

II.—ETHICS AND POLITICS.

IN MIND, No. VI., I stated that Utilitarianism, so far from being provable from Ethical data, is not an Ethical principle at all but a Political; the Law of Health of the higher organism or polity, and not the Law of Conduct of the unit members. My present object is to justify this statement a little more fully by considering the relationship of these two laws, and to suggest a practical test whereby to distinguish their respective spheres of operation.

First I must avoid a misconception. There is a branch of Law, unwritten and unenacted, of which the sanction is custom and public opinion of the class or society which adopts it, and which is best known as the Law of Honour and Fashion. It is in fact Rudimentary Law; and while some parts of it, being difficult to formulate or otherwise unsuitable for positive enactment, remain always rudimentary, other parts of it only await legislative, or (as in the case of English 'common law') judicial, recognition, to become integrated into the political structure. As an instance of a law so made, I may quote Mr. Spencer's explanation of the so-called 'Law of Exogamy' from a fashion of having foreign wives; as an instance of such law in the making I may name International Law; and for other illustrations I may refer to Sir H. Maine's *Village Communities*. This unwritten law or Law of Opinion was most unhappily termed by Austin 'Positive Morality'; and though he explained that name to mean merely certain "human laws" "without regard to their goodness or badness," the misnomer has produced much confusion; for when men hear of morality, they naturally think it must have something to do with moral goodness and badness. For the purposes of this paper I have only to state that this 'Positive Morality' is a branch not of Ethics but of Politics, part of the Art of Praising not of the Art of Acting. With this precaution I may proceed to the main subject.

Historically the unit necessarily precedes the organism, and Ethical facts therefore come before Political. Given tissue endowed with sensibility, that is, with the property of reaction under stimulus, and we have the raw material of Morality. For the only tissue which can continue to exist is that of which the reactions are such as to secure self-preservation, or in other words, the 'good' of the reagent. Next it follows that as, in the progress of evolution, tissues become at once differentiated and integrated into an organism, each retaining its proper reaction, the resultant action of the whole, partly by the ordinary laws of the composition of forces, and partly by the

continued operation of the same law of Natural Selection, (which is really nothing more than the identical proposition that those tissues or organisms live best whose properties are most conducive to life) is productive of the resultant 'good' of the organism. Meanwhile there is an inner or subjective side of this law of self-preservation, and this can only be described as the attainment of pleasurable consciousness; for pleasure is simply the conscious state which accompanies the due performance of vital function. Finally, Morality proper begins when not only is pleasure attained by action but through habit the idea or feeblere excitation of the pleasure reacts so as to produce the action; in other words, when pleasure is not only attained but aimed at. If an organism has reached this stage, so as to be capable of intentional action, it is a moral agent though alone in the universe.

Next let us see what happens when the spheres of action of two such agents overlap. Clearly the resultant action is, as before, and by the operation of the same laws, the resultant of the two individual actions; and the resultant 'end of action' is the resultant of the two individual ends, determined in proportion to their relative forces. Now where circumstances are similar, the resultant action will also be similar; and as certain circumstances often recur, the corresponding actions also recur and through habit become a custom. Thus, as I said, is the rudiment of Law; and just as Morality proper begins when a spontaneous action is intentionally repeated by a personal consciousness, so Law or Politics proper begins with the conscious enforcement of custom by a central authority. Thus we see how, by the same law which makes the end of Morality the pleasure of the individual agent, the end of Policy, whether of Family, Tribe, or State, is the resultant pleasure of all whose action is represented.

I have thus very briefly sketched what I consider to have been the Order of Nature, but as this may be considered problematical, I prefer to address myself rather to the Order of Knowledge, and to prove my theorem from the actual history of Ethical and Political speculation rather than from any hypothesis of prehistoric evolution. Now, the order of knowledge being a retracing of physical evolution, while Ethical facts preceded Political, Political Philosophy naturally preceded Ethical. When man began to reflect, or turn his thought backwards, social organisation was already considerably advanced; and his reflection naturally commenced from the point at which he stood. The latest products of evolution were accordingly the first objects of inquiry. Law and Politics were the earliest studies, and human life and duties seemed bounded

by the conceptions of the Family, or Tribe, or State. These were the lowest units; the individual was not yet self-conscious. Thus we find that in all early societies the individual has no rights, only status; no duties except those implied by his relation to the tribe, or (in the more organised societies where some system of marriage has been evolved) to the family. If he sins he entails a curse upon his kin or tribe; if he requires punishment his wives and children suffer with him. They are his appurtenances; his individuality extends to them; and he is punished in them just as he is also responsible for them. The unit agent is in fact the family or tribe and, by whatever part of itself it does the act, the whole must be punished. So, too, acts which a higher morality rejects, are applauded if done for the public good: the severity of Manlius, the treachery of Jael, and the cruelty and duplicity of David are models of heroism. The Public Good, or Utility, is the standard of virtue; Ethics is not yet differentiated from Politics.

This absence of the idea of individual or personal morality is common to all early nations. Mr. Darwin (*Descent of Man*, Vol. I., p. 96) says, "Actions are regarded by savages, and were probably so regarded by primeval man, as good or bad, solely as they affect in an obvious manner the welfare of the tribe,—not that of the species, nor that of man as an individual member of the tribe". Nor is this idea of morality confined to savages; it was common to the most civilised nations of antiquity.

In Greece it is well known how political life absorbed all intellectual interest. A good man meant a good citizen (it was even doubtful whether a slave could have virtues at all); and the Greek view of moral education was summed up in the Pythagorean advice, 'Make your child a citizen in a good state'. To the Athenian or Spartan, individuality was a sign of political decay; Plato was careful to exclude it from his ideal republic. So too his *Republic*, a professed treatise on Morality, can explain the individual only on the analogy of the State, the less known by the better. And even when the molecular politics of Greece had been dissolved in a single all-absorbing state, the conception of man as a 'political animal,' deriving all his rights and duties from the state, was suspended rather than destroyed, and was ready to reappear on a fitting opportunity. The later Greek Ethics recognised indeed Individualism, but only within certain real or assumed limits; it never attained the conception of an individual *human being*. Its final word was still addressed to citizens, though of a city whose empire was the world: to the Stoic Antonines 'Citizen of the World' still seemed a prouder title than 'Man'. Greek Ethics was never completely emanci-

pated from Politics; Individualism reached the limits of the State, but not the limits of Humanity.

In early Rome, the lowest unit recognised was the Family represented by its head, who, like the Hindoo and Jewish father, had absolute power not only over the property but over the life and persons of his wife and children. But above the family was a higher status, that of Citizenship; and from this flowed all the individual's rights and wrongs. And even when conquest and the need of political assimilation brought in the later doctrines of 'Equity,' it was the equality of citizens of different states implied by the adoption of the '*jus gentium*,' not the equality of individual men, which was at the foundation of the later Roman Law. The life of a citizen was indeed sacred, but the life of a barbarian was valued only as so much machine-power, and for the pleasure which it gave a Roman to see him die in the arena. It was not to Rome any more than to Greece that we owe the Individualism of modern life.

Among the Jews again in their early history, all interests and duties were centred in the Family and the Tribe. Both Religion and Morality were purely patriarchal. Jehovah was 'the God of their fathers,' jealous of strange gods, their tribe's representative and protector in the unseen world against the gods of other nations. And this external exclusiveness had its other side in internal solidarity: the unit was also an atom. Of individual rights or responsibility there is thus at first little trace: the sins of the fathers are visited on the children; the priest offers atonement for the people; the whole human race is held to 'lie in sin' because of a trivial disobedience by its first parent. Is a man to be rewarded? "Behold, I have made thee a father of many nations; in thy seed shall all the families of the earth be blessed." Is a crime to be punished? "Let the criminal perish with his wives and his little ones: let his children be desolate and beg their bread." Is a pledge of fidelity required? A man offers his family as hostages. Is a neighbouring tribe hostile or its territory wanted? "Slay both man and woman, infant and suckling, ox and sheep, camel and ass;" and forget not their gods—"burn their graven images also with fire"; "destroy their name from under heaven".

But after a while, as in Greece and Rome, the old patriarchal feeling gradually gave place to a vague consciousness of individual responsibility—the usual rule came to be, "The father shall not be put to death for the children, nor the children for the father" (Deut. xxiv. 16); though still on exceptional occasions the old spirit returned and justified itself as the direct command of God. Gradually, as Morality gained more hold, these exceptional outbursts became less frequent,

and even the prophets, who were always the mouthpieces of the old barbarous spirit against the new culture, began to say, "No man can deliver his brother, or make atonement unto God for him"; "The soul that sinneth it shall die"; "The righteousness of the righteous shall be upon him, and the wickedness of the wicked shall be upon him".

In this conception of Individualism the first condition of a true morality was gained. But the conception was still deficient in two directions. In the first place it was wanting in thoroughness; for though responsibility was personal, the standard was still external, and morality consisted in act not in motive, in a ritual of outward observances not in holiness of heart. In the second place its sphere was limited; for it extended to the Jews alone. But at last, and it is this which distinguishes the Jews from all peoples as the first moralists, these further conceptions were also attained. So far other nations had reached, for individualism within the limits of the state had been ultimately recognised both in Greece and, under the empire, in Rome; but the final step was reserved for that singular race of exceptional moral earnestness, whose earliest legend of man represented him as rebelling against authority in matters of morality, and selling his happiness for an ethical inquiry.

Of these final discoveries the former was first made by the last and noblest of the Jewish prophets, the latter by his greatest follower. Together they complete the basis of morality. The great message of Christ was on the one hand the worth and responsibility of the individual, on the other hand the inwardness of virtue. Of these the former was already, as we have seen, partially recognised; but the latter was in flat contradiction to the dominant religious doctrines of the day. "Woe unto you, Scribes and Pharisees, hypocrites; for ye are like unto whited sepulchres, which indeed appear beautiful outward, but are within full of dead men's bones and of all uncleanness." This was his message to the outward morality of action. Virtue is something more than obeying the letter of the law; it is in the heart, not in the act. The Sermon on the Mount was the Gospel of Inwardness.

Morality had become not only personal, but inward; Individualism was recognised as determining not only responsibility, but also the standard of action. It was thus made *thorough*. The only thing remaining was to make it *universal*, by eliminating from the conception of the individual all elements of race and nationality. This final truth, though foreshadowed by the teaching and the life of Christ, was first securely established by the great Apostle of the Gentiles. It

seems to me mere paradox to speak of St. Paul as the true founder of Christianity, and he himself would certainly have disclaimed such a title; but there can be no doubt that to him is principally due the spread of Christianity beyond the bounds of Judæa, and the widening of Individualism to the limits of Humanity. Thus it was St. Paul who finally emancipated Ethics from Politics, and for the old state-morality depending on particular social and political conditions substituted human morality, which depends on no conditions but those which are common to the whole human race. Christianity as preached by St. Paul was therefore the Gospel of Human Morality. Its maxims were universal, and thus at once human and potentially scientific; its standard was personal and inward, and therefore moral. The characteristic virtues of Christianity, forgiveness, repentance, modesty, humility, faith, hope, charity, are virtues of feeling, not of act; its greatest products—chivalry, the emancipation of women, the suppression of slavery, of suicide, of infanticide, and of the grosser forms of impurity—have been expressions of the right and dignity of the individual man.

The Christian Gospel was thus the starting point of Ethics. Henceforth there were two prolegomena to all possible systems of Ethics: (1) that the principles must be universal; (2) that the standard must be individual, and the intention, not the act, must be the object of moral judgment. In other words, Ethics must be entirely separated from Politics, must be founded on Psychology, and must result in some form of Individualism or Egoism. This, I believe, will hereafter be recognised as the true glory of Christianity, when much that now more peculiarly bears that name will have become obsolete and forgotten. No doubt the coarser forms of the appeal to Egoism in the fables of Heaven and Hell have been justly stigmatised as degrading to the moral ideal, but the significant fact is that such an appeal should be made at all as the foundation of a moral system. Christianity, as it has been too commonly taught, has no doubt been a low form of Egoism; but it has at least clearly recognised Egoism as the sole principle of action. Its error has been in forgetting the Hedonistic Paradox (if it be a paradox), the knowledge of which is a condition of rational Egoism, that Pleasure, like every other object of pursuit, cannot be attained directly but only through means; and that if a man is always thinking of the end, he is sure to think less of the means, and is thus likely to miss the object of his pursuit.

But although Morality was made self-conscious by Christianity, it was not at first systematised, much less explained. Moral Philosophy did not begin to exist till long after Moral Knowledge; not until Christendom had embraced the thinking

world, and men began to reflect on the maxims they had learnt. Even after reflection had begun, men were for long content with mere authority, and sought accuracy only in a multiplication of rules; but at last the need was felt for a *basis* of authority, an ultimate principle to be the court of final appeal. In the search for such an explanation of moral phenomena there came first an *a priori* attempt, like that of the pre-Socratic schools, premature and imperfect because unsupported by evidence, to explain the Moral Cosmos by a conjectural Atomism, or resolve it into a single element. Then came a Socratic era of inquiry into the nature of men's actual beliefs. These being found to be discordant, and the Introspective method being thus shown to be productive of no higher authority than Custom, the necessity was seen for psychological criticism, and this having shown that moral judgments are of the same nature as other judgments, Ethics became a portion of Ontology, affiliated to Psychology. Morality is of course still concerned with individuals, but it is seen that nothing can be known about the individual by self-interrogation; he and his morality must be studied through phenomena, and, like any other phenomena, from the outside and not from the inside. That there will be a Science of Ethics is a superfluous prediction; that it already exists I almost dare to assert.

Again, although I maintain that since the time of Christ the provinces of Ethics and Politics have been separated, I do not mean to say that this has been seen to be so, even by philosophers. On the contrary, the two have been greatly confused. Morality has been placed on a political basis, and asserted to depend solely on man's relations to his fellows, and to be determined by utilitarian consequences just as if Christ had never preached; and on the other hand an ethical justification has been sought for the State in a supposed social compact,* to the destruction of all political stability, and moral or equitable rules have been allowed to flow from the 'King's conscience' into judicial decisions and so into law, to the perversion of all legal consistency. Indeed I believe that the two sciences have never been accurately distinguished, and to that I attribute much of the uncertainty which exists in each.

This confusion I believe to be mainly due to the following facts. In the first place, Political like Moral actions are done through individuals, and it requires powers of analysis beyond those generally used to separate the different capacities in

* This is not only a fiction of political theorists but has been adopted in the ordinary legal text books. For instance, Blackstone (Book VI., Ch. I.) appeals to it as the foundation of that part of the penal law which deals with *mala prohibita*.

which a man is called upon to act. Hence those principles are welcomed and adopted which seem to offer a guide to all actions alike; and the consequence is a sort of compromise between *Ethics* and *Politics*. Like Pascal's Jesuits, men "contentent le monde en permettant les actions et ils satisfont à l'Évangile en purifiant les intentions". Secondly, this is increased by the fact that the official exponents of morality are the paid servants of society. "You ought to do this," men are told, and while the duty has often reference to the good of society rather than of the individual agent, it is enforced by an appeal to self-interest, multiplied indefinitely by the threats and promises of a future life. Thus moral sanctions are used to further social interests, and men are too idle to test the reality of the connection between them. Public education and a state-religion are useful political engines to extend to secret acts the observance of the penal law; but they are so by the very fact that they tend to obscure the distinction between the principles of *Ethics* and *Politics*. Thirdly, the very existence of a Science of *Ethics* (and its existence is assumed by common sense) implies not only inwardness but knowableness, that is, certainty. Now at first sight these two conditions seem inconsistent. If Morality be inward or subjective, and Science be concerned only with objective facts, it seems that the two can be combined only by the covert withdrawal of one of them. If *Ethics* looks only at motive, and Science only at phenomenon, how can there be a Science of *Ethics*? Accordingly the great division between modern ethical systems has been between the non-Ethical and the non-Scientific. On the one hand there has been the Intuitionist school, which while plainly Ethical is as plainly exclusive of Science, shuddering at the least suggestion of 'materialism': on the other hand the Utilitarian, which while in a sense scientific, as professing to give a definite standard of measurement, is, I maintain, clearly non-Ethical, hiding itself in *Politics* to escape the difficulty of motives, and bartering its birthright for a table of statistics.

Is it then impossible to combine the inwardness of *Ethics* with the objectivity of Science? I believe that this is possible, but only in one way. I believe that the Physical System of *Ethics* is a true Science, and truly Ethical, for it rests on the physical law of motive. It is 'objective' because it formulates a universal relation between impressed and expressed force; the result in each case varying with the machine through which the force is passed, but depending on a constant law, so that if the particular values were known the result could in theory always be predicted. It is 'inward' because it places morality in the motive or intention, and not in the act.

It is another question to determine *which* of these two, Motive or Intention, is the ultimate object of moral judgments. If (as seems the correct definition) Intention be the act willed and the sum of its foreseen consequences regarded objectively,* and Motive be the desire of or shrinking from each of those intended consequences, or, in other words, the intended consequences considered as pleasures and pains, and if Volition be the resultant motive issuing in act, or, as Hobbes says, "the last appetite in deliberating," then Intention is nothing but the sum of Volition and Motives regarded objectively, and the question is only between Motives and what I have called Volition. As to this, it would seem the more correct course to value the elements, and from them calculate the value of their resultant; but inasmuch as motives or consequences are good and bad only relatively to each other, and in due proportion, and as this due proportion is hard to determine except by consideration of the effects of the combination of different proportions, that is, of the nature of the resulting acts, it looks as if it might turn out the more practicable course to commence at the Volition and work back to the Motives. Still the consideration that the same Volition may result from different Motives, and have in each case a different moral value, according to the ends to which it is intended as a means, seems conclusive that its moral value depends on its constituent Motives, and that subtracted Motives do not balance one another so as to vanish in the calculation of the moral value of the resultant. We value an action according to its farsighted-

* I use Intention as meaning the intended act and its consequences, desired or the reverse, *so far as foreseen*, not as an act which would have involved consequences beyond those intended. In the latter sense Intention and Motive are very different, and the Intention may be good though both Motive and Act are bad and *vice versa*. 'Intention' in this sense (which is that in which it is used in the penal law), is not an internal standard at all, and its use implies the application of an external standard to an internal act. It is therefore a chimæra, a mixed offspring of Morality and Policy; produced, as I shall explain, by the fact that voluntary action is the material on which Policy has to work. But to *Ethics*, Intention covers only the consequences actually intended; and in this sense it is the sum of Motives. For I deny that a man can intend a consequence without taking it into account as a motive for or against the action, though of course the resultant motive respecting any consequence may be nil, so as to make it an object of indifference to the will, and thus to make the contemplation of it inoperative as an end either for pursuit or avoidance. But the fact that opposing ends or motives balance, does not make them absent from the calculation, and they are represented not only in the arithmetical sum or Intention, but in the geometrical resultant, Volition, just as faithfully as physical forces are represented in the Will of Nature, which is Physical Law.

ness, that is, its extent and clearness of vision; but the same Volition might have resulted from a narrower view, in which case it would clearly have been less moral.* From the direction of motion we cannot discover the acting forces, but if we know the active forces we can infer the resultant motion. Hence the forces are the ultimate factors of the problem; and we may perhaps conclude that the morality of an act depends on the sum of its motives in their respective proportions, and is measured by the happiness to the agent which such motives acting in such respective proportions would normally produce in similar cases. This is, however, an irrelevant question: what here wants emphasis is the distinction between intended and actual result. The latter being independent of the agent altogether is no more moral than gravitation: where there is no Consciousness there is clearly no Morality.

It may perhaps appear that if Morality be founded on Evolution (which is the doctrine of the Physical System) it must contain many things besides motives, because Evolution proceeds in other ways, and good motives often retard it. To this I answer that Ethics is not the whole of Evolution, but that branch of it which is comprehended in the conscious action of individual men. An act or thing may no doubt in a sense be 'good' that is not the result of good motives; but not *morally* good or *right*. In one sense gravitation or any other natural fact is 'good'; but no one would contend that such facts are ethically or morally right. That seems to me to be the fallacy of a well-known argument of Natural Religion. It is no doubt true that 'whatever is, is good,' because the course of the universe is a course of evolution, which is what we consider 'good,' because it has produced us and tends on the whole to our happiness; but it is not true that 'whatever is, is

* Mr. Sidgwick (*Methods of Ethics*, p. 179) quotes against this the common sense maxim that "we must not do a bad action from a good motive". I do not see how this touches the question. The maxim must mean by 'a bad action' either 'one which we know to be bad,' or 'one which is really bad whether we know it or not'. If the former, it only says that an act which we know will bring more harm than good cannot be good, however small the surplus as compared with the subtracted quantities; if the latter, it is not a maxim of Ethics at all or warranted by common sense as such, (for if I have a good motive and do not know that the action to which it is leading me is bad, clearly it is my duty to follow it), but a maxim of Penal Law or Policy. It may be a necessity of police-law to punish pernicious actions though the agent be ignorant of their pernicious nature, just as it may be *politic* for the state to reward useful acts (as for instance in the case of informers) however mean be the motives which prompt them. If a man will *pay* either for reward or punishment, politically he deserves it: morally his desert may be very different.

right, (if by right is meant morally right), unless it be assumed that all natural facts are self-conscious to some mind which understands and follows the distinctions of Human Morality. Morality means the conscious following of nature; an unconscious virtue is a contradiction or a metaphor, and by such metaphors Science is greatly retarded. Ethics may clearly be founded on Physical Law without being co-extensive with it; and is, as I define it and as commonly understood, the Science of the conscious or voluntary action of men considered as individuals in a medium of external relations—or, as I have otherwise called it, the Law of Conduct of Individuals. Similarly by Politics I mean the Science of the *voluntary* action of individual States considered either in their relation to their component members (Domestic Politics or Jurisprudence) or in their external relation (which from its most important branch may be called International Politics). So that Politics is a wider term in respect of States than Ethics is of Individuals, comprising not only their Law of Conduct which corresponds to Ethics but their Law of Health also. In the present paper 'Politics' and 'Policy' refer to the latter branch, which while it deals with individual men deals with them not as units but as constituent members of the unit state.

But it may be said that if confessedly both instrument and material as well of Politics as of Ethics lie in the actions of individuals, and if Ethical and Political maxims are not practically kept separate either by philosophers or in ordinary life, is it worth while to separate them at all, and if so, how is it to be done? To the first question I answer that unless they are separated it is difficult to get any consistent view of either Ethics or Politics, and clearly impossible to place either of them on anything like a scientific basis. To the second question I answer that there is a very simple and infallible diagnosis whereby we may at once test whether a maxim has an Ethical or Political origin. It has been suggested by what I have already said, and may be called the 'Test of Inwardness'. I suppose that a maxim is propounded dealing with the relations of a man to his fellows: then we know that this comes either from Ethics or Politics. To determine *which*, ask this question: Is it concerned with Acts or Motives?—(of course, I am speaking not of its grammatical expression, but of its inner meaning); if the former, the standard is external to the agent, or Political; if the latter, it is internal, or Ethical. For any motive or intention not expressed in act is politically indifferent, any part of the act not intended is ethically 'accidental'. The question of Ethics is 'Good or Bad,' the question of Politics is 'Guilty or Not Guilty?' Let us examine this a little more closely.

Crime is defined by Blackstone as "an act in violation of a public law"; by Sir J. Stephen as "an act punished by law"; and by Professor Amos as "an act which the State, for purposes of its own, resolves absolutely to prevent". Certain acts are judged injurious to the community and the doer is punished, whatever his motive, in order that they may not be done. But these are clearly not the same as immoral acts, as is evident from the well-known distinction between *mala prohibita* and *mala in se*; acts morally indifferent or even good are often penal,* while acts of monstrous immorality are not illegal. Nor are 'crimes' classed for punishment in order of moral wickedness. It is the harmfulness of an offence not its immorality which measures the price which it is worth while to pay for immunity. For instance, Treason is always placed at the head, and Treason may sometimes be morally right; if unsuccessful, however, it is held to be rightly punished, although clearly its moral value cannot depend upon success. Other instances will readily occur: the following is taken from Stephen's *Commentaries* (Vol. IV., p. 103):—"In the Island of Man this rule was formerly carried so far, that to take away an ox or an ass was there no felony, but a trespass; because of the difficulty in the little territory to conceal them or carry them off; but to steal a pig or a fowl (which is easily done) was a capital crime, and the offender punishable with death". No doubt there are certain ambiguous acts which vary in harmfulness according to what would have been their issue if completed; for instance, an assault may be either an attempt to murder or to rob; and in order to classify these inchoate acts, their meaning or 'intent' must be ascertained, an attempt to murder being clearly much more *dangerous* to the community than an attempt to rob, though it may not have done more actual harm. Hence it comes that in the penal law several classes of offences involve 'intent'.

But it may be urged that at least *our* criminal law goes further than that, for it makes guilty knowledge essential to a criminal act: "*actus non facit reum nisi mens sit rea*". Now I am clearly not bound to admit the policy of this rule because it is in our law: it came there not on philosophical grounds but partly from the old retributive notion of justice, and partly

* I do not mean that it may be sometimes our duty to break a bad law; but that a law may be good (i.e., in *politics*) and yet punish acts which, at least without it, might be virtuous. The law against treason is a good law, though it may be in a bad State, and though rebellion may be a duty. Or take the prohibition against misprision of felony, which one can easily conceive it to be a man's duty to break, and which may still be a good law.

because the law has to be carried out by individual men who naturally import into it their rules of Morality and Religion, not having ever been instructed that the rules of Politics have any different foundation. How far this maxim may be in fact justifiable on true political principles seems to me a somewhat difficult question. On the one hand, it may be said that since it is on intention alone that punishment can operate there can be no punishable offence without unlawful intention. This is no doubt valid as respects acts which no additional motive in the agent would have prevented, such as acts forcibly compelled or where the agent is of defective understanding; but as to acts done in ignorance or carelessness, the answer is that punishment is to prevent *future* unlawful acts, and if punishing unintentional acts would prevent the occurrence of similar unintentional acts in the future, and clearly it would do so to some extent by making men more careful, that is exactly as proper an object to aim at as preventing intentional acts: for the acts however done are in their direct results equally injurious to the community. I do not see how this can be disproved. The question then comes to be one of *expense* merely. Would not the price we should have to pay for the small additional security be too great? for clearly the same punishment would produce a much smaller result in preventing unintentional acts than in modifying intentions, seeing that it is more difficult to alter a character than to prevent a single act. To this must be added the danger of depriving the criminal law of the moral sanction; for if morality and policy do not work together the practical weight of both is lessened.

But taking the maxim as it is, and as interpreted by English law, I would remark in the first place that it is a maxim only of *penal* law. Secondly, it is very far from meaning that even for penal purposes criminality is to be estimated according to moral wickedness, (for even *mens rea*, or *guilty* intention, by itself is not penal, much less an *immoral* intention); or that there can be no guilt *without* moral turpitude. All that it means is that a man is not to be punished unless he intended to do an unlawful act; punishment having for its object to prevent unlawful acts and operating upon intention. Nay it does not mean even this; for a man may be punished for acts which in no ordinary sense of the word he ever intended at all. Acts caused by heedlessness or negligence, which is the very absence of intention, are criminally punishable; and unforeseen consequences are held imputable on the ground that they were 'constructively' intended. For it is well settled law that if a man intend an unlawful act, but the result goes beyond his intention, he must take the consequences; if a thief fire at a

fowl and kill the farmer, that is murder. Nor is ignorance of facts an excuse; if a man set fire to a cow-house, not knowing that a cow was in it, he may be convicted of 'maliciously burning' the cow. In some cases, actual *mistake* as to facts has been held immaterial; for instance, in a late case before the Court of Criminal Appeal composed of 16 judges,* it was decided that a man was rightly convicted of abducting a girl under the age of sixteen, though it was proved that he *bond fide* believed, and had reasonable ground for believing, that she was over that age. Nor again is ignorance or mistake as to law any excuse; if the intended act was in fact illegal, the doer is criminal and punishable. Nor finally does drunkenness exculpate in the law courts, though clearly, if not designed for an ulterior wicked purpose, it takes away the moral responsibility for any act beyond itself.

The result of English Common Law seems to be, that if there be an act both intended and committed which is in fact illegal (whether to the agent's knowledge or not), or reasonably likely (as in the case of drunkenness) to lead to acts in fact illegal, then the agent is criminally responsible not only for the act committed so far as intended, but for all acts or consequences which naturally flow therefrom, however unintentionally or even contrary to intention; but that if the intended act be wholly legal, the agent is unpunishable for any involuntary results. Whether this state of law be or be not defensible on principles of Policy or 'Police,' is, as I have shown, a delicate question; I believe that on the whole it is; but it is at least evident that in the actual law of crime which obtains in this country, "the moral nature of the act," as Sir J. Stephen says,† "has nothing to do with the question". The question is clearly one of Politics, in which the only thing considered is the *event*; although it is no use trying to prevent an event *by punishment*, unless it is an *act*, and so far intentional that the knowledge that such an act would be punished might possibly, if present, have operated to prevent it. In other cases, punishment is not the proper remedy, and some other mode of treatment must be devised: but if there be intention, punishment is not restricted to the intention in the Ethical sense, but extends to all the

* *Reg. v. Prince*, Law Rep., C. C. R. 154. As to the amount of knowledge necessary in a person labouring under insane delusions, see *M'Naghten's Case*, 10 Cl. and Fin. 200. If he knows he is doing a wrong act, that is sufficient.

† *Criminal Law of England*, p. 5. I may add that formerly (until 9 Geo. IV. c. 31) accidental homicide without *any* illegal intention was punishable by English law; and this was common to most ancient laws. See *Blackstone*, Book VI., Ch. 4.

actual consequences of the intended act. So that even for *penal* purposes it is not that the outward act is judged by its inward 'Intention' as is the case in moral judgments, but that the inward act or intent is judged by its outward consequences. The standard of judgment remains external.

But further in the question of criminality, although the Intention has to be examined so far as to discover some illegality, when this is once found the rest is immaterial; for while the illegal intent may take colour, as we have seen, from unintended accidents, it cannot be cured or atoned for by the remaining intentions with which it was bound up. Or, to use words less strictly accurate but perhaps more generally understood, whatever be the importance of Intention, Motive is clearly immaterial. Is the act harmful? If so, it must be prevented. Was it in this instance actually or 'constructively' intended? If so, punishment is the proper remedy. That is the whole question of 'Guilty or Not Guilty,' and on that question, as juries are continually told, Motive is irrelevant. An act of heroic virtue may be a crime: and though the law tries to make itself look moral by means of an 'irrebuttable presumption' of malice, that is clearly only a legal fiction, just as the law calls 'fraud,' what common sense thinks only an error of judgment.

The only remaining question then is as to the *degree* of punishment. Now in determining this, a consideration of motives necessarily comes in, because motives are at once the material and the instruments with which punishment has to deal. An apt illustration of this was given by the late conviction of Mr. Bradlaugh. The indictment was "that the defendants unlawfully and wickedly devising and intending to vitiate and corrupt the morals of youth and of others did publish a certain book," and the Lord Chief Justice directed the jury in these words—"If you are of opinion that this work will have an effect (however it may have been intended) subversive of the morals of society it is your duty to find the defendants guilty". The verdict was—"We find that the book is calculated to deprave public morals, but we entirely exonerate the defendants from any corrupt motives in publishing it". Thereupon the Lord Chief Justice directed them as follows—"Upon that finding you must find the defendants guilty, for I have already explained to you that if such was the effect of the book, as the intention of the defendants certainly was to publish it as it is, if you found that it was in fact calculated to deprave public morals, even though the defendants have no intention to do so, it would be your duty to find a verdict of guilty, though your exonerating them from any bad intent would be considered in

the sentence";* a direction which was afterwards upheld by the Court of Queen's Bench.

On this last point, namely, quantum of punishment, it hardly needs remark that if the motive be good and also gentle, there is no need to counteract but only to direct it into a new channel. But there are more difficult cases where the motive is of overpowering strength and cannot be easily directed. Now the motive which punishment is designed to supply must clearly be proportional to the normal motives which it is intended to counteract. The punishment should therefore be greater in proportion as the motives prompting to the injurious act are greater, unless, as for instance in some cases of monomania and insanity, the preponderance of the latter is so great that it would be hopeless or too costly to outbid them. In the last case there should be no punishment at all, for useless expenditure of pain is not only cruel but clearly wasteful and impolitic. The two elements of harmfulness and temptation come in to determine the price to be paid for immunity much in the same way as the two elements of demand and cost of production determine the price of an article of commerce. Free trade in Punishment is a first principle of what I may call Penal Economy, because if the punishment be inadequate the crime will be committed: unless the state is willing to give the market-price, it will not effect its purchase. So that in considering the quantum of punishment motives do come in, but with a result *contrary* to that which they have in Morals, where great stress of motive is generally held to *diminish* guilt. Nay the very goodness of a motive may require severer punishment, as being more seductive of imitation; an illustration of which I may quote from a Scotch judgment referred to by Sir J. Stephen (*Criminal Law of England*, p. 102): "We have heard a good deal of the innocence of his intentions, but supposing he has acted from principle and that his motives are pure, I do say that he becomes a more dangerous member of society than if his conduct was really criminal and he was acting from criminal motives."

It may perhaps be objected that this refusal of Law to look at Motive comes not from principle but from its practical inability to get at the facts. No doubt in order to form any judgment, Ethical or Political, we must *in practice* stop somewhere and say that beyond this line the consequences, intended or actual as the case may be, are too remote. To settle the question therefore as to the nature of the judgment we are led back to the classification of crimes, that is, to consider whether up to the point to which Law confessedly goes it proceeds on

* *Times*, June 22nd, 1877.

Ethical or non-Ethical principles. This question I have already answered, but I will here give a further illustration of the statement that criminality depends not on immorality but on danger to the state, namely, the Law of Conspiracy, by which an act, which if done separately by individuals would be harmless and so permitted, when done in concert and thus becoming a possible source of danger to the state, is punished as criminal.

To sum up:—Politics is primarily concerned with acts and considers motives only as a means of producing acts: Ethics on the other hand is primarily concerned with motives, and looks at acts only as evidence of motives. The same act has always the same political value, whatever the motive of the agent; but ethically it may be good on one occasion and bad on another. Hypocrisy may be politically a virtue, if a man's acts be better than his heart, but ethically it is a vice, for the intention is to deceive. If a judgment therefore be of Motives it is (or may be) a moral judgment; but if it be of Acts it cannot be moral, but must be a judgment of some other judicature.

I contend therefore that I have established this Test of Inwardness as a true method of distinguishing a sample of Morality from a sample of Policy. Let me now apply it to Utilitarianism. Are Acts or Motives the subject-matter of Utilitarian principles? Surely there can be but one answer.

Suppose a living being and an automaton doing exactly the same acts, the latter would be evidently just as useful, and would therefore on consistent utilitarian principles be just as virtuous as the former. This indeed seems virtually admitted by Utilitarians. "Utilitarian moralists," according to J. S. Mill (*Utilitarianism*, p. 26), "have gone beyond almost all others in affirming that the motive has nothing to do with the morality of the action, though much with the worth of the agent. He who saves a fellow-creature from drowning does what is morally right, whether his motive be duty, or the hope of being paid for his trouble: he who betrays the friend that trusts him, is guilty of a crime, even if his object be to serve another friend to whom he is under greater obligations." This is the true *political* view, but surely the casuistical doctrine that if the outward act be in itself not necessarily bad (*e.g.*, inserting your hand into another's pocket, closing your fingers and withdrawing it), the commission of it is venial whatever the motive (*e.g.*, the appropriation of the other man's purse), has long been branded as supremely *immoral*. In a note to the passage above quoted Mill draws a distinction between Intention and Motive, and says that the morality of an act depends on the former but not on the latter. But his instance of Intention as distinct from Motive, a man

rescuing another from drowning in order to kill him by torture afterwards, seems to me indistinguishable from his instance of Motive, a man rescuing another in order to receive pay, or betraying one friend in order to serve another. Surely the receiving pay or serving the second friend is just as much part of the Intention as the inflicting torture. In ordinary language Motive is perhaps distinguished from Intention as involving the remoter instead of the more immediate consequences, but it is impossible to distinguish them strictly, for, as I have said, Intention is nothing but the Act and the sum of its Motives looked upon objectively, and there is clearly no line to be drawn between the nearer and remoter consequences when both are equally foreseen. But what Mill seems (judging from a reference to Bentham) really to mean by Intention is the intended act with all its consequences whether intended or not. If so, his doctrine seems to me both *immoral*, for the morality of an action is clearly unaffected by its turning out contrary to intention; and also *impolitic*, for an act is just as useful to the community whether it be intended or not. It is an attempt to compromise between Morality and Policy, characteristic of an English thinker, but totally unphilosophical. However Mill at least confesses that morality lies in the act and not in the agent, although he seems to place it in a hypothetical act which neither happens nor was intended. This is in itself a sufficient admission that Utilitarianism is a principle of Policy, not of Ethics.

The political nature of Utilitarianism is still more apparent in Bentham, who may be called in a sense its founder. Private Ethics comes in only as a cheaper kind of Penal code where legislative influence would be unprofitable. If Ethics is regarded as independent of Politics, as Bentham could not help seeing that it might be regarded (*e.g.*, *Principles of Morals*, Ch. XIX., § 1, Par. 20) it then ceases to be Utilitarian; for it teaches "how each man may dispose himself to pursue the course most conducive to his own happiness," while it is the "art of legislation" which pursues "the happiness of the whole community". So that if Ethics be separated from Politics, Bentham admits that Utilitarianism is a maxim of the latter and not of the former. The object of Politics, he says, is Greatest Happiness; that of Ethics is well understood Interest: I agree. But he added (at least as interpreted by Bowring) that the two are identical: this I deny, except in an ideal society. In the present universe they are widely separate.

So far as I know, it is true of all Utilitarians except Mr. Sidgwick that they start from Politics and arrive at Morality through Law. Mr. Sidgwick starts from popular moral maxims many of which, as I have said, though they may be

called 'Morality,' are in effect rudimentary Law. Nobody has ever reached Utilitarianism through Psychology. Beginning with Helvetius, who thought virtue a political product not only as depending on the social constitution (which was the Greek view) but as being capable of artificial manufacture by legislative means, the same tendency ending in the same result runs through Bentham, Austin, Mill, and cannot be more definitely stated than in an article on 'Metaphysical Study' in the *Contemporary Review* for April last by Professor Bain. "Through Sociology," he says, "is the way to the great field of Ethics;" again "Ethics is an important supplement to social or political law, but it is still a department of law"; and he compares the relation of Ethics to Politics with that of Physics to Mathematics. No wonder then if the child is like the parent, and if Morality which is made out of Policy remain mere Policy still. The moralist is thus merely a state-functionary, and his only practical duty is to guide the distribution of praise and blame.

It would not be difficult to illustrate this also *a posteriori* by showing how maxims to which Utilitarianism leads, are clearly at variance with the first principles of Ethics. I will merely refer in passing to Mr. Sidgwick's *Methods of Ethics*, pp. 451, 452. One does not wonder that he admits that "in some points Utilitarianism is manifestly at issue with common sense"; I add 'and with Morality'.

But it may perhaps be objected—'In rejecting Utilitarianism from Ethics because it deals with acts and not with motives, you are forgetting the distinction on which Utilitarians so much rely between Motive and Criterion. We agree that Virtue consists not in the usefulness of acts, but in obeying the best motive; only we add, the best motive is the wish to do useful acts. Utility may thus be the test of virtue, and yet the motive be internal.' To this I answer: Granting your assumption of the existence of such a wish, the motive is gratifying the wish, and therefore ethically Utilitarianism can come in only as a method of Egoism; and clearly not as the whole of it—for no one can assert that the wish for Utility is his *only* wish, so that there must be some portion of Ethics which is outside the wish for Utility and superior to it. Utilitarianism, to establish its claim to be the ruling principle of Ethics, has to *assume* not only a wish for Utility but that no human being ever had any other wish, which is absurd.

Besides a man is not omniscient, and does not know what is really useful. There must therefore be many cases where the wish for Utility leads to injurious acts, and also where selfish motives lead to useful acts. Are the former ethically better or

worse than the latter? I cannot conceive any ground on which the Utilitarian can say they are better, unless he makes his standard or 'test' not Utility but our love of it, in which case he becomes an Egoist. Unless therefore he acknowledges Egoism, he must either assert that Morality is independent of Intention or Motive, which is his natural position, but which is a doctrine not of Ethics but of Politics, or he must deny the dilemma by assuming not only that every man wishes only Utility but that he knows exactly what is useful and what is not, which is again absurd.

The foregoing criticism is applicable to that doctrine of Mr. Darwin's (generally taken as the Evolutionist theory) which traces the origin of the Moral Faculty to the Social Instinct alone, and thereby makes Utility the criterion or measure though no longer the conscious motive of Morality. This hypothesis I conceive to be not only unsupported by evidence but in direct contradiction to the facts which it professes to explain. If Morality be social only, whence comes the belief that there is something higher than Honour,—nay that there is an end more worthy of attainment than the united applause of humanity? Is it not true that Honour is often opposed to Virtue,—nay is it not then strongest when it knows itself to be immoral? The social environment is in my view only one, although in some respects the most important, of the circumstances which have constituted human experience, and built up man's moral and intellectual faculties; and has contributed no more than its due share to the formation of Conscience. A man's Duty to his Neighbour is no doubt an important part of Morality; but is there no such thing as his Duty to Himself, to Nature, or to God? and if there are such Duties, how could they possibly arise from any 'Social Instinct'?

Again, if the Moral Faculty is only an organised 'Social Instinct,' whence comes the meaning of 'ought' and the authority of Conscience? Why should the Social Instinct have any preference over other instincts? To say that it is 'more permanent' seems to me both untrue (for to take an example from Mr. Darwin himself "the wish for another man's property is as persistent a desire as any that can be named") and of no avail for the argument. For why should permanence imply authority? Mr. Darwin seems to rely on experience of the disagreeable *consequences* of preferring a lower to a higher instinct, but surely if that be so, it is those consequences which constitute the immorality, and the authority of conscience depends on the pleasure or pain it can promise. To put the argument in a slightly different form, I contend that if the moral faculty be evolved from a part only of the emotional or motive part of

man's nature and be not the resultant of the whole of such motive nature, then it is impossible to account for the authority of conscience over motives which lie outside it. The only true source of the authority of conscience is in universal representation; if it is the resultant or representative of every motive it has clear 'right' and 'authority' over individual motives, but if there is any not represented in it, then if it be victorious it is the victory of might, not of right, and we have no reason to wish for its victory rather than defeat.

This difficulty of supplying a motive has been felt by all Utilitarians, and it will be found, if I mistake not, that all of them when brought to the test are obliged to have recourse more or less openly to the doctrine of Egoism, and thus to give up their principle altogether. I will give a few examples. Austin (*Jurisprudence*, Vol. I., p. 112) says:—"The theory" (of Utilitarianism) "be it always remembered, is this: Our motives to obey the laws which God has given us are paramount to all others. For the transient pleasures which we may snatch, or the transient pains which we may shun, by violating the duties which they impose, are nothing in comparison with the pains by which those duties are sanctioned. The greatest possible happiness of all His sentient creatures is the purpose and effect of those laws." Thus Utility is reached from Egoism through the will of God. Paley, as is well known, explicitly adopts the same view. J. S. Mill (*Utilitarianism*, p. 53) says:—"No reason can be given why the general happiness is desirable, except that each person, so far as he believes it to be attainable, desires his own happiness"; and (*Ib.*, p. 56) "Virtue according to the Utilitarian conception is a good of this description. There was no original desire of it, or motive to it, save its conduciveness to pleasure, and especially to protection from pain. But through the association thus formed, it may be felt a good in itself." Bentham commences his *Principles of Morals and Legislation* in these words—"Nature has placed mankind under the governance of two sovereign masters, *pain* and *pleasure*. . . . On the one hand the standard of right and wrong, on the other the chain of causes and effects, are fastened to their throne. . . . The *principle of utility* recognises the subjection, and assumes it for the foundation of that system the object of which is to rear the fabric of felicity by the hand of reason and law." Mr. Darwin's reference to consequences I have already noticed. Also when seeking the origin of the social instinct to which he refers morality, he appeals first to the experience that aid to others brings aid in return, and secondly to the love of praise and the dread of infamy—purely self-regarding motives (*Descent of Man*, Vol. I., p. 163). Mr. Sidgwick's attempt to

prove Utility by the "suppression of Egoism" I dealt with in my former paper. From his short reply in the last number of *MIND* it seems that he never really meant to "confute" (or, I suppose, "suppress") Egoism at all, but only to "contradict" it by an appeal to "the common moral consciousness of mankind" which he exemplifies by the popular belief as to "the design of the Creator of the world". I admit that I took his arguments as seriously intended to "suppress," which I thought meant to "confute" Egoism, and that I did not at all realise that they were only meant to serve as a cover for the introduction of the *deus ex machina*. Even now I cannot quite see how, if the reasoning is bad, it is of more avail in contradicting than in confuting; nor do I see either how Mr. Sidgwick reconciles the "Dualism of the Practical Reason" in which this contradiction leaves him with the "postulate of the Practical Reason" which he mentions (p. 10), "that two conflicting rules of action cannot both be reasonable". However it is now at any rate clear that Egoism is NOT "suppressed"; and as for contradiction, it will not much care for that, until backed by some more tangible argument than any "common belief" about "the design of the Creator of the world".

I have now offered some justification of my statement that Utilitarianism was a principle not of Ethics but of Politics, and I have done so chiefly by a consideration of the course of Political and Ethical inquiry. In conclusion, I would briefly summarise my view of the scientific relation of Ethical and Political facts. I have already sketched their historical sequence; I now refer to their co-existence. Each man follows what at the moment of action seems to him his greatest pleasure; in other words, he does as he likes. This is an absolute physical law, and so far do I assert the 'Freedom of the Will,' that I contend that a man can no more do what he does *not* like than he can disobey the Law of Gravity. A man therefore is good or bad according to the number and quality of his likes and dislikes, namely, as these serve to extend the correspondence of his actions to his medium in time and space; and in the same man an action is good or bad for the same reason, that is, according to the likes and dislikes which it represents. Now the most important medium is the social; no wonder therefore if a man's actions be mostly regulated by his relations to others. Moreover society is not only a 'medium,' but a higher organism of which the individual is a part. Now families, and associations, and nations, nay even universes (for the principle is universal), which have no 'Utilitarian' habits, die; being organisms whose actions do not tend to self-preservation: and if they die, their members perish with them.

Hence a certain amount of Utilitarianism is a necessary component of Egoism. But these higher organisms are also consciously active, and for their own purposes modify the actions of individuals by attaching to them certain consequences which the agent is sure to like or dislike. In these various ways, different Utilitarianisms corresponding to the different organisms of which a man is member become parts of his Egoism; but it remains true that they enter into his Morality only as methods of Egoism, and that man is the best who is best in correspondence with his whole medium. To any particular society forming part of that medium his correspondence may be that of antagonism, just as it is to excessive cold or heat. The expression of this antagonism is 'moral courage'; for, as has been well said, Law brings fear from without, but Morality makes men brave from within.

Finally, I would repeat that I have used the word Politics to mean internal and not external or international Politics, the Law of Health and not the Law of Conduct of the Political organism. With regard to the latter I would only say that it is exactly analogous to Ethics, states being substituted for individuals as units. Motives therefore are its subject-matter, its characteristic is Inwardness, its principle Egoism. The duty of a nation to its fellows is in my opinion exactly similar to that of an individual in a similar state of society. The last qualification is no doubt important, because a more perfect altruism is possible and justifiable in a highly organised than in a rudimentary state of society. There can however be little doubt that international organisation has in Europe reached such a degree, that a nation sufficiently strong to protect its own individuality will find its own best interests in altruistic policy, in being willing to further the happiness of mankind by a temporary disadvantage to itself, and to spend money and trouble for objects that bring in no immediate return. For my part, I cannot understand how men who think so highly of unselfishness and generosity in individuals should have nothing but ridicule for the same qualities in nations. At any rate it seems to me as certain as anything can well be that if they are not virtues in the one case they are not in the other. If a man will not stretch forth his country's hand to succour the oppressed and disable the tyrant, why should he lift his own to rescue his neighbour from murder or his daughter from outrage? Yet this seems the stage which our national conscience has at present reached. The British 'Ego' has attained only to that lower egoism of 'British interests,' which for morality is content with the Pharisaic observance of treaties and a due payment of the mint, anise and cumin of diplomacy, and cannot rise to that

higher Egoism whose standard is self-approbation and which finds the best realisation of self in the happiness and well-being of others. International Morality is yet unborn. May the Christ of Politics soon come, who shall give it life, by preaching to nations that Gospel of Inwardness which Christ of Nazareth once preached to men!

ALFRED BARRATT.

III.—RECENT HEGELIAN CONTRIBUTIONS TO ENGLISH PHILOSOPHY.*

ONE of the most prominent of philosophical facts of late has been the existence in England of a small but energetic Hegelian school. Hegel, banished from Germany, has found refuge in England and America, and his influence seems to be decidedly on the increase. There were Hegelians among us before Dr. Hutchison Stirling published his *Secret of Hegel*, but undoubtedly that strange, uncouth, but wonderfully suggestive book has had more to do in propagating Hegelianism among us than anything else; while Mr. Wallace's translation of Hegel's *Logic* with the notes and prolegomena added by the translator did much to familiarise us with the system of the great German philosopher. But with the exception of a few essays and critiques we have not had until lately any real expression of the thought and work of English Hegelianism; we have not had the opportunity of seeing how an English thinker who has made the method and principles of Hegel his own is moved to describe and discuss ordinary philosophical themes which are already familiar to us. It is otherwise now however. The authors of the works whose titles are given at the beginning of this paper are two of the recognised leaders of the English Hegelian school, and the works themselves go over ground familiar enough to all students of philosophy. They contain a history of modern philosophy from Descartes to Kant, in which the principles of Hegelian criticism are brought to bear upon preceding metaphysical theories. In his article in the *Encyclopædia Britannica*,

* 1. *Encyclopædia Britannica*, 9th ed. Article "Descartes". Edinburgh: A. & C. Black, 1876.

2. *A Treatise of Human Nature*, by David Hume. Edited, with preliminary dissertations and notes, by T. H. GREEN, and T. H. GROSE. London: Longmans, Green, & Co., 1874.

3. *A Critical Account of the Philosophy of Kant*, with an historical introduction, by EDWARD CAIRD, M.A., Professor of Moral Philosophy in the University of Glasgow, late Fellow and Tutor of Merton College, Oxford. Glasgow: MacLehose, 1877.