revenge or animosity. As soon as the law is severed in thought and feeling from the consciousness of moral right, it may degenerate simply into an instrument serving no purpose but to vex and harass an enemy.

6. The vividness and intensity of the experiences connected with the establishing of a right, are important factors. That which has been acquired at much cost and sacrifice, usually stands in intimate relation to self-feeling, and has thus strong affective elements back of it, helping to maintain its ascendancy. A right gained through profound social disturbances is firmly

implanted in the memory and affection of the people: they feel that they have put into it so much of their very life and being that it is an integral part of themselves. A whole array of powerful sentiments and emotions—family affection, patriotism, religious feeling—is brought to the support of a right acquired at the cost of the nation's blood and treasure.

7. The comprehensiveness of the interest involved affects the stability of a right. A right which ramifies through the whole social structure, will call forth proportional resistance to any disturbance. If the given right is enjoyed by all social classes, it is a motive to the whole will of society, and as such can command more energy to resist its invasion than only a particular right. The zeal with which a people rush to the defense of the national honor when assailed by a foreign power, shows the strength of motives which are supported by a tide of emotion surging through the entire current of social life.

8. A right derives strength from its interconnection with other rights in a system of rights. Custom makes for self-consciousness in a community in that it expresses a usage known to be valid for the whole community, but the custom precedes and does not follow as the result of a clearly conceived idea in the social mind. When, however, specific declarations of the social will exist in the form of statutory enactments, society has arrived at a very clearly defined idea of the various ends of its own existence, which form a relatively coherent system. There emerges the consciousness of a system of law, over and above the concrete laws which form its content. The idea of the legal system comes to be a motive and leads to efforts looking to the maintenance of the legal order itself. A law then acquires a force as being the member of a system, beyond that which comes from defending some particular right.

9. Where the enforcement of the right is a matter of option with the individual, there is a likelihood that he will look at the right and the consequences which flow from its invasion, largely from the standpoint of his own private interests, ignoring the wider social results in the way of the reflex influence of the enforcement of a particular right upon the consciousness of right in the mind of the community. So long as the enforcement



of the right is left to the individual himself, it is subject to all the caprices of individual temperament: personal feelings like revenge, anger, jealousy, fear, come in to operate independent of impersonal standards. There will consequently be irregularity, excess, deficiency of action in the enforcement of the right. The first step toward increasing the security of the right, consists in surrounding the penalty which the injured party may exact with certain limitations; here the violence and excess of the individual will is checked by the social will which declares itself through the particular rules. The volition in which the individual exacts vengeance, comes to include social motives that subject the emotive elements of the volition to some restraint. The right of punishment is first felt in the history of legal development as largely an individual matter. The socialization of the primitive power exercised by the individual in avenging his own wrongs reaches its final stage when the right of punishment is taken entirely out of the hands of the individual and vested in some regularly constituted authority which represents the community in the case. The changes which have occurred in the meantime in the individual and public consciousness of right, are numerous. In a general way moral conceptions have become more clearly defined in the social mind: the social mind has reached some consciousness of itself as a moral entity, in both idea and feeling, as is attested by the fact that its own will is now authoritative in the punishment of crime; while the individual now views crime from a wider social standpoint, seeing that conceptions of certain social standards, apprehended as valid for all minds, now enter into the composition of his idea of crime. Further, the state in making general provision in an authorized agency for the punishment of crime has been actuated by motives of general validity, and not by feelings and ideas arising out of a particular case. Thus the state has provided in the personality of its agents a psychic device for the judging of crime which makes accidental feelings and ideas, such as arise in the mind of the injured person, as little determinative as possible. Of course feeling is necessary in any volition, whether public or private; but it is a very important matter for legal development whether such feeling be objec-

tive, relating to the mechanism of social acts, or subjective, relating to the personality of the individual in relative detachment from the social whole.

10. Mental conflict has played a considerable part in the development of legal right. Those rights for which society maintains an elaborate protective agency, are evidently vital to institutions and relations which society regards of fundamental importance. The value which the social will attaches to them, is measured by the vigor of the resistance it offers to the invasion of them. In the domain of legal right the social disposition is receiving articulate expression in certain specific declarations of the social will. The mass of social experience which is here in function is so great that the resulting mental inertia resists change. Old legal rights are thus imbedded in psychic mechanisms of considerable stability. Many of the most fundamental rights have been secured only by revolutionary means, that is, by profound disturbances in the social personality in which not only have old habits been broken up but new conceptions of social and political values have emerged. But the mental conflict involved in the creation of legal rights, is seen not only in those more profound psychic movements which involve more or less the whole social will, but also in those more limited mental processes in which the will of the individual or group is concerned. Legal rights which are judicial affirmations of pre-existing customs and usages, have arisen in these minor conflicts of the individual or group will. The experiences of effort and struggle, which accompany the mental conflict, act as powerful motives to maintain the right during the first stages of its ascendancy. As the assertion of the right becomes more and more a matter of habit, these experiences lapse from memory, and leave the right a rule whose origin is no longer felt. In the absence of direct historic instruction to the contrary, the individual born into an old social order in which thorough harmony existed between the legal institutions and the national character, would be ignorant of the nature of the real process by which the idea of a legal right rises to the status of volition in the public mind.

11. The extent to which the individual feels the law as a

constraint depends upon the degree to which it restricts the spontaneous flow of thought in his own mind. If a strong desire arises in his mind that runs counter to the law, his processes of thought are blocked, and the idea of the law as an objective condition of conduct comes into full consciousness. While the psychological nature of these conflicts is much the same as that of any other conflict, the moral significance of the conflict varies considerably.

12. The atomistic way of conceiving social relations looks upon the state largely as a coercive agency standing over in somewhat mechanical opposition to the individual. The power of compulsory subordination which the state possesses is of course one of the fundamental incidents of its constitution, but to emphasize this aspect of state function to the exclusion of others, shows a serious lack of insight into the mental nature of society. Civil institutions are from such a standpoint merely artificial arrangements which men can enter into as freely and dissolve as freely as they do a business corporation or any other purposive association. Those processes in the mind of the individual in which he thinks, feels and wills the part of a citizen, are, however, possible only because his mind and the other minds of the particular political order, interact in a collective mental process that extends backward through many centuries. The same historic development which has given legal and political institutions and relations, has created the citizen as the subject of legal and political rights, with his love of liberty and his sentiment of law. It is only in a social order that a personality can exist, i. e., a psychic entity in which the consciousness of its own being is a motive; and of course there is implied in all this corresponding institutions that maintain objective conditions that render this motive effective.

13. In the desire for freedom the individual does not view himself as isolated from others, but as a member of a mental community in which a certain range of free determination of individual volition is secured through a system of reciprocal rights and duties. The practice of freedom must to some extent precede the desire for freedom. An animal is sometimes said to "desire its freedom" through a courtesy of speech that has



no strict regard for psychologic fact; but in the light of the discussion of desire given in a previous chapter, it is evident that the motive impelling the animal to escape its confines is a feeling of unpleasantness resulting from impeded action. A social desire like the desire for civic freedom can arise in the individual mind only as the result of its interaction with other minds in which the same desire is simultaneously developed, and thus presupposes certain social practices and experiences out of which the mind can elaborate it. The routine of social experience necessary to the development of definite and fixed legal and political concepts implies objectively modes of conduct generally obtaining in the social order, and corresponding rights with a regularly constituted agency to enforce them. The common consciousness of right means, therefore, a general harmony between the volitions of the individual will and those of the social will, though at times conflict at some points of contact occurs.

14. The particular institutions through which the feeling of right expresses itself, define and make real the feeling by connecting it with definite forms of activity. The individual, so far as he is aware of the authority which by common consent is vested in these institutions, has a conception of a common end which is being furthered by their enforcement, and must on the whole regard them as equally indispensable to his own well-being, though at particular times he may be blind to the truth on account of some conflict with certain of his inclinations. To the extent that such is the case obedience to the existing standards of right is a matter of free determination of the individual will and not of constraint by a motive externally determined and deriving but little support from the apperceptive activities of the mind. The beginning of the consciousness of legal right as a moral condition of man's existence, is obedience to the social standards of right expressed in custom. The social preparation which the discipline of custom makes for the higher morality of duty, consists in forming habits that inhibit some desires and in connection with these, a consciousness of a common welfare. A considerable portion of the motives which make for obedience to law, consists of habits formed with refer-

ence to concrete situations arising in the various private associations of which the individual is a member. It is here because of the more simple character of the social relations, that the fact of a common life is most clearly conceived and strongly felt. The opinion that the individual in passing from the life of the simple social groups to the life of the larger group of a political society, is completely bisected in his personality by the ascendancy of an entirely new set of motives, is at variance with all the laws of psychic causation. Undoubtedly a man in his function of a political subject is actuated by motives different in some respects from those dominant in his mind in other spheres of association; but still a considerable amount of psychic material in the way of habit and idea is carried over from private lines of social endeavor to public ones. Participation in the common life of private associations, tends to develop a consciousness of a collective well-being and a willingness to subordinate in some degree individual preferences and inclinations to the will of others, which will stand one in good stead in his civic relations.

15. The organization of the consciousness of a common well-being varies considerably in the history of culture. In the early periods of social development when the social will comes to expression in the individual consciousness chiefly in the form of impulsive motives, the collective is felt rather than clearly apprehended by the intellect. Historic effects have been organized in the social mind in habits and simple ideational systems in which only the most obvious relations of cause and effect are conceived. Any social movement is understood only through the changes it produces in the concrete relations of one individual to another. In the emotional excitement which at times sweeps through the social order, the individual passes through experiences of unusual intensity and is borne onward by a stream of life which he is powerless to resist. But up to this point the consciousness of a common life is a psychological, not an ethical fact. The individual is moved to action by motives externally excited, or by those which spring directly out of the character or disposition and form a system of practical tendencies of the will. It has in it no ideal of a common



good. A somewhat higher stage is reached, not only so far as the intellectual apprehension of social relations but in a more important way so far as moral development is concerned, when the particular relations through which the individual apprehends his connection with the social whole, are thought of as a common good in which he and others share in realizing some ideal of self. Whenever the law steps in to protect the individual from the invasion of these rights, he has direct demonstrable experience of the law as a practical condition of the moral order. Indeed the firm connection between the idea of the law and volitions operating within the practical relations of life is the necessary element in any effective consciousness of legal right, no matter what the individual's theoretical insight into the law as a social factor may be; and it is really the absence of such association that in part makes possible the criminal mind. A weak mental connection between the idea of the law and practical volition indicates that the law is not fulfilling its true mission in the social order: it indicates some serious lack of harmony between the national character and the legal institutions. This is the case when partial or group interests become ascendant and use the law with all its accumulated energy to constrain the social will into harmony with their demands; or when a nation imposes its own laws upon a subject people without any regard to native law or custom; or again when in the moral decay of a nation, insincerity and apathy have seized a people, and there is wanting the zeal and energy to enforce a system of laws adapted to a sturdy and resolute character. Provided there is widespread peace and security in the enjoyment of the ordinary private rights of business and the other common relations of life, considerable harmony between the legal institutions and the social disposition may exist, with but little of that higher idealism in the consciousness of law that makes the individual take an active and watchful interest in the law as the most efficient means of attaining the ends of collective welfare. He looks upon the state much as he does a business partnership, giving it his hearty support because he feels it as a practical necessity. Perhaps the higher civic idealism is not attainable in a social order where there is a sharp separation in thought



and practice between political and legal rights. However inefficient in some, perhaps many respects, democracy may be as a form of political organization, there is in it the possibility of the average person rising to a higher moral plane in his conception and feeling for the law than in a political order where the task of legislation and administration is the work of an hereditary class.

16. The consciousness of collective ends and existence becomes more precise in its ideational contents not only through the knowledge practically acquired through state affairs, but from many theoretical disciplines like history, political science and sociology. When to all this knowledge from whatever source obtained, is added feeling strong enough to raise the entire mental system to the status of a volition, a certain ideal of national existence has emerged that is to be a practical force in social life. And as the political organization is the medium through which social organization is most authoritatively expressed, this ideal is most intimately associated both in thought and deed with the activities of the state. This statement must not be taken to mean that the ideal of collective ends has been the sole motive or force acting to organize the social will in the state, for as a matter of history other motives of inferior moral worth have coöperated with it. The national ideal exists imbedded in fact in a complex of experiences relating to individual as well as social ends; but the fact of importance is that the ideal exists, whatever may be its connections with other mental states, and so makes to the extent of its ascendancy the political order a moral one as well. No state would rest secure even upon that higher form of selfishness, in which the individual looks at things from the social point of view on account of prudential motives. Egoism of itself tends to shrink the social horizon and obscure in the individual mind conditions and relations that are necessary to the realization of his own ambition. The calculation of purely personal advantage weakens the strength and spontaneity of action which social life in so many of its circumstances demands. A certain interest for the social life in and of itself is a necessary condition for that enlarged grasp of social relations without which a career successful in

merely external achievement is possible. A motive aroused solely by external constraint, i. e., one which excites an act not because of its general harmony with the constitution of the personality but because of its strength, could not be relied upon to render uniform support to the interests of the state; for as soon as the external circumstances which excited it pass away, the feeling and desires which represent the organized tendencies of the self are sure to assert themselves. It is precisely at times when the political order needs the most defense that a motive of this sort could be least relied upon. Mere restraint could never create a personality as an organized system of thought, feeling and volition; and to the extent that any institution rests upon coercion, is the mental life back of it narrow and impoverished. Coercion is justified at times simply because the repetition of a thing, even when done under compulsion, forms a corresponding habit that may later function as a part of a process which in its totality is free and rational. Despotism for this reason has a sanction in the ethics of political development.

17. Thus the state is not to be conceived as something over and above the humanity which manifests itself through social institutions. It is a collective phenomenon of a certain character existing in and through the reciprocal relations which the members of society sustain to each other. Society as organized in the state differs from society as organized in other forms in the ends of its existence and the mode of attaining such ends. The supreme compulsory power which is an incident of the constitution of the state, derives social significance from the fact that it is compulsion exercised according to law, maintaining a system of rights which are necessary to a collective life.

## CHAPTER VI.

### THE SOCIAL WILL AS EXPRESSED IN THE STATE: THE THEORY OF SOVEREIGNTY IN ITS PSYCHOLOGICAL BEARINGS.

1. The attribute which the state possesses, of being in certain cases the most authoritative expression of the social will, is generally spoken of by writers on political science as that of sovereignty. It is particularly in this field of social phenomena that political science and social psychology have much of their data in common. For this reason, no doubt, political writers have been prone to express their views on the authority of the state in psychological terms. In fact, in the writings of some authors we find a more or less clearly conceived psychological theory of the state. But on the whole the history of the theory of sovereignty reveals much confusion and vagueness, largely on account of an inadequate social psychology.

2. There are two facts of social psychology which are basic to an understanding of this subject: one is the reality of the individual will and the other is the reality of the social will. An attempt has been made in the preceding pages to show that the reciprocal interaction of individual minds in a community is a collective process having certain definite features; that only in virtue of such interaction is it possible for the individual mind to come to even a slight realization of its own powers; but that although so far as its total history is concerned, continuous social contact is implied, there is yet an apperceptive organization of experience which renders it relatively independent of immediate stimulation. Now there are some things in the interaction of individual minds which lead to nothing very definite along the line of conduct, such as vague sentiments and various forms of emotional excitement. So long as such is the case the public mind is in a state of confusion which continues until in the process of interaction some individual mind is reached in which are aroused apperceptive activities that issue in a clear



idea or concept, and in this way convert a vague emotional tendency into a volitional process that is social in its scope. In other words an individual personality is necessary to give articulate expression to social processes of thought and feeling before any definite resolution of conflicts in the social mind is possible. Once that a specific conception emerges at a point in the social medium, provided it satisfies existing mental conditions, it is forthwith incorporated by some system in the social mind. This "particularizing" function of the individual personality, to use a term of Professor Baldwin's, seems to be the truth in the contention of certain writers that sovereignty resides always in a determinate body of persons; and so far as this is the case, they have shown deeper insight into the constitution of society than others who hold to an extreme universalism that does away once for all with all individual determination.<sup>1</sup> But it is possible to conceive the independence of this particular body of persons in too absolute a manner. Atomism in psychology and ethics leads readily to atomism in political philosophy, in accordance with which sovereignty is likely to be thought of too much as physical coercion, commanding obedience through the motive of fear with but little regard to the real needs of human nature which a political order satisfies. The particular personality through which social desire comes to articulate utterance, is an outgrowth of the social life and can be considered as the source of authority only in the relative sense that it makes an individual contribution to a social tendency by converting the latter into a more or less clearly defined movement.

3. The form of social control which writers on political philosophy have in mind when speaking of sovereignty, is one which comes rather late in the history of society. It presupposes a consciousness in which society has arrived at some recognition of itself as a psychic entity, with defined concepts of values in the various spheres of life, and some regularly constituted and authoritative means of putting into execution its preferences. The volitional processes in which society declares its will through the mechanism of the law, are complexes which in their totality are consciously constituted with respect to par-

<sup>1</sup> The Austinians, e.g., in contrast to the French "Doctrinaires."

ticular conflicts, yet contain parts which are automatic and stable. Many of these automatic connections have had a long social history, and were developed by association in the period of the ascendancy of custom. These factors, which the usual legal discussions overlook, are of fundamental importance in a psychological analysis of the motives of political obedience.

4. It has frequently happened in the history of a people that a partial social will—the will of some social group—became ascendant in a universe of social relations and constrained the great mass of individual wills through fear into certain unwelcome modes of action. Such constraint, however, has usually not extended to all departments of social life, but only to certain external acts the performance of which left the deep undercurrent of social life undisturbed. The vast stream of social sentiment, desire, hope and ambition cannot be completely focalized in any particular body of determinate persons. For this reason despotisms even the most pronounced usually leave their subjects free in the general course of events in their domestic and religious life. Its constraint is felt chiefly in the levying of tribute and impressing in the military service. In other spheres the obedience of the people is due to sentiments and feelings of a pervasive nature that reside rather in the consciousness of society as a whole than in any one individual mind to the exclusion of others. So far, however, as these sentiments and feelings do come to clearer expression in some personalities than in others, such personalities are centers of influence not because of a power of compulsory subordination which they possess, but because of their representative function in some association. The influence which they wield may at times constrain individual wills, relatively few in number, to acts that they would not do of their own volition; but on the whole the influence is possible simply because the people feel it to confirm and strengthen their habitual sentiments and beliefs. Authority, so far as it is despotic, i. e., so far as it merely represents the will of a single person, or a class, and commands obedience through compulsion—acts as a block to the flow of mental life at the points of constraint, but the resulting mental conflict does not lead to a healthy apperceptive activity in which mental

systems are united into a more comprehensive and unified system, but simply to an arrest that means aversion. It is immaterial whether the despotism proceeds from a native or alien source, for the mental results are the same. Both attain their ends by inciting the public mind to acts that do not flow freely from its inner constitution. There is a suppression of sentiments and feelings which under conditions of freedom would operate to inhibit or perform certain acts. Extended to all departments of life as a real principle of control, compulsory subordination would ruin all creative mental activity on account of the encroachment upon apperception by the habits of servility in thought which are developed through mere compliance with external authority. The body may become the mere passive instrument of physical force, but the personality never, for the very condition of its manifestation has been removed.

5. The ascendancy of the political power may be less coercive and in more intimate contact with the social personality if it exercises its will through the preformed disposition of society which is mechanized in the ancient rights and customs. The supremacy of English power in India furnishes an admirable example of this more organic form of political and social contact. According to Bryce,<sup>1</sup> the English administrators in the time of Clive and Warren Hastings, found in the native law, "First, a large and elaborate system of Inheritance and Family Law. . . . Secondly, a large mass of customs relating to the occupation and use of land and of various rights concerned with tillage and pasturage, including water-rights, rights of soil-accretion on the banks of rivers, and forest rights. . . . Thirdly, a body of customs, according to our ideas comparatively scanty and undeveloped, but still important, relating to the transfer and pledging of property, and to contracts, especially commercial contracts. . . . Fourthly, certain penal rules drawn from Musulman law and more or less enforced by Musulman princes." "In this state of facts the British officials took the line which practical men, having their hands full of other work, would naturally take, viz: the line of least resistance. They

<sup>1</sup> *Studies in History and Jurisprudence*, p. 98.



accepted and carried on what they found. Where there was native law, they applied it, Musulman law to Musulmans, Hindu law to Hindus, and in the few places where they were to be found, Parsi law to Parsis, Jain law to Jains.”<sup>1</sup> Since that time many acts have been passed codifying and amending the native law, so that as a net result we have “the new stream of united law which has its source in the codifying Acts”<sup>2</sup> and “the various older streams of law, each representing a religion.” Thus an ascendancy like that of British power in India, while exercising but little direct coercion, really touches the life of the subject people in a more vital manner than a military despotism would. Instead of shrinking the mental life at the points of contact by an inhibitive and contractile motive like fear, it really amplifies it by giving greater stability and certainty to the flow of native sentiment and feeling. English administration and legislation has caused most changes in the native law in those spheres where the native law was either meager or where because of its peculiar nature it was comparatively flexible. The modification has been relatively superficial in those social relations rooted in deep habits and strong sentiments.

6. In passing to cases where the law and the power that enforces it are equally indigenous to the particular society; where the law has had a slow and continuous growth through trial and experiment in which the people themselves have played an important rôle, we find the points of contact between the legal institutions and the national character correspondingly multiplied. There is here also a determinate person or body of persons to whom in the first instance the making and enforcing of laws is due; but here the ascendancy is due more than in the other instances to the fact that the organized personality of society finds on the whole an adequate expression of its will through the instrumentality of such a body. Political power is now a force that is concerned in the maintenance and protection of rights that meet general approval; in other words, with the maintenance of general social conditions that are necessary

<sup>1</sup> Bryce, *op. cit.*, p. 99.

<sup>2</sup> *Ibid.*, p. 105.

to a certain freedom of volition. When a power of this sort exists, which "prescribes forms and obligations to all minor purposive associations, and shapes the social composition,"<sup>1</sup> it may be fitly described as the organ of the social will, since it is the medium through which habits and desires of the social mind come to expression in an authoritative way, i. e., in a way that commands the usual obedience of individual wills.

7. While the usual flow of social thought and feeling comes to regular and definite expression in the declarations of a determinate body of persons, in time of serious disturbance it frequently happens that no particular body of persons can be pointed out as the one in which ultimate authority actually resides. There is then no social will. Social volition has become merely social emotion; and it would be as rational to apply the term will to the ravings and fury of a madman as to the public mind in a state of excitement. If there is any collective tendency discernible in social thought and feeling, it arises from the fact that some of the various motives competing in the public mind through their massiveness and strength turn the tide of social emotion in a particular direction. Under such conditions there is no organized public sentiment and no particular will through which the social will declares itself. The usual motives of obedience which at other times unite to produce a consciousness of a commonweal, are out of function. The effect of such a state of the public mind is seen objectively in the suspension of private rights by which individual volition enjoys an amount of freedom and encouragement otherwise impossible. Some order emerges from this confusion when the points of conflict become clearly defined, and society divides into two contending parties, each having a degree of organization. There is now no sovereign power, for there is properly no social will in the sense of an organized volitional process growing out of the controlled interplay of individual minds. What we really have is a division of the social personality with the mental processes slightly organized about two competing centers. When society is thus divided into two hostile camps, there is usually a con-

<sup>1</sup> Giddings: *Principles of Sociology*, p. 174, ed. 1896.

siderable contraction in the volume of national life; for commerce and other pursuits are partially paralyzed. Within the ranks of each party we see something of control and obedience: each party has a leader, a definite body of persons to which the rank and file render obedience—an obedience which at times is far removed from servility, being inspired by a keen sense of duty and a rational idea of common welfare and of the interests at stake. But still it is true that private rights are insecure under such conditions, even within the ranks of each party, so that the individual is frequently compelled to do things against his own inclinations, no matter how great may be his general sympathy for the cause he defends. Fear comes into the foreground of consciousness as one of the motives of obedience at times of martial control. When the mental conflict in the social mind is brought to an issue, the emotional excitement abates, desire is again subordinated to rational control, and a supreme social will once more emerges, having a definite personal medium for the enforcement of its declarations. The private rights, temporarily abridged, are restored, giving to the individual will its former, and perhaps greater, range of freedom and activity. Now we have a personal agency exercising supreme coercive power when necessary within the limits of a system of public and private rights. But the authorized agency of the state, viz: the government, has a personality in some degree its own, and for this reason does not usually act as a mere neutral medium of expression. Frequently its conduct is dictated by egoistic and personal rather than legal and social motives. Frequently too it acts as the mold of public opinion, awakening the social consciousness to new matters of general interest and importance so that the organ of sovereignty must be looked upon as a social group having a will in a measure peculiar to itself. It thus comes about that the sovereign power may enforce laws which stand in conflict with the social will, at variance with the general system of rights which guarantee the individual freedom and protection in his ordinary pursuits.

8. The particular way in which the forces of social life select the membership of the governing body, seems to stand in no necessary relation to individual freedom—at best only remotely



so. The opinion that a law in order to be an expression of the social will must have the sanction of a majority ballot, rests upon a superficial view of things. The arts of the demagogue may so push private interests upon the attention of the public that a majority opinion upon the matter in hand, as recorded in a general ballot, does not express a rational volition, but simply the desire of a crowd acting under suggestion; while the decision of a select body, even if its membership is hereditary, may more truly reflect the real will of society, in that it accords faithfully with the spirit of the total system of public and private rights obtaining under rational conditions. The essential thing is that the governing body shall be responsive to the hopes, sentiments and desires of the people as these organize themselves into definite and urgent opinions. That the governing body may maintain its organic connection with the social order, true to the mission it has of maintaining rights and enforcing obligations, some surety beyond its condescension and good will is necessary. There must be institutional limitations that act as a powerful restraint upon the excesses of the will of the sovereign power, making difficult any concerted action toward the usurpation of authority and keeping the people in an attitude defensive of their rights. Provided the individual has in certain spheres of life that freedom of volition necessary to creative mental activity, a people may rise to a considerable plane of culture though the legislative and administrative functions of the state are practically in the hands of an hereditary class. Custom generally acts as a sufficient protection against the complete abrogation of a right, but is a weak security against the invasion of the right so far as isolated individuals are concerned. But something more than this is imperative, if the state is to be an efficient association in realizing the moral possibilities of man: rights must be so secure that the humblest citizen can command the aid of the state in his defense with as little effort as the most influential. The modern system of representative government by which the personnel of the law-making body is in part directly determined by the choice of the people, has much to commend it as a limitation to despotic authority. It is the most effective instrument yet devised for converting public

opinion into a practical force in political control, besides being a discipline of the highest order in training people into habits of independence and self-reliance.

9. Between political and other social institutions history reveals a delicate interdependence: universally societies having a high mental organization as externally manifest in the creations of art, science, and industry, are states of corresponding political development, guaranteeing rights and engaging in lines of endeavor that make for the moral and spiritual perfection of man. Then law is something more than a rule imposed by an external authority; it is a system of rights collaborated by the nation in the mental conflict that on the one hand gives a social will capable of realizing certain collective aims and on the other an individual will organizing social experiences in its own way. The struggle has been more of a conflict between the partial wills of antagonistic social groups than between individual minds of the same social level. The cleavage in the struggle has usually begun in the upper social ranks of superior initiative, working an alignment on this side or that side of the point at issue as it moved downward through the various strata of social life. A vast upheaval from the social depths can occur only in the relatively late stages of social history, when a vigorous interchange of thought and feeling is going on among and between social classes. Some great leader may then emerge from the commons to voice their demands in tones that compel an extension of their legal and political rights and make the state still more the servant of the humble citizen in protecting his now greater sphere of freedom from invasion.

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