

Dr. LaBossiere's Ethics Readings

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Part One

Introduction and Moral Reasoning

Ethical Reasoning

The following provides information about moral reasoning.

Moral Issues

Moral reasoning begins with the consideration of a moral or ethical issue ("moral" and "ethical" are used interchangeably). In the context of reasoning, an issue is a matter of dispute with two or more distinct sides. In this context an issue is not a psychological issue, such as having an irresistible urge to dress up like a giant possum and whistle the theme song to Star Wars.

An example of a fairly mundane issue is whether Bill should buy a laptop or not. Not surprisingly, an ethical issue is an issue that involves a moral component. An example of an ethical issue is whether capital punishment is morally acceptable or not.

While there are many ways to respond to an ethical issue, the following discussion focuses on approaching an ethical issue from the standpoint of reason and assumes that the goal is to attempt to resolve the issue in a rational manner. Naturally, people do try to resolve ethical issues in other ways, including yelling, using explosives, or whacking other disputants with baseball bats. While these means can be rather effective, the method that will be focused on is the use of philosophical argumentation.

An ethical issue will have three main components: non-moral facts, concepts and, of course, the moral or ethical aspects. In order to adequately and rationally resolve an ethical issue each of these components must be considered.

To make the discussion clearer a running example will be used. Imagine that Dave wants to use his computer to copy rented and borrowed DVDs. While this will save him money, he wonders whether or not it is morally acceptable. In this case the issue Dave would be considering is whether it is morally acceptable to copy borrowed or rented commercial DVDs or not.

Facts

In general it is best to begin by considering the non-moral facts. After all, it would be rather irrational to form moral judgments on a subject without knowing the facts. The non-moral facts are exactly that-relevant facts about the situation at hand that are not explicitly moral in character.

In some cases the facts will be very straightforward and will provide little or no grounds for dispute. In such cases the facts can be fully considered fairly quickly before moving on.

The DVD copying example is this sort of situation. No one disputes that even "copy protected" DVDs can be easily copied with the right software and hardware. There is probably some dispute about how much revenue companies lose to DVD copying (and how much

hardware and software companies make selling people the copying tools) but this is a fairly minor dispute since almost everyone agrees that the companies do lose at least some income. If the facts are not controversial or in dispute, it is reasonable to simply move on and consider the relevant concepts.

In other cases the facts will be considerably more controversial. The controversy might arise from questions about the alleged facts themselves or because the non-moral facts are tied so closely to the moral aspects of the issue. An example that fits both is the deterrent value of capital punishment. Some of the dispute over its effectiveness is based on concerns about the difficulty of establishing the cause and effect relationship between capital punishment and deterrence. Some of the dispute is over the fact that its alleged deterrent value is often used in moral arguments to justify the practice.

If the facts are controversial or in dispute, then there is a factual issue (or even multiple issues) that will need to be addressed. In general terms, there are three ways to rationally resolve factual issues. The first is by empirical investigation. This can range from simply looking at something or trying something to full scale causal experiments or studies. For example, if a person wondered if a DVD could be copied by using a DVD drive and some free software, they could simply try it. As another example, if someone with plenty of time and resources wondered about the deterrent effect of capital punishment, they could conduct a massive study of the situation.

There are various standards and methods for settling factual matters with empirical investigation but a detailed examination of these goes far beyond the intended scope of this work. Fortunately, almost any basic text book on critical thinking provides at least a general discussion of these standards and methods.

The second method is by appealing to authority. This is done by finding a suitable source that resolves the factual issue. For example, if a person wondered if a DVD could be copied by the use of a DVD drive and software, she could look up information on a reputable web site about computers. As another example, if someone wanted to know whether capital punishment was a deterrent or not, he could consult various studies that have taken place over the years.

To use this method effectively, a person needs to be able to tell good sources from poor sources. While knowledge of the subject in question is the best way to sort out matters, there are also clear standards that are discussed as part of the argument from authority, below.

The third method is to use other arguments to resolve the facts. These would be arguments that do not directly involve empirical investigation or appeals to authority. For example, a person might use an analogy to other types of punishment to try to establish that it is reasonable to believe that capital punishment would deter others. There are so many different types of arguments that could be used in the role of supporting factual claims that it is not possible to discuss them here. Fortunately, most basic critical thinking texts provide at least some discussion of these matters.

Another matter of concern is the approach to take regarding the resolution of factual issues. One pragmatic way to look at a factual issue is as something that is resolved by settling the dispute between the disputing parties. This could be seen as a conflict resolution or a political approach: the goal is to end the dispute between the specific parties by getting them to agree.

Not surprisingly, people can agree on the relevant facts while disagreeing in their moral assessments. For example, Dave and Jane might both agree on the facts about copying DVDs but Jane might see it as wrong while Dave sees it as acceptable. In this case, there would not be a factual issue to settle between the parties involved. It is important to keep in mind that even if people agree on the facts it does not mean that the factual issue itself is resolved satisfactorily.

For example, two people might agree that the world is flat, but that would not provide a reasonable resolution to the issue of the earth's shape.

People can also agree in their moral assessments but disagree about the facts. For example, Hilary and Monica might both think that lying is wrong, but disagree about whether Bill was lying or not. As another example, Rush and George might both think that capital punishment is morally acceptable, but disagree on its deterrent value. Rush might think that it is acceptable because it deters people while George might endorse it because of his views about retribution while also believing it actually has little effect as a deterrent. In such cases there would not be any moral dispute between those involved and the dispute would be purely factual.

However, this does not mean that the moral issue itself has been resolved-it just means that in this case there is no disagreement between those involved.

A more theoretical or critical/logical way to look at a factual issue is to see it as something that is resolved by settling the dispute using objective standards, such as those given above. In this case the focus is not on resolving a conflict between people, but on getting the facts right.

Regardless of the method used or the approach taken, it is important to resolve any factual disputes before moving on to considering the relevant concepts.

Concepts

It is usually a very good idea to consider the relevant concepts before moving on to the moral aspects of the issue. After all, if someone does not understand the concepts involved, they can hardly reach a reasonable moral judgment on the ethical issue.

In this context a concept is a key idea or term that is relevant to the moral issue. Obviously, the concepts will tend to vary from issue to issue.

As with the facts, in some cases the concepts will be straightforward and provide little grounds for dispute because there is general agreement over the definitions.

For example, one relevant concept in the DVD case is that of copying. This concept is not controversial since there is general agreement on the definition of "copying" in this context.

If there is no significant dispute over the key concepts, then it is reasonable to move on to other matters. However, there are also cases in which the concepts are very controversial. The controversy can arise from a variety of causes. One main cause of controversy is that some concepts seem to be inherently difficult and complex. For example, a key concept in the moral dispute over abortion is that of personhood. As years of philosophic investigation have shown, adequately defining "person" is a rather daunting task. Another main cause of controversy is that the concept is strongly linked to the moral issue at hand. As an example, consider the DVD case. One relevant concept that is strongly tied to the moral issue at hand is that of stealing. Given the general assumption that stealing is wrong, the way stealing is defined would have a significant impact on the morality of copying DVDs. If copying DVDs falls under the concept of stealing, then it would seem to be rather easy to make the case that copying them is wrong.

In cases in which the concepts are under dispute, it is important to resolve them before moving on to other considerations. In such situations there will be a conceptual issue (or issues)-a dispute over the meaning and applicability of a key concept (or concepts).

It is often tempting to try to resolve a conceptual dispute by referring to the dictionary. However, it is important to keep in mind that dictionaries typically just report the accepted or common meaning of terms (or, more accurately, what the editors think they are). As such, significant conceptual disputes cannot be settled by simply looking up words. For example,

looking up the word “person” in a dictionary would no more resolve the dispute over personhood than looking up the definition of “legal” would resolve a case being tried before a court of law.

The reasonable resolution of conceptual disputes involves the use of arguments. To be specific, a person would present arguments that defend her definitions of the key concepts. For example, Jane might define a type of theft in terms of denying a person his or her rightful income. She could support this view by appealing to people’s intuitions towards a hypothetical case in which their employer did not pay them for work they had done. She would then show how copying DVDs would fall under this concept of stealing, perhaps by drawing an analogy between copying the DVD and an employer stealing her employee’s work.

There are many ways to argue in defense of a concept and fully presenting these methods goes beyond the scope of this work. However, the basic idea is to provide evidence and reasons as to why one’s definition should be accepted.

Another matter of concern is the approach to take regarding the resolution of conceptual issues. A rather pragmatic way to see them is as something to be resolved by settling the dispute between the disputing parties. This could be seen as a conflict resolution or a political approach: the goal is to end the dispute between the specific parties by getting them to agree on the concepts.

People can agree on the relevant concepts while disagreeing in their moral assessments. For example, Dave and Jane might both agree that copying DVDs falls under the concept of stealing, but Jane might see it as wrong while Dave sees it as acceptable. Dave might regard his theft as being in the spirit of Robin Hood. In this case, there would not be a conceptual issue to settle between the parties involved. It is important to keep in mind that even if people agree about the concepts it does not mean that the conceptual issue has been resolved satisfactorily. For example, two people might agree that a person is a blond male who has blue eyes, but that hardly seems to be an adequate definition of the concept.

People can also agree in their moral assessments but disagree about the concepts. For example, Hilary and Bill might both think that having adulterous sex is wrong, but disagree about the definition of “sex.” As another example, Sam and Andrea might both think that abortion is morally acceptable, but disagree on whether it involves killing a person. Sam might think that it is acceptable because he believes abortion does not involve killing a person and he thinks that killing non-persons is acceptable. Andrea might regard abortion as the killing of a person but think that the mother has a right to make the decision of life or death in this case. In such cases there would not be any moral dispute between those involved and the dispute would be conceptual. This does not mean that the moral issue itself has been resolved-it just means that in this particular situation there is no disagreement between those involved.

A more theoretical or critical/logical way to look at a conceptual issue is to see it as something to be resolved by settling the dispute using objective standards, such as those given above. In this case the focus is not on resolving a conflict between people, but on getting the concepts right.

One concern about conceptual disputes is that there are good reasons to think that concepts are primarily human creations. While this greatly oversimplifies matters, the available evidence seems to show that human languages are largely a matter of convention: the meaning of words seems to be largely a matter of agreement. This is supported by the fact that we know people have fairly recently created new words (like “phaser”) and given new meanings to old words (like “computer”). If people agree to use the words as defined, they get added to the language. If not, they are forgotten. Given this situation, it might be thought that any definition is as good as

any other. After all, it seems that people have always just “made up” words and meanings, so it would be rather unreasonable to claim that one definition is right and another wrong.

While this matter has been addressed in philosophy for quite some time, one practical approach is to look at the use of concepts as one looks at speed limits. Speed limits are clearly a matter of convention—they are put up and (mostly) followed because people agree to accept them. Even though they are a matter of agreement and convention, good reasons can be given to defend specific speed limits. For example, a good reason to have low speed limits around schools and sharp curves is to reduce the number of fatalities. Concepts can be seen the same way—they are a matter of agreement and convention, but reasons can be given to defend specific definitions. There are also specific standards that good definitions need to meet. These are discussed in the *Argument by Definition*.

Regardless of the method used or the approach taken, it is important to resolve any conceptual disputes before moving on to considering the matter of morality.

Morality

The final matter to be resolved is that of morality. For example, once the facts and concepts relevant to copying DVDs have been duly considered it must be determined whether copying them is morally acceptable or not.

The resolution of the moral aspects of the issue is the proper subject of ethics. While the factual issues and conceptual issues are clearly relevant (and sometimes critical) these matters properly belong to other aspects of philosophy and other disciplines.

The resolution of the moral aspect of the dispute involves the use general arguments with moral contents as well as specific moral arguments that are based on moral principles, standards and theories. These types of arguments will be addressed in considerable detail.

Values & Facts

As seen above, moral reasoning involves both facts and values. It is important to know the difference between the two types of statements.

Value statements/matters of value

Value statements are normative—they express a judgment of worth. There are a variety of measures by which the worth of a person, thing or action is assessed. One standard measure of value is money—things and actions are routinely assigned monetary worth. For example, a paycheck is a judgment of what a person’s time is worth to her employer and the price tag on an item, such as a computer, expresses a judgment about its worth. In general, monetary worth is a non-moral value. While a person might think it is wrong to charge \$5 for a cup of coffee, the price is not a moral judgment of the goodness or evilness of the coffee.

Value statements often contain a prescriptive element. A prescriptive element involves stating or implying what should be done as opposed to merely describing something.

Moral statements are value statements—they express a judgment of worth and typically contain a prescriptive element. For example, the claim “capital punishment is wrong” assigns a negative value to capital punishment and can often be reasonably taken as suggesting that capital punishment should not occur.

A matter of value is simply another way to describe a value statement.

Factual statements/matter of fact

Factual statements are descriptive—they simply make a statement about the way things are, were or will be. They can be tested, either actually or at least in theory. For example, the claim that “mice are smaller than elephants” can be tested by examining mice and elephants. The claim “dimensional travel is possible” is not something that can be tested now, but is something that can be tested with suitable technology.

Objective and subjective statements

An objective statement is true or false regardless of what people believe. It is a matter of fact and hence testable. For example, the claim “The earth is a sphere” is an objective claim. It can be tested and the earth has the shape it does regardless of what people might think or believe.

In contrast, a subjective statement is neither objectively true nor false. It is not subject to resolution via testing. For example, the claim “Rocky Road ice cream tastes better than vanilla ice cream” cannot be tested and whether one flavor tastes better than another is exactly that—a matter of taste.

Objective-subjective dispute.

It is often believed that value claims are subjective. Value claims might be subjective but this is a matter of substantial dispute. Ethical subjectivism and ethical relativism are both based on the view that morality is subjective. There are arguments in support of these views, but it would be unreasonable to simply assume they are correct. After all, many other moral theories are based on the view that morality is objective and these theories are supported by arguments.

To avoid begging the question against or for a moral theory, it is necessary to begin from a neutral standpoint by neither assuming that morality is objective nor subjective. This is a substantive issue and something that must be settled by argument.

In any case, even if value claims are subjective, there are still better or worse reasons that can be given in support of a value claim. For example, if someone claims that capital punishment is morally acceptable because “capital punishment” contains the letter “c”, then they would have given a rather bad (even absurd) reason. Even if morality is relative, the fact that “capital punishment” contains the letter “c” does not seem to be relevant.

Argument Basics © 2004 Michael C. LaBossiere***Defined***

While people generally think of an argument as a fight, perhaps involving the hurling of small appliances, this is not the case—at least as the term is used in philosophy. In philosophy, an argument is a set of claims, one of which is supposed to be supported by the others. There are two types of claims in an argument. The first type of claim is the conclusion. This is the claim that is supposed to be supported by the premises. A single argument has one and only one conclusion, although the conclusion of one argument can be used as a premise in another argument (thus forming an extended argument).

The second type of claim is the premise. A premise is a claim given as evidence or a reason for accepting the conclusion. Aside from practical concerns, there is no limit to the number of premises in a single argument.

Varieties

There are two main categories of arguments, three if bad arguments are considered a category. The first type is the inductive arguments. An inductive argument is an argument in which the premises are intended to provide some degree of support but less than complete support for the conclusion.

The second type is the deductive argument. A deductive argument is an argument in which the premises are intended to provide complete support for the conclusion.

The third “type” of argument is the fallacy. A fallacy is an argument in which the premises fail to provide adequate support for the conclusion.

Examples**Inductive Argument**

Premise 1: When exposed to the nerve agent known as “Rage”, the chimpanzees showed a massive increase in aggression.

Premise 2: Humans are very similar to chimpanzees.

Conclusion: If exposed to “Rage”, humans would show a massive increase in aggression.

Deductive Argument

Premise 1: If pornography has a detrimental effect on one’s character, it would be best to avoid it.

Premise 2: Pornography has a detrimental effect on one’s character.

Conclusion: It would be best to avoid pornography.

Extended Deductive Argument

Argument 1, Premise 1: If pornography has a detrimental effect on one’s character, it would be best to regard it as harmful.

Argument 1, Premise 2: Pornography has a detrimental effect on one’s character.

Argument 1, Conclusion: It would be best to regard pornography as harmful.

Argument 2, Premise 1: If it is best to regard something as harmful, then the government should protect people from it.

Argument 2, Premise 2: It would be best to regard pornography as harmful.

Argument 3, Conclusion: The government should protect people from pornography.

Fallacy

Premise 1: Dave supports the tax reduction for businesses and says it will be good for everyone, but he owns a business.

Conclusion: Dave must be wrong about the tax reduction.

General Assessment

When assessing any argument there are two main factors to consider: the quality of the premises and the quality of the reasoning.

While people often blend the two together, the quality of the reasoning is quite distinct from the quality of the premises. Just as it is possible to build poorly using excellent materials, it is possible to reason badly using good premises. Also, just as it is possible for a skilled builder to

assemble crappy material with great skill, it is possible to reason well using poor premises. As another analogy, consider a check book. Doing the math is the same thing as reasoning. The math can be done correctly (good reasoning) but the information entered for the checks (the premises) can be mistaken (for example, entering \$5.00 instead of \$50). It is also possible to enter all the check correctly, but for there to be errors in the mathematics.

Reasoning

When assessing the quality of reasoning, the question to ask is: Do the premises logically support the conclusion? If the premises do not logically support the conclusion, then the argument is flawed and the conclusion should not be accepted based on the premises provided. The conclusion may, in fact, be true, but a flawed argument gives you no logical reason to believe the conclusion because of the argument in question. Hence, it would be a mistake to accept it for those reasons. If the premises do logically support the conclusion, then you would have a good reason to accept the conclusion, on the assumption that the premises are true or at least plausible.

The way the reasoning is assessed depends on whether the argument is deductive or inductive. If the argument is deductive, it is assessed in terms of being valid or invalid. A valid argument is such that if the premises were true then the conclusion must be true. An invalid argument is such that all the premises could be true and the conclusion false at the same time. Validity is tested by formal means, such as truth tables, Venn diagrams and proofs.

If the argument is inductive, it is assessed in terms of being strong or weak. A strong argument is such that if the premises were true, then the conclusion is likely to be true. A weak argument is such that if the premises were true, then the conclusion is not likely to be true. Inductive arguments are assessed primarily in terms of standards specific to the argument in question.

Premises

When assessing the quality of the premises, the question to ask is: are the premises true (or at least plausible)? While the testing of premises can be a rather extensive matter, it is reasonable to accept a premise as plausible if it meets three conditions. First, the premise is consistent with your own observations. Second, the premise is consistent with your background beliefs and experience. Third, the premise is consistent with credible sources, such as experts, standard references and text books. It should be noted that thoroughly and rigorously examining premises can involve going far beyond the three basic standards presented here.

Some Useful General Inductive Arguments

Introduction to Inductive Arguments

Defined

An inductive argument is an argument in which the premises are intended to provide some degree of support, but less than complete support, for the conclusion. In other words, the premises are offered as evidence that the conclusion is likely to be true. This distinguishes them from deductive arguments—they are arguments such that the premises are supposed to provide complete support for the conclusion.

The conclusion of an inductive argument goes beyond the evidence presented in the premises—this is what is known as the inductive leap. A clear example of the leap can be shown by using a basic inductive argument—a generalization of the sort used in surveys. Suppose Bill wants to

know what the students in his history class think about a rule that forbids freshmen from parking on campus. He asks twenty students out of the fifty enrolled and 70% of them agree with the rule. If he concludes that 70% of all the students agree with the rule, he is making a leap from what he has observed (the students he questioned) to what he has not observed (the remaining students).

This example also shows why the premises of an inductive argument do not provide complete support for the conclusion. After all, even if it is true that 70% of those asked agree with the rule, Bill cannot be certain that the same is true of those he did not ask. Perhaps many of the thirty students he did not question are freshmen and thus likely to disagree with the rule.

Assessment

Like any argument, inductive arguments are assessed in terms of how strongly the premises support the conclusion. Inductive arguments are generally presented as specific types, such as analogical arguments or generalizations. These arguments are also assessed by standards specific to their type. For example, an analogical argument is assessed in terms of the quality of the analogy.

Strong and Weak Arguments

While deductive arguments are assessed in strict “black and white” terms (valid or invalid, sound or unsound), inductive arguments are assessed in terms of varying degrees of strength.

A strong inductive argument is an argument such that if the premises are true, then the conclusion is likely to be true. A weak inductive argument is an argument such that even if the premises are true, the conclusion is not likely to be true. There are various degrees of strength and weakness which express a somewhat subjective opinion of how well the argument’s premises logically support the conclusion. Such assessments are based on the standards for assessing the specific type of argument and the better the argument succeeds at meeting the standards, the stronger the argument. The worse it fails, the weaker the argument.

Analogical Argument

Introduction

An analogical argument is an argument in which one concludes that two things are alike in a certain respect because they are alike in other respects.

Non-argument analogies are often used in cases in which one thing (X) is understood and another (Y) is not, to conclude something about Y. These are typically called explanatory comparisons/analogies. For example, a person might attempt to explain email by saying that it is like mail sent to a post office box. Just as mail is delivered to the PO box and you go to pick it up, email is delivered to your email in box and your software “goes” and picks it up.

Analogical arguments are often used in cases in which one thing (X) is accepted/seen as plausible and another (Y) is not, to get the audience to accept Y or see it as plausible. For example, a person might start with something everyone accepts, such as the fact that if a person has the blood cut off to her brain for too long, she’ll suffer brain damage. The person could then make an analogy: the education system is like the “brain” of society and money is the blood of this brain. Finally, the person might conclude by claiming that cutting off money to the education system will damage society.

Analogies can range from the very literal, such as drawing an analogy between humans and the rats used to test a new medicine, to the metaphorical, such as the blood and money example given above.

Analogical arguments are extremely common. In addition to being used in everyday life, they are commonly used in law and medicine. For example, when a lawyer argues from precedent, she is most likely using an analogical argument: In case Y the judge made ruling X, my case is like Y, so the judge should make ruling X. Doctors also make extensive use of analogical arguments. For example, they draw analogies between what they observed in medical school and what they are observing in a specific patient: this patient's condition closely resembles the case of poison ivy I saw in medical school, so she has been exposed to poison ivy.

Strict Form

Strictly presented, an analogy will have three premises and a conclusion. The first two premises establish the analogy by showing that the things in question are similar in certain respects. The third premise establishes the additional fact known about one thing and the conclusion asserts that because the two things are alike in other respects, they are alike in this additional respect as well.

Although people generally present analogical arguments in a fairly informal manner, they have the following logical form:

Premise 1: X has properties P, Q, and R.

Premise 2: Y has properties P, Q, and R.

Premise 3: X has property Z as well.

Conclusion: Y has property Z.

X and Y are variables that stand for whatever is being compared, such as chimpanzees and humans or blood and money. P, Q, R, and Z are also variables, but they stand for properties or qualities, such as having a heart or being essential for survival. The use of P, Q, and R is just for the sake of the illustration—the things being compared might have many more properties in common.

An example of an analogy presented in strict form is as follows:

Premise 1: Rats are mammals and possess a nervous system that includes a developed brain.

Premise 2: Humans are mammals possess a nervous system that includes a developed brain.

Premise 3: When exposed to Nerve Agent 274, 90% of the rats died.

Conclusion: If exposed to Nerve Agent 274, 90% of all humans will die.

Standards of Assessment

The strength of an analogical argument depends on three factors. To the degree that an analogical argument meets these standards it is a strong argument.

First, the more properties X and Y have in common, the better the argument. For example, in the example given above rats and humans have many properties in common. This standard is based on the common sense notion that the more two things are alike in other ways, the more likely it is that they will be alike in some other way. It should be noted that even if the two things are very much alike in many respects, there is still the possibility that they are not alike in regards to Z. This is why analogical arguments are inductive.

Second, the more relevant the shared properties are to property Z, the stronger the argument. A specific property, for example P, is relevant to property Z if the presence or absence of P affects the likelihood that Z will be present. Using the example, above, the shared properties are relevant. After all, since nerve agents work on the nervous system, the presence of a nervous system makes it more likely that something will be killed by such agents. It should be kept in mind that it is possible for X and Y to share relevant properties while Y does not actually have property Z. Again, this is part of the reason why analogical arguments are inductive.

Third, it must be determined whether X and Y have relevant dissimilarities as well as similarities. The more dissimilarities and the more relevant they are, the weaker the argument. In the example above, humans and rats do have dissimilarities, but most of them are probably not particularly relevant to the effects of nerve agents. However, it would be worth considering that the size difference might be relevant-at the dosage the rats received, humans might be less likely to die. Thus, size would be a difference worth considering.

Example

Premise 1: Attacking your next-door neighbors, killing them and taking their property is immoral.

Premise 2: War involves going into a neighboring country, killing people and taking their property.

Conclusion: So, war is immoral.

Assessment

War and violent theft share many properties: intrusion, violence, killing, and taking the property of others. War and violent theft also share relevant properties: violence, killing, and taking of property are relevant to moral assessment.

However, there are relevant dissimilarities. For example, war often takes place between mutual antagonists. This relevant difference can be developed, perhaps ironically, in another analogical argument: it could be argued that while it would be immoral for a person to just randomly attack neighbors, just as a boxing match between two opponents is morally acceptable, a war between two willing opponents would be morally acceptable as well.

Argument from/by Example

Introduction

Not surprisingly, an argument by example is an argument in which a claim is supported by providing examples.

While they are used in academic contexts quite often, arguments by example are also commonly used in “real life.” For example, suppose someone wants to show that another person always mooches pizza without offering to help pay for it. The case could be made by listing examples in which the “pizza mooch” ate pizza but did not contribute any money.

Strict Form

Strictly presented, an analogy will have at least one premise and a conclusion. Each premise is used to support the conclusion by providing an example. The general idea is that the weight of the examples establishes the claim in question.

Although people generally present arguments by example in a fairly informal manner, they have the following logical form:

Premise 1: Example 1 is an example that supports claim P.

Premise n: Example n is an example that supports claim P.

Conclusion: Claim P is true.

In this case n is a variable standing for the number of the premise in question and P is a variable standing for the claim under consideration.

An example of an argument by example presented in strict form is as follows:

Premise 1: Lena ate pizza two months ago and did not contribute any money.

Premise 2: Lena ate pizza a month ago and did not contribute any money.

Premise 3: Lena ate pizza two weeks ago and did not contribute any money.

Premise 4: Lena ate pizza a week ago and did not contribute any money.

Conclusion: Lena is a pizza mooch who eats but does not contribute.

Standards of Assessment

The strength of an analogical argument depends on four factors. First, the more examples, the stronger the argument. For example, if Lena only failed to pay for the pizza she ate once, then the claim that she is a mooch who does not contribute would not be well supported—the argument would be very weak.

Second, the more relevant the examples, the stronger the argument. For example, if it were concluded that Lena was a pizza mooch because she regularly failed to pay for her share of gas money, then the argument would be fairly weak. After all, her failure to pay gas money does not strongly support the claim that she won't help pay for pizza (although it would provide grounds for suspecting she might not pay).

Third, the examples must be specific and clearly identified. Vague and unidentified examples do not provide much in the way of support. For example, if someone claimed that Lena was a pizza mooch because “you know, she didn't pay and stuff on some days...like some time a month or maybe a couple months ago”, then the argument would be extremely weak.

Fourth, counter-examples must be considered. A counter-example is an example that counts against the claim. One way to look at a counter example is that it is an example that supports the denial of the conclusion being argued for. The more counter-examples and the more relevant they are, the weaker the argument. For example, if someone accuses Lena of being a pizza mooch, but other people have examples of times which she did contribute, then these examples would serve as counter-examples against the claim that she is a pizza mooch. As such, counter-examples can be used to build an argument by example that has as its conclusion the claim that the conclusion it counters is false.

Examples

Example #1

Premise 1: The painting Oath of the Horatii shows three brothers ready to take action, while the women are painted as passive observers.

Premise 2: In action films, such as typical Westerns, women are cast as victims that must be protected and saved by men.

Conclusion: Art reinforces gender stereotypes.

Assessment of Example #1

While art is full of stereotypes, more examples should be used. The examples are relevant, but specific Westerns should be named and described. Finally, there are counter-examples, especially in modern films and TV, that need to be considered.

Example #2

Premise 1: The Egyptians believed in an afterlife as shown by their funeral preparations.

Premise 2: Plato's writings indicate that the ancient Greeks believed in an afterlife.

Premise 3: The Chinese practice of ancestor worship indicates they believed in an afterlife.

Conclusion: People of ancient cultures believed in an afterlife.

Assessment of Example #2

More examples should be used, but the mix of diverse cultures strengthens the argument. The examples are relevant. They could be more detailed but are reasonably specific. There are some limited counterexamples, such as periods of doubt about the afterlife in ancient Egypt.

Argument from Authority

Introduction

This is an argument in which the conclusion is supported by citing an authority. Since the argument is based on an appeal to the authority, the strength of the support depends on the quality of the authority in question. Given that no one can be an expert on everything and the fact that people regularly need reliable information, these arguments are very common. In fact, they are used so often that people generally do not even realize they are being used. For example, when a politician cites an economist to justify her policies, she is making an argument from authority. As another example, when a student cites a source stating that a historic event took place, he is using an argument from authority. As a final example, when people trust a news source (such as CNN, The Daily Show, or Fox News) they are probably relying on an argument from authority—they assume the news source should be trusted because the people involved are supposed to be experts.

Not surprisingly, this argument is used when a person lacks the required knowledge and expertise and therefore needs to rely on another source of information. For example, most lawyers are not experts on DNA testing or ballistics, so they hire experts to testify in court. In effect they are saying that what the expert says about the DNA or gun is true because the expert is an expert. This sort of argument is also used when a person wants to add extra weight to his/her position. For example, an author of a book on dieting might cite other doctors and nutritional experts that agree with her views on dieting.

Like other arguments, an argument from authority can be used to establish its conclusion for use as a premise in another argument. For example, a person who is arguing for the censorship of violence might cite an authority who claims that watching violent television makes children violent.

It should be noted that an argument from authority is not an exceptionally strong argument. After all, in such cases a claim is being accepted as true simply because a person is asserting that it is true. The person may be an expert, but her expertise does not really bear on the actual truth (or falsity) of the claim. This is because the expertise of a person does not actually determine whether the claim is true or false. Hence, arguments that deal directly with evidence relating to the claim itself will tend to be stronger.

Despite the inherent weakness in this argument, a person who is a legitimate expert is more likely to be right than wrong when making considered claims within her area of expertise. In a sense, the claim is being accepted because it is reasonable to believe that the expert has tested the claim and found it to be reliable. So, if the expert has found it to be reliable, then it is reasonable to accept it as being true. Thus, the listener is accepting a claim based on the testimony of the expert. Naturally, the main challenge is determining whether the person in question is a legitimate expert or not.

Strict Form

Strictly presented, an argument from authority will have two premises and a conclusion. The first premise claims the person is an authority on a particular subject. The second presents the claim made by the authority in the subject in question and the conclusion asserts that because an authority made the claim in her area of expertise, it is true.

Although people generally present arguments from authority in a fairly informal manner, they have the following logical form:

Premise 1: Person A is (claimed to be) an authority on subject S.

Premise 2: Person A makes claim C about subject S.

Premise 3: Therefore, C is true.

A is a variable that is replaced with the authority's name, S is a variable that is replaced with the subject and C is a variable that is replaced with the actual claim. For example:

Premise 1: Dr. Michael LaBossiere is an authority on arguments.

Premise 2: Dr. Michael LaBossiere claims in the subject area of arguments, that an argument by example has two premises.

Conclusion: Therefore it is true that an argument by example has two premises.

Standards of Assessment

An argument from authority is assessed in terms of six standards. If an argument meets these standards, then it is an acceptable argument from authority and it is reasonable to accept the conclusion based on the premises. If the argument fails to meet the standards, then it would not be reasonable to accept the conclusion based on the premises. Bad arguments from authority are relatively common and are known as fallacious appeals to authority.

1. The person has sufficient expertise in the subject matter in question.

Claims made by a person who lacks the needed degree of expertise to make a reliable claim will, obviously, not be well supported. In contrast, claims made by a person with the needed degree of expertise will be supported by the person's reliability in the area.

Determining whether or not a person has the needed degree of expertise can often be very difficult. In academic fields (such as philosophy, engineering, history, etc.), the person's formal education, academic performance, publications, membership in professional societies, papers presented, awards won and so forth can all be reliable indicators of expertise. Outside of academic fields, other standards will apply. For example, having sufficient expertise to make a reliable claim about how to tie a shoe lace only requires the ability to tie the shoe lace and impart that information to others. It should be noted that being an expert does not always require having a university degree. Many people have high degrees of expertise in sophisticated subjects without having ever attended a university. Further, it should not be simply assumed that a person with a degree is an expert.

Of course, what is required to be an expert is often a matter of great debate. For example, some people have (and do) claim expertise in certain (even all) areas because of a divine inspiration or a special gift. The followers of such people accept such credentials as establishing the person's expertise while others often see these self-proclaimed experts as deluded or even as charlatans. In other situations, people debate over what sort of education and experience is needed to be an expert. Thus, what one person may take to be a fallacious appeal another person might take to be a well supported line of reasoning. Fortunately, many cases do not involve such debate.

2. The claim being made by the person is within her area(s) of expertise.

If a person makes a claim about some subject outside of his area(s) of expertise, then the person is not an expert in that context. Hence, the claim in question is not backed by the required degree of expertise and is not reliable.

It is very important to remember that because of the vast scope of human knowledge and skill it is simply not possible for one person to be an expert on everything. Hence, experts will only be true experts in respect to certain subject areas. In most other areas they will have little or no expertise. Thus, it is important to determine what subject area a claim falls under.

It is also very important to note that expertise in one area does not automatically confer expertise in another. For example, being an expert physicist does not automatically make a person an expert on morality or politics. Unfortunately, this is often overlooked or intentionally ignored. In fact, a great deal of advertising rests on a violation of this condition. As anyone who watches television knows, it is extremely common to get famous actors and sports heroes to endorse products that they are not qualified to assess. For example, a person may be a great actor, but that does not automatically make him an expert on cars or shaving or underwear or diets or politics.

3. There is an adequate degree of agreement among the other experts in the subject in question.

If there is a significant amount of legitimate dispute among the experts within a subject, then it will fallacious to make an Appeal to Authority using the disputing experts. This is because for almost any claim being made and "supported" by one expert there will be a counterclaim that is made and "supported" by another expert. In such cases an Appeal to Authority would tend to be futile. In such cases, the dispute has to be settled by consideration of the actual issues under dispute. Since either side in such a dispute can invoke experts, the dispute cannot be rationally settled by Appeals to Authority.

There are many fields in which there is a significant amount of legitimate dispute. Economics is a good example of such a disputed field. Anyone who is familiar with economics knows that there are many plausible theories that are incompatible with one another. Because of this, one

expert economist could sincerely claim that the deficit is the key factor while another equally qualified individual could assert the exact opposite. Another area where dispute is very common (and well known) is in the area of psychology and psychiatry. As has been demonstrated in various trials, it is possible to find one expert that will assert that an individual is insane and not competent to stand trial and to find another equally qualified expert who will testify, under oath, that the same individual is both sane and competent to stand trial. Obviously, one cannot rely on an Appeal to Authority in such a situation without making a fallacious argument. Such an argument would be fallacious since the evidence would not warrant accepting the conclusion.

It is important to keep in mind that no field has complete agreement, so some degree of dispute is acceptable. How much is acceptable is, of course, a matter of serious debate. It is also important to keep in mind that even a field with a great deal of internal dispute might contain areas of significant agreement. In such cases, an Appeal to Authority could be legitimate.

4. The person in question is not significantly biased.

If an expert is significantly biased then the claims he makes within his area of bias will be less reliable. Since a biased expert will not be reliable, an Argument from Authority based on a biased expert will be fallacious. This is because the evidence will not justify accepting the claim.

Experts, being people, are vulnerable to biases and prejudices. If there is evidence that a person is biased in some manner that would affect the reliability of her claims, then an Argument from Authority based on that person is likely to be fallacious. Even if the claim is actually true, the fact that the expert is biased weakens the argument. This is because there would be reason to believe that the expert might not be making the claim because he has carefully considered it using his expertise. Rather, there would be reason to believe that the claim is being made because of the expert's bias or prejudice.

It is important to remember that no person is completely objective. At the very least, a person will be favorable towards her own views (otherwise she would probably not hold them). Because of this, some degree of bias must be accepted, provided that the bias is not significant. What counts as a significant degree of bias is open to dispute and can vary a great deal from case to case. For example, many people would probably suspect that doctors who were paid by tobacco companies to research the effects of smoking would be biased while other people might believe (or claim) that they would be able to remain objective.

5. The area of expertise is a legitimate area or discipline.

Certain areas in which a person may claim expertise may have no legitimacy or validity as areas of knowledge or study. Obviously, claims made in such areas will not be very reliable.

What counts as a legitimate area of expertise is sometimes difficult to determine. However, there are cases which are fairly clear cut. For example, if a person claimed to be an expert at something he called "chromabullet therapy" and asserted that firing colorfully painted rifle bullets at a person would cure cancer, it would not be very reasonable to accept his claim based on his "expertise." After all, his expertise is in an area which is devoid of legitimate content. The general idea is that to be a legitimate expert a person must have mastery over a real field or area of knowledge.

As noted above, determining the legitimacy of a field can often be difficult. In European history, various scientists had to struggle with the Church and established traditions to establish the validity of their disciplines. For example, experts on evolution faced an uphill battle in getting the legitimacy of their area accepted.

A modern example involves psychic phenomenon. Some people claim that they are certified “master psychics” and are experts in the field. Other people contend that their claims of being certified “master psychics” are simply absurd since there is no real content to such an area of expertise. If these people are right, then anyone who accepts the claims of these “master psychics” as true are victims of a fallacious appeal to authority.

6. The authority in question must be identified.

A common variation of the typical fallacious appeal to authority fallacy is an appeal to an unnamed authority. This fallacy is also known as an appeal to an unidentified authority.

This fallacy is committed when a person asserts that a claim is true because an expert or authority makes the claim and the person does not actually identify the expert. Since the expert is not named or identified, there is no way to tell if the person is actually an expert. Unless the person is identified and has his expertise established, there is no reason to accept the claim.

This sort of reasoning is not unusual. Typically, the person making the argument will say things like “I have a book that says...”, or “they say...”, or “the experts say...”, or “scientists believe that...”, or “I read in the paper..” or “I saw on TV...” or some similar statement. In such cases the person is often hoping that the listener(s) will simply accept the unidentified source as a legitimate authority and believe the claim being made. If a person accepts the claim simply because they accept the unidentified source as an expert (without good reason to do so), he has fallen prey to this fallacy.

Examples

Example#1

Premise 1: If violent art has a harmful psychological effect on people, then it should be censored.

Premise 2: However, the study by Loeb and Wombat shows that violent art has little, if any psychological effect on people.

Conclusion: Hence, there is no need to censor violent art to protect people from harm.

Example of Assessment

The source needs to be properly identified. Further, there is a great deal of disagreement among the experts within the field of psychology, especially over the matter of the effects of violent art.

Example # 2

Premise 1: According to medical science, there is no life after death.

Premise 2: Medical science is well established.

Conclusion: It is clear there is no life after death.

Example of Assessment

More information is needed about medical science, such as the exact source of the claim.

Some Common Methods in Moral Argumentation

Revised 15/2008

Logical Consistency (General)

This method is primarily an “attack” method in that it is typically used when arguing against a view or position. It is generally not used when defending a position-except in terms of defending a position by criticizing another view.

Concepts & Method

This method is based on a basic concept in logic, that of logical consistency. Two claims are consistent when both can be true at the same time. For example, the claim “lying is sometimes acceptable” is consistent with the claim “lying is sometimes unacceptable.” This is because both of these claims could be correct. Two claims are inconsistent when both cannot be true at the same time (but both could be false). For example, the claim “national health care would do more good than harm for America” is inconsistent with the claim “national health care would do more harm than good for America.” This is because while these claims cannot both be true at the same time, they could both be false. National health care might, for example, be neutral in terms of overall benefits and harms.

Because of the nature of inconsistent claims, if someone makes inconsistent claims, then at least one of their claims must be false. Similarly, if a person accepts principles that are inconsistent or entail inconsistent claims, then at least one of the principles must be flawed. This assumes, of course, that principles have truth values. Not surprisingly, theories must also be internally inconsistent—a theory that has inconsistencies must contain at least one false claim.

The fact that two (or more) claims are inconsistent does not show which of them is false—the inconsistency just shows that they all cannot be true at the same time. Sorting out the true from the false is another matter entirely.

Given that logically inconsistent claims cannot be true at the same time, it is irrational to accept such claims when their inconsistency is known. This fact provides this method with its ‘teeth.’

The method is as follows:

Step 1: Show that two claims made by a person or principles held by a person are inconsistent.

Step 2: Conclude that both cannot be true/correct.

For example, suppose that during the course of a conversation Ann seems to accept the principle that people should be treated equally but she also asserts that certain people should receive special treatment. On the face of it, there seems to be an inconsistency here: If people should be treated equally, then certain people should not receive special treatment. But, if some people should receive special treatment, then all people should not be treated equally. Therefore, one of the principles must be incorrect.

Of course, the fact that there is an inconsistency does not show which claim or principle is mistaken—it just shows that at least one must be incorrect. Unless, of course, there is a reasonable way to respond to the charge of inconsistency.

Responding to a Charge of Inconsistency

As with most attacks and criticisms, there are ways to respond to a charge of inconsistency. One way is to abandon one of the inconsistent claims or principles. Obviously, the least plausible claim or principle should be the one rejected. For example, Ann might decide to abandon the principle that some people should receive special treatment and stick with the principle that people should be treated equally. Naturally, this is not really much of a defense. However, if

there are excellent reasons to reject one (or more) of the principles or claims, then this can be the logical thing to do.

In some cases it is possible to respond to the charge of inconsistency by dissolving the inconsistency. This can be done by showing that the inconsistency is merely apparent. This is achieved by arguing that the claims/principles are actually consistent. For example, Ann might present the following reply: Treating people equally requires providing special treatment to certain groups or people. For example, allowing equal access to public facilities requires providing some people with special treatment in the form of ramps and special parking. Thus, the inconsistency has been dissolved.

Relativism, Subjectivism and Nihilism

For two claims to be logical consistency they must be such that they can actually be true or false (but not both at the same time). If the claims are such that they are relative, subjective or without any truth value, then the situation becomes rather problematic.

Ethical relativism is the view that the truth of a moral statement depends on the culture. Obviously, cultures with different moralities will present claims that are inconsistent with each other. Assuming this theory is correct, the truth of such ethical claims depends on the culture, so that a claim can be true in one culture and false in another. Hence this sort inconsistency is not a problem (assuming that ethical relativism is correct).

Even on the assumption that ethical relativism is true it is still possible to apply a charge of inconsistency-but only within that culture. For example, in the 1800s American social morality (as expressed in the Declaration of Independence and countless speeches) held that all men are equal. Yet, slavery was also accepted by the culture, thus making it at least morally tolerable. Obviously the acceptance of slavery and the professed value of equality are inconsistent with each other. Hence, one of those views must be mistaken-within the context of American culture.

Of course, a culture could accept as a moral principle that moral inconsistency is morally acceptable. In that case, the charge of inconsistency would bear no weight (assuming that relativism is correct).

Ethical subjectivism is the view that the truth of a moral statement depends on the individual. Individuals with different moralities will obviously present claims that seem to be inconsistent with each other. For example, one person might claim that abortion is morally acceptable while another person endorses it. If ethical subjectivism is true, the truth of each moral claim depends on the individual, so a claim can be true for one person and false for another. In this case, inconsistency is not a problem because it simply cannot occur between individuals. Everyone is correct because morality is subjective.

However, even if subjectivism is true, a person can be charged with inconsistency in their principles and claims. However, a person could hold that moral inconsistency is perfectly acceptable and if subjectivism is true they would be right.

Moral Nihilism is the view that moral claims have no truth value-they are neither true nor false. If moral claims are neither true nor false, then there is no possibility of logical inconsistency between moral claims .Hence, if moral nihilism is correct, then inconsistency in regard to moral claims and principles is impossible.

Consistent Application (Normative)

This method is somewhat similar to logical consistency. The main difference is that while logical consistency focuses on the inconsistency between claims or principles, consistent application is focused on criticizing an inconsistency in the application of a principle.

This method is generally employed as an attack method. This is to say that it is generally used to criticize as opposed to being used to support a position.

Concepts, Assumptions & Method

A principle is consistently applied when it is applied in the same way to similar beings in similar circumstances. Inconsistent application is a problem because it violates three commonly accepted moral assumptions: equality, impartiality and relevant difference.

Equality is the assumption that people are initially morally equal and hence must be treated as such. This requires that moral principles be applied consistently. Naturally, a person's actions can affect the initially equality. For example, a person who commits horrible evil deeds would not be morally equal to someone who does predominantly good deeds.

Impartiality is the assumption that moral principles must not be applied with partiality. Inconsistent application would involve non-impartial application.

Relevant difference is a popular moral assumption. It is the view that different treatment must be justified by relevant differences. What counts as a relevant difference in particular cases can be a matter of great controversy. For example, while many people do not think that gender is a relevant difference in terms of how people should be treated other people think it is very important. This assumption requires that principles be applied consistently.

Consistent application, as a method of argumentation, has the following steps.

Step 1: Show that a principle/standard has been applied differently in situations that are not adequately different.

Step 2: Conclude that the principle has been applied inconsistently.

Step 3 (Optional): Require that the principle be applied consistently.

Applying this method often requires determining the principle the person/group is using. Unfortunately, people are not often clear in regards to what principle they are actually using. In general, people tend to just make moral assertions and leave it to others to guess what their principles might be. In some cases, it is likely that people are not even aware of the principles they are appealing to when making moral claims.

The following is an example of this method. Suppose that Barbara claims that male-only country clubs are immoral and should be opened to women. But then Barbara claims that women should be allowed to have women-only gyms so they can work out without being gawked at by men. If Barbara's principle is that exclusion based on gender is immoral, then she is not applying the principle consistently. This is because it is applied one way to men, another way to women. Thus, her application is flawed and is thus subject to criticism on the grounds of this inconsistency.

Responding to a Charge of Inconsistent Application

There are four main ways of responding to a charge of inconsistent application. The first is to admit the inconsistency and stop applying the principle in an inconsistent manner. This obviously does not defend against the charge but can be an honest reply.

A second and actual defense is to dissolve the inconsistency by showing that the alleged inconsistency is merely apparent. One way to do this is by showing that there is a relevant difference in the situation. Returning to the gender equality example, the alleged inconsistency could be dissolved by arguing that country clubs are relevantly different from gyms or that men are relevantly different from women in this case. Successfully arguing for either of these would justify the difference in application and hence defeat the charge of inconsistency. This is because the application is only inconsistent if the situations are morally the same.

A third way to reply is to reject the attributed principle. Using the inequality example presented above, a person could claim that her actual principle justifies the difference in application. For example, she might claim that her actual principle is that women should be treated equally except when it is to their advantage to be treated differently. Alternatively, she might claim that her actual principle is that people should not be discriminated against except in cases in which the presence of one gender would create undue discomfort to the other gender. Naturally enough, the “new” principle is still subject to evaluation. For example, the principle that allows women to be treated unequally when doing so is to their advantage seems to violate the standards of equality, impartiality and relevant difference. The other sample principle is less problematic and could be supported by an argument based on the fact that each gender has its own restrooms, locker rooms, etc.

A final, somewhat extreme, method of replying is to undercut the method by arguing against the grounding assumptions of this method—the principles of equality, impartiality, and relevant difference. To the degree that these assumptions are undercut, the method is weakened.

Reversing the Situation (Ethics)

A common method of moral assessment is imagining what it would be like to be on the receiving end. Parents and others often employ this method informally by asking questions such as “how would you feel if someone did that to you?”

Somewhat more formally, this method is based on the Golden Rule: “Do unto others as you would have them do unto you.” Assuming this rule is correct, if a person is unwilling to abide by his own principles when the situation is reversed, then it is reasonable to question those principles.

This method is often most effective when you are actually interacting with a person and can ask them if they would be willing to be subject to their own actions, policies, etc. As such, it is no surprise that this method is often employed in live debates.

Basis & Method

This method is similar to consistent application and in this role it is based on the same assumptions: consistency, equality, and impartiality. In general terms, the primary basis of the method is fairness. Something is fair when all those involved would find it acceptable to trade places under similar circumstances—provided that they viewed the situation objectively.

The actual method involves the following steps:

Step 1: An action, policy etc. is proposed or implemented with at least two parties: an agent and the target of the action, policy, etc.

Step 2: Hypothetically, the situation is reversed with the agent and the target switching places.

Step 3: If the hypothetical switch is not morally acceptable to both parties when they observe it from an objective standpoint, then the action, policy, etc. is morally questionable.

For example, consider the caste system in India. While (as of this writing) the caste system is no longer sanctioned by law, it is still practiced. In this system, the lowest caste is the Untouchables. The Untouchables are alleged to be unclean and it is accepted by some that they may be harmed or killed for stepping out of line (for example, insisting on their legal rights or swimming in a public pond). However, if an upper caste person were forced to live as an Untouchable, she would no doubt find it unacceptable to be treated in that manner. Therefore, the caste system is morally questionable.

Considerations

There are two main considerations in regards to this method. The first is that in some cases, those involved could not really switch places. In such cases, the method can be slightly modified by having the action, principle, policy, etc applied to the agent. For example, consider a situation in which a developer wants to bulldoze a wilderness area and build a new student housing megaplex. The plants and animals in the area will be harmed or killed. Obviously, these creatures cannot be developers or operate bulldozers. However, it could be argued that the developer would not want her house plowed under and her family scattered or killed by other people who want her land. From this it could be concluded that the development is morally questionable.

The second consideration is the need for an impartial observer. This need arises from the problem of bias. To be specific, in certain situations the two parties might be unwilling to switch positions, yet the action, policy, or procedure might be morally acceptable. For example, a judge who sentences a criminal to be punished would obviously not be willing to trade places with the criminal. Yet, the punishment for the crime could be just and fair. Fortunately, this apparent problem can be easily fixed by appealing to a hypothetical impartial observer: If, from the standpoint of the ideal impartial observer, it would be fair to apply the same action, etc. to the parties if they were switched, then the action, etc. would be morally acceptable. If not, it would be morally questionable. In such cases, the switch would involve a switch of the morally relevant properties as well. For example, in the hypothetical case involving the judge, it is not that the judge would be switched with the criminal so that the innocent judge would be punished for the criminal's crime. What would occur would be that the judge would be considered to hypothetically have committed the same crime in the same circumstances. If the impartial observer would regard this as morally acceptable, then there is good reason to accept it as such. In some cases, directly appealing to impartiality might be a better choice than using the Reversing the Situation method.

Responding

If you happen to be on the receiving end of this method, the rational way to respond is by contending that there is a relevant difference that serves to defeat the argument raised against you. The way to do this is to argue that there is a relevant difference between the two parties that justifies the action, etc. even if the agent would be unwilling to switch places. The overall goal would be to show that there is a difference between the parties that morally justifies the difference under debate.

As an example, consider my relationship with fire ants. While I generally try to avoid harming living creatures, I make a special exception for fire ants and will, in fact, "kill the hell out of them" at every opportunity. I consider this not only acceptable but morally commendable. Obviously, I would not want to be killed by fire ants (or anything else). Thus, it would seem that

my actions against fire ants are morally wrong because I am not doing unto them as I would have others do unto me.

In reply, I can present the following relevant difference: the fire ants started the conflict by attacking me without provocation. Hence, I am merely acting in self defense against them. This is a morally relevant difference that could be supported by using an argument by analogy to other cases of self defense in the face of intolerable provocation.

While I would not make this argument myself, others might argue that a relevant difference exists between humans and ants in terms of humans being a superior species and hence justified in killing ants in order to protect their lawns (and skin) from the savage depredations of these ants.

Argument by Definition (General)

A common method of argumentation is to argue that some particular thing belongs to a particular class of things because it fits the definition for that class. For example, someone might argue that a human embryo is a person because it meets the definition of “person.” The goal of this method is to show that the thing in question adequately meets the definition. Definitions are often set within theories (see Apply Moral Theory, below). This method is most often used as part of an extended argument. For example, someone might use this method to argue that a human embryo is a person and then use this to argue against stem cell research involving embryos.

Method

This method can be used to argue that something, X, belongs in a class of things based on the fact that X meets the conditions set by the definition. Alternatively, it can be argued that X does not belong in that class of things because X does not meet the conditions set by the definition. The method involves the following basic steps:

Step 1: Present the definition

Step 2: Describe the relevant qualities of X.

Step 3: Show how X meets (or fails to meet) the definition

Step 4: Conclude that X belongs within that class (or does not belong within that class).

To use a basic example, imagine that someone wants to argue against stem cell research involving human embryos. They could begin by presenting a definition of “person” and then show how human embryos meet that definition. This would not resolve the moral issue but she could go on to argue that using persons in such research would be wrong and then conclude that using human embryos would be wrong.

As an example in aesthetics, a person might define a work of horror as a work which has as its goal to produce an emotion that goes beyond fear, namely that of horror, which would be defined in some detail. The person could go on to show how the movie *Alien* meets this definition and then conclude that *Alien* is a work of horror.

Dictionaries

Since dictionaries conveniently provide a plethora of definitions it is tempting to use them as the basis for an argument from definition. However, such arguments tend to be rather weak in regards to addressing matters of substantive dispute. For example, referring to the dictionary

cannot resolve the debate over what it is to be a person. This is because dictionaries just provide the definition that the editors regard as the correct, acceptable, or as the generally used definition. Dictionaries also generally do not back up their definitions with arguments-the definitions are simply provided and not defended.

Obviously dictionaries are very useful in terms of learning the meanings of words. But they are not means by which substantial conceptual disputes can be settled.

Assessing Definitions

When making an argument from definition it is obviously very important to begin with a good definition. In some cases providing such a definition will involve settling a conceptual dispute. Resolving such a dispute involves, in part, showing that your definition of the concept is superior to the competition and that it is at least an adequate definition.

An acceptable definition must be clear, plausible, and internally consistent. It must also either be in correspondence with our intuitions or be supported by arguments that show our intuitions are mistaken. Of course, people differ in their intuitions about meanings so this can be somewhat problematic. When in doubt about whether a definition is intuitively plausible or not, it is preferable to argue in support of the definition. A definition that fails to meet these conditions is defective.

An acceptable definition must avoid being circular, too narrow, too broad or vague. Definitions that fail to avoid these problems are defective.

A circular definition merely restates the term being defined and thus provides no progress in the understanding of the term. For example, defining “goodness” as “the quality of being good” would be circular. As another example, defining “a work of art” as “a product of the fine arts” would also be circular. While these are rather blatant examples of circularity, it can also be more subtle.

A definition that is too narrow is one that excludes things that should be included-it leaves out too much. For example, defining “person” as “a human being” would be too narrow since there might well be non-humans that are persons. As another example, defining “art” as “paintings and sculptures” would be too narrow since there are other things that certainly seem to be art, such as music and movies, which are excluded by this definition. As a final example, defining “stealing” as “taking physical property away from another person” is also too narrow. After all, there seem to be types of theft (such as stealing ideas) that do not involve taking physical property. There are also types of theft that do not involve stealing from a person-one could steal from a non-person. Naturally enough, there can be extensive debate over whether a definition is too narrow or not. For example, a definition of “person” that excludes human fetuses might be regarded as too narrow by someone who is opposed to abortion while a pro-choice person might find such a definition acceptable. Such disputes would need to be resolved by argumentation.

A definition that is too broad is one that includes things that should not be included-it allows for the term to cover too much. For example, defining “stealing” as “taking something you do not legally own” would be too broad. A person fishing in international waters does not legally own the fish but catching them would not be stealing. As another example, defining “art” as “anything that creates or influences the emotions” would be too broad. Hitting someone in the face with a brick would influence his emotions but would not be a work of art. As with definitions that are too narrow there can be significant debate over whether a definition is too broad or not. For example, a definition of “person” that includes apes and whales might be taken by some as too broad. In such cases the conflict would need to be resolved by arguments.

While it might seem odd, a definition can be too broad and too narrow at the same time. For example, defining “gun” as “a projectile weapon” would leave out non-projectile guns (such as laser guns) while allowing non gun projectile weapons (such as crossbows).

Definitions can also be too vague. A vague definition is one that is not precise enough for the task at hand. Not surprisingly, vague definitions will also tend to be too broad since their vagueness will generally allow in too many things that do not really belong. For example, defining “person” as “a being with some kind of mental activity” would be vague and also too broad.

Responding

There are a variety of ways to respond to this method. One way is to directly attack the definition used in the argument. This is done by showing how the definition used fails to meet one or more of the standards of a good definition. Obviously, since the argument rests on the definition, then if the definition is defective so too will be the argument.

For example, suppose someone argues that a play is a tragedy based on their definition of tragedy in terms of being a work of art that creates strong emotions. This definition can be attacked on the grounds that it is too broad. After all, a comedy or love story could also create strong emotions but they would not be regarded as works of tragedy.

A second option is to attack X (the thing that is claimed to fit or not fit the definition). This is done by arguing that X does not actually meet the definition. If this can be done, the argument would fail because X would not belong in the claimed category.

As an example, a person might argue that a particular song is a country song, but the response could be an argument showing that the song lacks the alleged qualities. As a second example, someone might claim that dolphins are people, but it could be replied that they lack the qualities needed to be persons.

An argument by definition can also be countered by presenting an alternative definition. This is actually using another argument of the same type against the original. If the new definition is superior, then the old definition should be rejected and hence the argument would presumably fail. The quality of the definitions is compared using the standards above and the initial definition is attacked on the grounds that it is inferior to the counter definition. For example, a person might present a definition of horror that is countered by a better definition. As a second example, a person might present a definition of stealing that is countered by presenting a more adequate definition.

Appeal to Intuition (General)

This method is a blend of emotional appeal and logical argumentation.

Method

One problem in creating moral principles and theories is finding a starting point. A related problem is finding a way to test the results of a principle/theory without creating another principle or theory.

If a person gives a reason for the principle or theory, then it is reasonable to ask why that reason should be accepted. If a reason is given for the reason, then one could still ask for a reason for that reason. This could create an infinite regress.

In addition to finding a starting point for principles and theories, there is also the general problem of settling an issue.

Fortunately, there is a generally accepted method of addressing these problems. This method is that one can begin appealing to our pre-philosophical intuitions.

Intuitions & Arguments

An intuition is typically a blend of how one thinks and feels about a matter prior to reflection. Crudely put, it is sort of a “gut” reaction. Naturally, a “gut” reaction is not an argument for a claim. An argument is when reasons are provided in support of a claim.

In the case of an appeal to intuition, the goal of the argument is to “motivate” the reader’s intuitions so s/he accepts your position on the issue. This makes the argument something of a blend between persuasion and argumentation.

It is an argument in the sense that the goal is to support a position through reason. It is similar to persuasion in that the goal is also to get the audience accept your view because you have presented something that appeals to their intuitions.

Basic Method

The basic method is simple in that it involves just two steps. Its main disadvantage is that it tends to be more in the realm of persuasion than argument.

Step 1. Show that X violates (or coincides with) our intuitions.

Step 2. Conclude that X is incorrect/implausible/wrong (or correct/plausible/right).

Story Method

A more complex method has three steps and combines both persuasive and argumentative elements.

Step 1. Present a plausible and appealing story or scenario that aims at motivating the target’s intuitions towards your position on the issue.

Step 2. Present a developed argument that shows the reader why the story or scenario rationally supports your position.

Step 3. Conclude that your position is correct.

Weakness and Strength

A major weak point of this method is that moral intuitions are intuitions and not the result of reflection and argument. Because of that fact, this method is strong and effective with people who share intuitions, but tends to be weak and ineffective with people who do not share the same intuitions.

Testing Theories and Principles

This method is a useful tool in philosophy and is regularly used to check theories, principles, and such. If a theory or principle violates our intuitions, the theory, etc. becomes less plausible unless an adequate reason can be given as to why our intuitions are mistaken in this matter. If a theory or principle matches our intuitions, the theory, principle, etc. is more plausible.

Example #1

In the Bible, Deuteronomy 21:18-21 says that stubborn and disobedient children should be stoned to death in public. However, this seems to violate our moral intuitions about just grounds for capital punishment. Therefore, the stoning of disobedient children is not acceptable.

Example #2

Consider, if you will, two people who are each starting their own software companies. One, Bad Bill is unjust. The other, Sweet Polly is just. Now, imagine a situation in which both Bill and Polly stumble across a lost CD at a technology expo. This CD, of course, contains key trade secrets of another competing company. Polly will, of course, return the CD to the rightful owners and will not look at any of the details- the information does not belong to her. Bill will, of course, examine the secrets and thus gain an edge on the competition. This will increase his immediate chance of success over the competition.

Now imagine what will happen if Sweet Polly continues along the path of justice. She will never take unfair advantage of her competition, she will never exploit unjust loopholes in the tax laws, and she will never put people out of work just to gain a boost to the value of her company's stock. She will always offer the best products she can provide at a fair price.

In direct contrast, if Bad Bill follows his path of injustice, he will use every advantage he can gain to defeat his competition and maximize his profits. He will gladly exploit any tax loophole in order to minimize his expenses. He will put people out of work in order to boost the value of the company stock. His main concern will be getting as much as possible for his products and he will make them only good enough that they can be sold.

Given these approaches and the history of business in America, it is most likely that Sweet Polly's company will fail. The best she can hope for is being a very, very small fish in a vast corporate ocean. In stark contrast, Bad Bill's company will swell with profits and grow to be a dominant corporation.

In the real world, Bad Bill's unjust approach could lead him to a bad end. However, even in reality the chance is rather slight. In the real world, Polly's chances of success would be rather low, this showing that her choice is a poor one-even in reality. Given these conditions, it should be clear that Bill's choice for injustice is preferable to Polly's choice.

Naturally, more than a story is needed to make the general point that injustice is superior to justice. Fortunately a more formal argument can be provided.

The advantages of injustice are numerous but can be bundled into one general package: flexibility. Being unjust, the unjust person is not limited by the constraints of morality. If she needs to lie to gain an advantage, she can lie freely. If a bribe would serve her purpose, she can bribe. If a bribe would not suffice and someone needs to have a tragic "accident", then she can see to it that the "accident" occurs. To use an analogy, the unjust person is like a craftsman that has just the right tool for every occasion. Just as the well equipped craftsman has a considerable advantage over a less well equipped crafts person, the unjust person has a considerable advantage over those who accept moral limits on their behavior.

It might be objected that the unjust person does face one major limit-she cannot act justly. While she cannot be truly just, she can, when the need arises, act justly-or at least appear to be acting justly. For example, if building an orphanage in Malaysia would serve her purpose better than exploiting those orphans in her sweat shop, then she would be free to build the orphanage. This broader range of options gives her clear edge-she can do everything the just person can do and much more. With her advantage she can easily get the material goods she craves-after all, she can do whatever it takes to get what she wants.

Turning to the real world, an examination of successful business people and other professionals (such as politicians) shows that being unjust is all but essential to being a success. For example, it is no coincidence that Microsoft is not only the top software company but also rightly regarded as being one of the most unjust. Now I turn to the just person.

If a person, such as Polly, is just then she must accept the limits of justice. To be specific, insofar as she is acting justly she must not engage in unjust acts. Taking an intuitive view of injustice, unjust acts would involve making use of unfair tactics such as lying, deception, bribes, threats and other such methods. Naturally, being just involves more than just not being unjust. After all, being just is like being healthy. Just as health is more than the absence of illness, being just is more than simply not being unjust. The just person would engage in positive behavior in accord with her justice-telling the truth, doing just deeds and so forth. So, the just person faces two major impediments. First, she cannot avail herself of the tools of injustice. This cuts down on her options and thus would limit her chances of material success. Second, she will be expending effort and resources in being just. These efforts and resources could be used instead to acquire material goods. To use an analogy, if success is like a race, then the just person is like someone who will stop or slow down during the race and help others. Obviously a runner who did this would be at a competitive disadvantage and so it follows that the just person would be at a disadvantage in the race of life.

Responding

There are various ways to respond to this method. Each of which will be considered in turn. First, it can be argued that the intuition is flawed. A way to do this is to present a counter-intuition: an argument by intuition that goes against the original argument. The idea is to show that the opposing intuition is more appealing, thus undercutting the original argument.

For example, one might respond to the argument about stoning children in the following way: While it is believed by some that children should not be stoned to death for being disobedient, my moral intuition tells me that one must obey the will of God. Through the Bible God makes it clear that he wills that disobedient children be stoned to death. Therefore the stoning is right and good.

As another example, in the case of the Polly and Bill example, a story could be told in which the just Polly triumphs over the unjust Bill.

Second, one can present an argument aimed to show that the intuition is mistaken. This is done by showing the case against the position the intuition supports is strong enough to reasonable lead us to abandon the intuition.

In the example involving the stoning of children, one might respond as follows: while our intuition might lead us to believe that stoning disobedient children is wrong, the consequences of doing this shows that it is right. Disobedient children are a great burden on their parents and an annoyance to the rest of society. Disobedient children often turn to crime and some become career criminals. Fear of stoning or actual stoning will drastically cut down the number of disobedient children, thus greatly benefiting society. So, stoning disobedient children is morally acceptable.

As a second example, injustice might be argued against in the following manner: While our intuitions might lead us towards injustice, the consequences of doing this show that it is a mistake. Unjust people do great harm to society and even to themselves. Thus, the life of justice is better because it provides a better existence for everyone.

Applying Moral Principles (Ethics)

One method of moral assessment is to apply a moral principle. Appeals to Consequences, Rules, and Rights are specific examples of this general approach (see below).

Method

This method has the following steps:

Step 1: Present and argue for the moral principle.

Step 2: Describe the relevant qualities of X.

Step 3: Show how X meets or fails to meet the conditions set by the principle.

Step 4: Draw the relevant moral conclusion in regards to X.

As an example, imagine a situation in which an athlete has to decide whether or not to use a questionable performance enhancing drug. Suppose that the athlete takes as her principle that cheating in competition is wrong and that the drug has the qualities that would make using it cheating. The athlete would conclude from this that using the drug would be wrong.

Assessing Moral Principles

While the full assessment of a moral principle would tend to be a complex process, the following general standards can be used:

- A moral standard must be presented.
- This standard must be supported by arguments (the arguments are also subject to assessment).
- The application of the principle must produce reasonable solutions to the moral problem.
- The principle must be coherent.
- The principle must be plausible.
- The principle must correspond to our moral intuitions or provide adequate grounds for abandoning our intuitions.

A principle that fails to meet these standards is defective. Naturally enough, a principle can be criticized on these grounds and it is to this that the discussion now turns.

Responding

One way to respond to this argument is by arguing against the principle by showing that it fails to meet one or more of the standards presented above. If the principle is flawed or incorrect, then its use would also be flawed.

As an example, consider the athlete's principle presented above. The athlete's unethical agent might argue that using the drug would not be cheating because it is almost impossible to adequately define "cheating." After all, athletes use a wide variety of enhancements (expensive equipment, special training, and supplements) so the line between cheating and performance enhancement is blurred beyond recognition.

Another way to respond is by attacking X. This is done by arguing that X lacks the relevant qualities and hence does not meet the conditions set by the principle. For example, consider the athlete's principle once more. The agent might argue that the drug does not have the qualities

that would make using it cheating. After all, the clever agent might argue, many performance enhancing substances and methods are not considered cheating.

One final way to respond to this method is to employ a counter-principle. It can be argued that X is better assessed by a different principle. This is actually using another argument of the same type against the original. If assessment by the new principle is a better assessment, the first assessment is undercut.

Turning one last time to the example of the athlete's principle, the agent might argue that a better principle is that it is morally acceptable for an athlete to use any means to enhance performance (and make more money).

Applying Moral Theories (Ethics)

One method of moral assessment is to apply a moral theory. Moral theories also contain moral principles. This method is primarily a larger scale version of Applying Moral Principles. A wide variety of moral theories have been developed over the centuries. These include ethics based on religion, ethics based on virtues, rule based ethics, ethics that focus on consequences and many more types.

Method

This method involves the following steps.

Step 1: Present and argue for the relevant aspects of the moral theory.

Step 2: Describe the relevant qualities of X.

Step 3: Show how X meets or fails to meet the conditions set by the theory.

Step 4: Draw the relevant conclusion regarding the status of X.

The first step can be the most difficult step. In some cases completing step one would involve creating and defending an entire ethical theory. This is the sort of thing that would be done in a book or dissertation and is obviously beyond the scope of an ethical essay.

In the case of a short paper or essay on ethics, the first step would need to be fairly condensed. Three approaches are suggested here. The first is to use an argument from authority in support of the theory. In this approach you are essentially claiming the view is correct because an expert moral philosopher presents the view. While this does complete the first step it is a fairly weak approach because ethics is hotly contested between many experts. Thus, resting your case on the expertise of one philosopher is not well founded. The second is to simply assume the theory for the sake of the argument. In this case, the argument would be made within the context of an established theory. Making such assumptions for the sake of developing an argument within a context is acceptable but also very weak. After all, you would simply be assuming a major point of contention—the correctness of a moral theory. The third way is to present a concise argument that supports the aspect of the theory needed to make your case. This requires more work than an argument from authority but tends to produce a far stronger case. Obviously it is considerably stronger than simply assuming that the theory you want to use is correct.

Assessing Moral Theories

Moral theories tend to be complex and hence their assessment is generally rather involved. However, there are some basic standards that any moral theory must meet.

- Moral standards and guides must be presented.
- These standards and guides must be supported by arguments (these arguments are also subject to assessment).
- The application of the theory must produce reasonable solutions to moral problems.
- The theory must be internally consistent.
- The theory must be coherent.
- The theory must be plausible.
- The theory must correspond to our moral intuitions or provide adequate grounds for abandoning our intuitions.

A theory that fails to meet these conditions would be defective. There are other standards that are used when assessing moral theories but these are more controversial and more complex than these general standards.

Examples of Theories

As mentioned above, there are many types of moral theories. One commonly accepted view is divine command theory. This is the view that ethics is determined by the will of God (or whatever supernatural entities are alleged to exist). On this view, what God commands is good and what God forbids is evil.

Another commonly accepted view is utilitarianism. This theory is most famously developed by the English philosopher John Stuart Mill. On his view, actions are right as they promote happiness and are wrong as they promote unhappiness.

There are many other types of moral theories. Some of these are examined in detail during the second part of the course.

Responding

There are a variety of ways to counter this method. The first is to attack the theory being used. If the theory is flawed, then its employment would also be flawed. As with defending a theory, attacking a theory can require an extensive amount of work. If a person is writing a book or dissertation against a moral theory, then this amount of work would be fine. However, a full scale attack on a moral theory would go beyond the scope of an ethical essay or short paper. In such a situation, there are two concise ways to attack a theory. The first is to use an argument from authority and employ criticisms of the theory made by other thinkers. This can be further developed and strengthened by presenting the arguments used by the other thinkers. One disadvantage of this method is that the arguments will not be your own. The second is to present focused criticisms of the theory (as opposed to a large scale attack on the theory). This is most effective when the attacks are made on aspects of the theory that are especially relevant to the specific matter at hand.

A second method of response is to attack X by arguing that it lacks the relevant qualities needed to allow the theory to apply as claimed. For example, if someone is using religious ethics to argue against stem cell research, then this might be countered by arguing that stem cell research does not have the qualities that make it ethically forbidden on religious grounds.

A third way to respond to this method is to use a counter-theory. This is done by arguing that X is better assessed by a different theory. If it can be shown that the counter-theory is better, then the original argument would be shown to be defective.

The “Playing God” Argument (Ethics)

People often claim that certain decisions should not be made or certain actions should not be done because doing so would be “playing God.” Obviously, simply making this assertion is not an argument-but it can be developed into one. However, developing a proper argument of this sort is as hard to do as it is easy to simply shout or type “that is playing God!” This is why most people simply use those words rather than actually making an argument.

Literal Version

Taken literally, this method is based on three assumptions. The first is that God exists. The second is that God wants or commands that certain decisions should not be made or that certain actions should not be done. The third is that we should do what God wants/obey His commands.

This often, but not always, involves an acceptance of divine command theory. In oversimplified terms, this is the theory that what God commands is right and what He forbids is wrong. The effectiveness of this method would rest on the acceptance of this theory.

Metaphorical Version

Taken metaphorically, this method is based on the assumption that people should not make decisions or take actions as if they were God. In this case, what it means to make decisions or take actions as if one is God must be defined. This is often defined in terms of arrogance or acting outside the limits of normal constraints. Why this should not be done must also be defended. In such cases, there is often a tacit or hidden appeal to a moral theory other than divine command theory. For example, playing God might be seen as having terrible consequences; thus assuming a consequentialist position.

While this method has a certain dramatic appeal, it is usually better to use the underlying moral theory rather than playing the “God card.”

Method

The method involves the following steps:

- Step 1:** Argue that making the decision about X or doing Y would be playing God.
- Step 2:** Argue that people should not play God.
- Step 3:** Conclude that people should not make the decision about X or do Y.

While there are only three steps, properly completing them can involve a considerable amount of work. Completing the first step requires adequately showing that the decision or action in question would be playing God. Doing this would require providing an adequate account of what it is to play God and how that specific action or decision would be playing God. In many cases it might be found that the criticism is not that people would be playing God, but that the action is simply seen as being wrong for other reasons and the playing God card is played for dramatic effect. In that case, another method should be used. The second step is also challenging because it requires providing a suitable argument as to why people should not play God. This can be done by arguing that humans should abide by limits whose violation would be crossing a line into a moral area meant only for God. Once the first two steps are completed, the third step is easy in that it follows logically.

Examples

This method is often employed to argue against euthanasia. The first step would be to argue that making the decision to let someone die or actually pull the plug would be playing God. The second step would be to argue that people should not play God. From these two points it would follow that people should not make the decision about euthanasia or actually pull the plug.

This method is also often used to argue against genetic engineering or other scientific “tampering.” The first step would be to argue that tampering with the genetic code of living things is tampering with God’s work. The second step would be to argue that people should not play God in this way. From these two points it would be concluded that people should not tamper with the genetic code of living things.

God

In its literal form, use of this argument rests on certain assumptions about God and what God wants. Not surprisingly, the argument tends to be effective with people who share the same religious views. But, it tends to be ineffective when used on people who do not share the same religious beliefs.

Responding

In a live discussion, one way to respond is to require that the person spell out exactly how one is playing God and why this is wrong. This can also be a request for the person to explicitly state the underlying theory/principle. This is not actually a counter-argument but can be used to expose the lack of an argument on the other person’s part. Obviously enough, if a person challenged to provide such details cannot deliver, then the argument is severely flawed. In many cases people will simply not expect to be challenged in this manner and hence will be ill-prepared to reply.

One general way to respond is to show that there are defects in one or both of the first two steps. This is done by arguing that the person either failed to show that X would be playing God or failed to show that playing God is wrong.

Another way to respond is by arguing that it is acceptable to “Play God” in similar situations. This can be done by presenting an argument by analogy. The analogy is drawn between the situation at hand and a similar situation in which making the decision or taking the action is regarded as morally acceptable.

Using the euthanasia example, the argument could be countered by showing situations in which people make similar life and death decisions that are considered acceptable. You might use the example of how in the legal system people make decisions to put people to death and this is not seen as playing God. Or, you might use the example of how in war people make decisions of life and death and even kill people and this is not seen as playing God. This sort of response is especially effective when the person being argued against holds an inconsistent position. For example, many people who are against euthanasia endorse the death penalty and accept war. If such a person argues that euthanasia is playing God and hence wrong, then they would have to show why the death penalty and war are not playing God. Someone who holds to a consistent moral position will obviously be far less subject to this line of response. In the example just considered, such a person would regard war and the death penalty as being wrong, too.

As a second example, consider the matter of genetic engineering. While people often claim that such tampering is playing God, the fact is that people have been altering animals through selective breeding for thousands of years without being accused of playing God. Genetic engineering is simply a more efficient method of achieving the ends of selective breeding.

Therefore, it can be concluded that genetic engineering is not playing God. This sort of response can be countered by breaking the analogy. In the example just given, the argument could be countered by an argument which shows that genetic engineering is relevantly different from the manipulation of animals by selective breeding. Of course, a person could also counter by arguing that selective breeding is also playing God and morally wrong.

The Unnatural Argument (Ethics)

People often claim that certain things are wrong or that certain actions should not be done because doing so would be “unnatural.” This argument is sometimes used in conjunction with the “playing God” argument, but it does not require a religious foundation.

Literal Version

Taken literally, the argument rests on three assumptions: there is a natural way things should be, we should act in accord with the natural way and unnatural things and actions are morally wrong. Defining what is natural and what is not is a critical part of this method. Fortunately, there are moral theories that are based on the concept of human nature or a natural way and they can be used by those employing this method. Aristotle, for example, bases his morality on his view about human nature. Taoism, although claiming to eschew ethics, includes a conception of nature and endorses acting in accord with this nature.

One common version of this method is based on the assumption that if X is not done in nature or does not exist in nature, then X is wrong. Interestingly, this method is often used in situations when it turns out that X actually happens in nature.

Metaphorical Version

Taken metaphorically, this method is based on the assumption that people should not go beyond certain limits. What it means to make decisions or take actions beyond these limits must be defined. This is often defined in terms of arrogance or acting outside the limits of normal constraints. Obviously, why this should not be done must also be defended.

In many cases when people use this method they are making a tacit or hidden appeal to another moral theory. For example, doing something unnatural might be seen as having terrible consequences. In this case the argument would be an appeal to consequences based on a consequentialist approach.

While this method has dramatic appeal, it is usually better to use the underlying moral theory rather than playing the “unnatural card.”

Form

This method has the following three steps:

- Step 1:** Argue that X or doing X is unnatural
- Step 2:** Argue that unnatural things or actions are wrong.
- Step 3:** Conclude that X is wrong or X should not be done.

Examples

This method is often employed to argue that homosexuality is immoral. Following this method, the first step would be to argue that homosexuality is an unnatural lifestyle. The second step

would be to argue that people should not live unnatural lifestyles. The conclusion would be that homosexuality is morally wrong.

Like the “playing God” method, this method is often employed to argue against scientific “tampering.” For example, it might be used to argue against genetic engineering. The first step would be to argue that creating new life forms with genetic engineering creates unnatural things. The second step would be to argue that people should not create unnatural things. The conclusion would be that the use of genetic engineering to create new life forms is morally wrong.

Natural

Since this method rests on using unnaturalness as a moral defect, defining what is natural is critical. While people often uncritically make assumptions about what is natural and unnatural, presenting a coherent and plausible account of what is natural is rather difficult.

If natural is taken as being non-artificial, then all technology ranging from shoes to space shuttles would be immoral. This seems to be rather absurd.

If natural is taken in terms of the way things should be, the method seems to be circular since the argument would be that people should not do things they should not do.

Fortunately, as noted above, moral theorists have developed accounts of nature that can be employed (perhaps using an argument from authority) when using this method. In such uses, the applying moral theories method would be combined with this method to develop the argument.

Responding

As with the “playing God” argument, one way to respond (at least in a live conversation) is to require that the person spell out exactly how X is unnatural and why X is wrong. This is can also be a request for the person to explicitly state the underlying theory/principle they are actually employing. This is not a counter-argument but can be used to expose the lack of an argument on the other person’s part. If it can be shown that the person has not spelled out how X is unnatural and why this is wrong and conclude they did not make their case-they merely expressed their unsupported opinion.

A second way to reply is to show that it is acceptable to be “unnatural” in similar situations. This can be done by an argument by analogy. The analogy is drawn between the situation at hand and a similar situation in which making the decision or taking the action is acceptable. The challenge is finding an analogy that is acceptable.

Using the genetic engineering example, it can be pointed out that people have been altering animals through selective breeding for thousands of years without being accused of engaging in unnatural activities. Genetic engineering is simply a more efficient method of achieving the ends of selective breeding. Therefore, genetic engineering is not unnatural.

A third way to reply is by Showing that the act or thing occurs in nature. For example, some people contend that homosexuality is common among animals. So, it is not unnatural. Therefore it is not morally unacceptable. *The Daily Show* did a rather interesting segment on gay penguins that makes fun of the unnatural argument.

Appeals to Consequences (Normative)

Appeal to consequences is a very popular method of moral reasoning. The basic idea is that moral assessment is done in terms of weighing harms and benefits. It is generally accepted that harming people and things is morally bad and benefiting them is good. Not surprisingly, if

something is more beneficial than harmful it is good; if something is more harmful than beneficial it is bad.

Basis & Method

The theory behind this method is consequentialism—the view that the value of actions is to be assessed in terms of their consequences. There are many types of consequentialist theories and not all of them are moral theories. Because of this it is important to present an appeal to consequences as a moral argument and not just a cost-benefit analysis. Though this method is generally accepted, there is philosophical debate over the underlying theories.

The method involves the following steps:

Step 1: Show that action, policy, etc. X creates Y harms and Z benefits.

Step 2: Weigh and assess Y and Z.

Step 3: Argue that moral assessment is based on the consequences of actions.

Step 4A: If Y outweighs Z, then conclude that X is morally unacceptable.

Step 4B: If Z outweighs Y, then conclude that X is morally acceptable.

Step 3 is a critical step. Without an argument that moral assessment should be based on consequences, there would be no reason for the reader to accept a moral conclusion based simply on an assessments and benefits. People often leave out this step when attempting to present a moral argument. Instead, they often end up providing practical advice instead of presenting a moral argument. This is discussed in greater detail, below.

Example

As an example, this method could be used to provide a moral argument in favor of censorship of violent movies. The first step would be presenting the harms and benefits of these movies. This could be done by using an argument from authority to present data from various studies that contend that exposure to such violent movies causes people to become violent (such as shooting people in schools). This would be a harmful consequence of such movies. The beneficial consequences would be the entertainment provided to the audience as well as the profits to the media industry. The second step would be to weigh these harms and benefits. One could argue that while there are some benefits from violent media, such as large profits, one cannot weigh money more than human suffering and death. The third step would be to argue that moral assessment should be based on assessing consequences. This could be done by using an argument from authority (appealing to, for example, the authority of philosophers such as John Stuart Mill) or by another sort of argument. The final step would be to draw the appropriate conclusion. In this case the argument would lead to the conclusion that such censorship is morally acceptable and hence violence in the media should be eliminated or at least curtailed.

Moral versus Practical

A common mistake when using this method is to simply weigh harms and benefits without including a moral element. This approach can be used to provide a practical argument for or against something but obviously does not provide a moral argument. For example, when someone argues against cheating in a relationship s/he might present practical reasons as to why someone should not cheat. In doing so they might begin by presenting potential harms such as disease, pregnancy, divorce, damage to one's reputation and physical injury. The potential benefits would

include such factors as pleasure and companionship. If the person concludes that a person should not cheat because of these practical concerns (like avoiding disease and harm) then s/he would be presenting a practical argument and not a moral argument: if you do not want to be harmed, then do not cheat. While this is good practical advice, it does not show that cheating is immoral or morally acceptable.

In order to properly use the method to make a moral argument, the moral element needs to be included. The object of this argument is to show that the morality of something (such as an action) can be determined by assessing its harms and benefits. One way to do this is to use an argument from authority. For example, you might use John Stuart Mill as an authority and cite his view of ethics (specifically utilitarianism). This would make the connection between consequences and morality. While this is a legitimate argument, it is rather weak because there are other equally authoritative philosophers who argue against consequentialism. A second approach is to use the method of applying moral theories and state that you are arguing within the context of a consequentialist ethical theory (such as Mill's). While this is a legitimate approach it does have the weakness of simply assuming the correctness of the theory—thus making the argument conditional upon how appealing the theory is to the reader. A third approach is to develop an argument from intuition to argue that creating positive value is good and creating negative value is wrong. It could then be argued that more positive value is better than more negative value (this could be done by using an analogy, perhaps to something like profit and loss). The appropriate conclusion could then be drawn based on the assessment of the relative weight of harms and benefits. There are also other ways to bring in the moral element.

Responding

Since this method is commonly used, you might have to argue against someone employing it. One way to respond to this method is to accept the method but offer an alternative assessment. This can be done by presenting an alternative set of harms or benefits or by arguing for a different assessment of their relative weight.

For example, a person might present the following counter to the example given above. While violent media might produce such harms, it also produces benefits. Violent films, shows and video games are very popular, generating large profits. People also enjoy violent media. If we weigh the small number of deaths and injuries against the massive profits and enjoyment, it is clear that the benefits of violent media outweigh the harms. Therefore, violent media is morally acceptable. Naturally, a proper argument would need to be developed more, but the example provides the general idea of how this sort of thing can be done.

A second way to respond is to reject the method and argue using another method (this would be to argue by counter method). It can be argued that some factor other than consequences should be used when assessing the situation. This can be done by using another method, such as appealing to rights or rules, to counter the original argument. To continue with the example of censorship of violent movies, the following illustrates this approach. While violence in the media might lead to harms, people have a moral right to free expression. This moral right overrides the consideration of harms. Therefore, violence in the media should not be censored. Naturally, this sort of argument would need to be fully developed. In this example, the right to free expression would need to be supported by an argument.

Appeal to Rules (Ethics)

People often take the view that one must sometimes ignore the consequences of an action and simply assess the morality of the action itself. It is generally accepted that some things are simply wrong even if they bring about good consequences. It is also accepted that people should not do such things (as the saying goes: “that’s just not right”). It is generally accepted that some things are acceptable or right even if they have harmful consequences. It is also accepted that people should do such things.

This method involves assessing the action, policy, etc. in terms of the nature of X itself as opposed to its effect(s). The theoretical basis is deontology, the view that morality is based on determining and following the correct moral rules. Immanuel Kant is perhaps the best known deontologist. Religious ethics tend to be deontological in nature. For example, the Ten Commandments provide a set of rules that are supposed to be followed without exception.

While deontological theories often have a great deal of appeal, they are also subject to debate and criticism. This is discussed in part two of the course.

While this method refers to rules it is important not to confuse moral rules with other rules, such as those of civil or criminal law. There are theories that do involve the claim that morality is determined by the law of the state. For example, legal positivism is the view that morality is set by the state. Thomas Hobbes is often considered a legal positivist. The aptly named Chinese Legalists also held this view. Their rule in China was influential, but short lived. It is, of course, possible to argue from the legal rules to moral rule-this is discussed in the method known as mixing norms.

Method

There are two general versions of this method. Each version has two steps.

Step 1: Argue that X violates (or does not) violate moral rule Y.

Step 2: Conclude that X is morally unacceptable (or acceptable).

Step 1: Argue that X is required by moral rule Y.

Step 2: Conclude that X is morally obligatory.

The most difficult part of the method is the first step. The challenge is to argue in favor of a moral rule and show how X breaks or is required by the moral rule. One way to do this is to use an established moral theory or principle (rule). For example, you might make an argument against lying by using the commandment against false witness in the context of divine command theory. Or you might use the method of mixing norms.

Example

As an example, consider the matter of incurable diseases. Putting people to death who are infected with incurable contagious diseases would protect everyone else. By arguing that morality should be based on rules and that killing of innocent people violates a moral rule it can be concluded that we should not kill infected people.

Responding

There are two main ways to counter this method. The first is that the rule used in the method can be attacked. If the rule is successfully attacked, then the argument is undercut. The type of attack varies depending on the rule and the circumstances.

It can be argued that the rule is illegitimate. For example, someone might attack an argument based on a religious rule by arguing that the rule is mistaken or no longer applies today.

It can also be argued that a more important rule overrides the rule. For example, it could be argued that a rule about lying might be breakable because the rule of saving life is more important.

The second main avenue of reply is to argue that some factor other than moral rules should be used when assessing the situation. This can be done by using another method, such as an appeal to consequences, to offer a counter argument. For example, someone might argue that while it is not a pleasant thing to contemplate or do, those with incurable contagious diseases should be mercifully put to sleep. This would effectively reduce the spread of contagious diseases protecting everyone else from them. And, of course, the good of the many must outweigh the needs of the few, especially when it comes to life and death.

Appeals to Rights (Ethics)

Many people, especially those in Western style democracies, believe in rights. It is often accepted that people have rights that protect them and even entitle them to certain things. It is generally accepted that such rights must be respected under most conditions.

This method involves assessing the action, policy, etc. in terms of whether it is in accord with such rights. This method is based on rights theory—the view that people and perhaps other beings have moral rights. Thinkers such as Locke, Rousseau and Hobbes have put forth theories of rights.

While rights theories have a great deal of appeal, they are also subject to debate. There are numerous criticisms of particular rights as well as rights theory in general.

While they often overlap, it is important not to confuse moral rights with legal rights. Law and morality are distinct areas, although arguments can be made that link moral rights and legal rights. In order to do this, the method of mixing norms can be employed.

Method

There are two variations on this method. Each has three general steps.

Step 1: Argue for right Y.

Step 2: Argue that X violates (or does not violate) right Y.

Step 3: Conclude that X is not morally acceptable (or is acceptable).

Step 1: Argue for right Y.

Step 2: Argue that X is required by right Y.

Step 3: Conclude that X is morally obligatory.

This method generally requires providing the audience with a reason (argument) that supports the right. In some cases this might involve using another method or a moral theory. One way to argue for a right is to use an existing moral theory that argues for the right you need. For example, an argument involving a right to liberty could be based on John Locke's theory. Another way to do this is to use a right that has been established in another area, such as law, and use mixing norms to argue that it should be a moral right as well. For example, you might argue from the legal right of the free press to a moral right against censorship.

Example

Censorship has often been proposed to protect people from the alleged harms of violent and sexually explicit media. Censorship can be argued against by arguing that people have a right to freedom of expression. If this right can be established, it can be concluded that such censorship is not acceptable.

Responding

There are a variety of ways to respond to this method. The first is by arguing against there being such a right or by arguing that the right is incorrectly applied. . If the right is successfully attacked, then the argument is undercut. The type of attack varies depending on the right and the circumstances. It might be argued that the right is not a legitimate right. For example, if someone makes an argument based on an alleged right granting total freedom of expression, then this could be countered by arguing that there is no such total right. It might also be argued that a more important right overrides the right. For example, someone might argue against abortion rights by arguing that the right to make choices is overridden by the right to life.

A second way to reply is to use an appeal to consequences. In this it would be argued that the consequences morally override the right. For example, consider the matter of censorship. While it is generally accepted that people have a right to free expression, it is also accepted that this right is not absolute—a person has no right to slander another. While censorship would run against the right of free expression, the harms produced by certain works justify censoring them, just as it would be justified to quiet a person yelling “fire” in a crowded, but fire-free theatre.

A third way of replying is to use the appeal to rules method. It can be argued that a moral rule overrides the right in question. For example, people are supposed to have a right to life and property, but they can be justly deprived of them by a rule of due punishment.

A fourth way is to use some other method of moral reasoning to counter the appeal to the right.

Mixing Norms (Normative)

People commonly make inferences from one normative area to another. Normative areas are, roughly put, areas involving matters of value. Law, religion, aesthetics, morality, and etiquette are normative areas.

People often believe that the status of X in one normative area automatically gives it the same status in another normative area. For example, it is often assumed there is a moral right to be free of censorship because of the 1st Amendment, which guarantees a legal right to the freedom of press. Such inferences can be made, but must be made carefully.

Flawed Method

The following is the method that you should avoid because it is flawed.

Flawed Step 1: X has status S in normative area Y.

Flawed Step 2: Therefore X should have the comparable status to S in normative area Z.

This method is flawed, even fallacious, because the conclusion does not follow unless a proper link is made between Y and Z. Here are some examples of flawed inferences:

- Lying to a friend is immoral, so it should be illegal.
- Capital punishment is legal, so it is morally acceptable.

- Deuteronomy 21:18-21 says that children who do not obey their parents are to be stoned to death, so it is morally acceptable.
- Depicting graphic violence and sexuality is morally wrong, therefore such works are also aesthetically unacceptable as well.

Acceptable Method

The following is an acceptable version of the method. It is acceptable because it is not logically flawed.

Step 1: X has status S in normative area Y.

Step 2: Premise or Argument connecting area Y and normative area Z.

Step 3: Therefore X should have the comparable status to S in normative area Z.

Provided that the connection between Y and Z is adequately made, the reasoning is acceptable. This is because the chain of reasoning is complete, unlike in the flawed method. The first premise will most likely require support of its own.

As an example, this method could be used to argue for the claim that making backup copies of media should be legal. The first step would be to argue that making backups of DVDs, software and CDs is morally acceptable. The second step would be to argue that things that are morally acceptable should be legal. The conclusion drawn would be that making backups of DVDs, software and CDs should be legal.

Making the Connection

Making the connection between two normative areas can be difficult. Fortunately there are ways to do this. The overall task is to show that the status of X in normative area Z should be inferred from its status in normative area Y.

One way to make the connection is to make use of an existing theory. There are theories that explicitly or implicitly connect two normative areas. For example, divine command theory is the view that morality is determined by religion, so the inference from religious norms to moral norms is justified. As another example, Legalism is the view that morality is determined by the laws of the state, so the inference from legal norms (the laws) to moral norms is justified. To use an existing theory, simply use either an argument from authority or an appeal to a moral theory.

Another way to do this is to state that the argument is being made in the context of the theory. The obvious weakness of this approach is that only those who accept the theory will accept the inference. As an example, a person might claim that given divine command theory, since the bible permits torture (2 Samuel 12:26-31) it follows that torture is morally acceptable. As another example, a person might argue that given legalism, since the use of marijuana is illegal, it must also be evil.

Another approach is to argue for the theory, which will typically require a great deal of work. However, it is possible to present a sufficiently concise argument in favor of the relevant parts of the theory needed to make the connection. However, if there is an easier or more direct way to argue for the conclusion, this method can be overkill.

Another way to make the connection is by arguing explicitly for a connection between the two that justifies the inference. The task is to show that the status of X in normative area Z should be inferred from its status in normative area Y. The effectiveness of the method depends on the quality of the argument for the connection. For example, a person might present the following

argument: The state exists to protect people from harm. Thus, the laws of the state are designed to protect people from harm by making harmful things illegal. Things that are immoral are harmful-at the very least they damage the person's moral character. Thus, things that are immoral should also be made illegal by the state.

As a final point, given that this method can involve a great deal of work, if there is an easier or more direct way to argue for the conclusion, this method can be overkill.

Law

The great variation in laws limits inferences from law to other normative areas and can lead to problems such as contradictions. For example, prostitution is legal in Nevada but not in Maine, so inferring from law to morality would entail that prostitution is both moral and immoral.

There are many different views of the foundation and purpose of law, so inferences to or from law can be problematic. For example, the US has legal separation of Church and State, so inferring from religion to law would be problematic.

Religion

Inferences to or from a religion will generally only be accepted by those of the same faith.

For example, pork is forbidden to Jews, but Christians are unlikely to accept that that pork should be outlawed.

There is a great variety even within one religion and this makes inferences from religion problematic. For example, the Koran calls for Jihad, but some interpret it in ways that justify terrorism and others do not.

Bringing in an entire religion and accompanying metaphysics to solve a problem is often overkill. Also, the religion and its assumptions are often far more controversial than the point being argued for.

Aesthetics

Aesthetics is often regarded as being trumped by law, morality and religion. This often makes inferences from aesthetics to other areas too difficult. This often makes inferences from other areas to aesthetics too easy. The areas where aesthetics and other areas overlap are typically regarded as belonging to those other areas. For example, censorship is often regarded as primarily a legal or moral issue rather than an aesthetic issue.

There is a great deal of disagreement in aesthetics, which makes inferences from aesthetics problematic.

The concerns of aesthetics are seen as removed from those of other areas, thus making inferences from aesthetics more difficult. For example, what implications does a theory of beauty have for law, religion or morality? Aesthetics is often regarded as being a realm of pure opinion thus making inferences from aesthetics more difficult.

Morality

There is a great deal of disagreement about morality, which can make inferences to or from morality problematic. There are moral theories based on other normative areas, which can make inferences too easy or too difficult. For example, Divine command theory makes inferences from religion to morality automatic, but precludes inferences from morality to religion. As another example, legalism makes inferences from law to morality automatic, but precludes inferences from morality to law. This is dispute over the foundation and purpose of morality which can

make such inferences problematic. For example, relativism is the view that morality is grounded in the culture, so making an inference from morality to international law would be problematic.

Responding

One way to reply to this method to challenge the normative status of X, as presented in the first step. Challenging this status involves arguing that X does not have the alleged status. If X does not have the required normative status, then the inference fails. Alternatively, the inference can be made, but the normative status will be based on the “new” status.

For example, suppose someone argued that copying DVDs is immoral and hence should be illegal. The response would be to argue that copying DVDs is moral and thus concluding that hence it should be legal.

A second way to reply is to attack the link. The argument depends on the link between the two normative areas-if the link fails, the argument fails. The objective is to argue that the inference is not justified. In some cases there are established ways to break the link. For example, a way to counter an argument for basing a law on religion is to appeal to the separation of church and state.

The link can also be attacked by arguing that the norms of one area do not apply to the other or that one area overrides another, thus preventing the inference. For example, Oscar Wilde claimed that morality does not apply to art. As another example, morality is often seen as trumping law, so the inference from law to morality would not be justified.

Part Two

Moral Theory

Analects of Confucius

Translated by Arthur Waley, 1939

Book I

2. Master Yu said, Those who in private life behave well towards their parents and elder brothers, in public life seldom show a disposition to resist the authority of their superiors. And as for such men starting a revolution, no instance of it has ever occurred. It is upon the trunk" that a gentleman works. When that is firmly set up, the Way grows. And surely proper behaviour towards parents and elder brothers is the trunk of Goodness?

3. The Master said, "Clever talk and a pretentious manner" are seldom found in the Good.

4. Master Tseng said, Every day I examine myself on these three points: in acting on behalf of others, have I always been loyal to their interests? In intercourse with my friends, have I always been true to my word? Have I failed to repeat the precepts that have been handed down to me?

6. The Master said, A young man's duty is to behave well to his parents at home and to his elders abroad, to be cautious in giving promises and punctual in keeping them, to have kindly feelings

towards everyone, but seek the intimacy of the Good. If, when all that is done, he has any energy to spare, then let him study the polite arts.

8. The Master said, If a gentleman is frivolous, he will lose the respect of his inferiors and lack firm ground upon which to build up his education. First and foremost he must learn to be faithful to his superiors, to keep promises, to refuse the friendship of all who are not like him. And if he finds he has made a mistake, then he must not be afraid of admitting the fact and amending his ways.

Book II

1. The Master said, He who rules by moral force (te) is like the pole-star, which remains in its place while all the lesser stars do homage to it.

3. The Master said, Govern the people by regulations, keep order among them by chastisements, and they will flee from you, and lose all self-respect. Govern them by moral force, keep order among them by ritual and they will keep their self-respect and come to you of their own accord.

4. The Master said, At fifteen I set my heart upon learning. At thirty, I had planted my feet firm upon the ground. At forty, I no longer suffered from perplexities. At fifty, I knew what were the biddings of Heaven. At sixty, I heard them with docile ear. At seventy, I could follow the dictates of my own heart; for what I desired no longer overstepped the boundaries of right.

Book IV

1. The Master said, It is Goodness that gives to a neighborhood its beauty. One who is free to choose, yet does not prefer to dwell among the Good-how can he be accorded the name of wise?

2. The Master said, Without Goodness a man Cannot for long endure adversity, Cannot for long enjoy prosperity. The Good Man rests content with Goodness; he that is merely wise pursues Goodness in the belief that it pays to do so.

3, 4. Of the adage "Only a Good Man knows how to like people, knows how to dislike them," the Master said, He whose heart is in the smallest degree set upon Goodness will dislike no one.

5. Wealth and rank are what every man desires; but if they can only be retained to the detriment of the Way he professes, he must relinquish them. Poverty and obscurity are what every man detests; but if they can only be avoided to the detriment of the Way he professes, he must accept them. The gentleman who ever parts company with Goodness does not fulfill that name. Never for a moment does a gentleman quit the way of Goodness. He is never so harried but that he cleaves to this; never so tottering but that he cleaves to this.

6. The Master said, I for my part have never yet seen one who really cared for Goodness, nor one who really abhorred wickedness. One who really cared for Goodness would never let any other consideration come first. One who abhorred wickedness would be so constantly doing Good that wickedness would never have a chance to get at him. Has anyone ever managed to do Good with his whole might even as long as the space of a single day? I think not. Yet I for my part have

never seen anyone give up such an attempt because he had not the strength to go on. It may well have happened, but I for my part have never seen it.

7. The Master said, Every man's faults belong to a set. If one looks out for faults it is only as a means of recognizing Goodness.

25. The Master said, Moral force (te) never dwells in solitude; it will always bring neighbors.

Book V

15. Of Tzu-ch'ant the Master said that in him were to be found four of the virtues that belong to the Way of the true gentleman. In his private conduct he was courteous, in serving his master he was punctilious, in providing for the needs of the people he have them even more than their due; in exacting service from the people, he was just.

Book IX

24. The Master said, First and foremost, be faithful to your superiors, keep all promises, refuse the friendship of all who are not like you; and if you have made a mistake, do not be afraid of admitting the fact and amending your ways.

28. The Master said, he that is really Good can never be unhappy. He that is really wise can never be perplexed. He that is really brave is never afraid.

Book XII

2. Jan Jung asked about Goodness. The Master said, Behave when away from home as though you were in the presence of an important guest. Deal with the common people as though you were officiating at an important sacrifice. Do not do to others what you would not like yourself. Then there will be no feelings of opposition to you, whether it is the affairs of a State that you are handling or the affairs of a Family.

Jan Yung said, I know that I am not clever; but this is a saying that, with your permission, I shall try to put into practice.

10. Tzu-chang asked what was meant by "piling up moral force" and "deciding when in two minds." The Master said, "by piling up moral force" is meant taking loyalty and good faith as one's guiding principles, and migrating to places where right prevails.' Again, to love a thing means wanting it to live, to hate a thing means wanting it to perish. But suppose I want something to live and at the same time want it to perish; that is "being in two minds."

Not for her wealth, oh no! But merely for a change.

Book XVI

10. Master K'ung said, The gentleman has nine cares. In seeing he is careful to see clearly, in hearing he is careful to hear distinctly, in his looks he is careful to be kindly; in his manner to be respectful, in his words to be loyal, in his work to be diligent. When in doubt he is careful to ask for information; when angry he has a care for the consequences, and when he sees a chance of gain, he thinks carefully whether the pursuit of it would be consonant with the Right....

Doctrine of the Mean in The Chinese Classics

Translated by James Legge 1891

CHAPTER I

4. While there are no stirrings of pleasure, anger, sorrow, or joy, the mind may be said to be in the state of equilibrium. When those feelings have been stirred, and they act in their due degree, there ensues what may be called the state of harmony. This equilibrium is the great root from which grow all the human actions in the world, and this harmony is the universal path which they all should pursue.

5. Let the states of equilibrium and harmony exist in perfection, and a happy order will prevail throughout heaven and earth, and all things will be nourished and flourish.

CHAPTER II

1. Chung-ni said, "The superior man embodies the course of the Mean; the mean man acts contrary to the course of the Mean.

2. "The superior man's embodying the course of the Mean is because he is a superior man, and so always maintains the Mean. The mean man's acting contrary to the course of the Mean is because he is a mean man, and has no caution."

CHAPTER III

The Master said, "Perfect is the virtue which is according to the Mean! Rare have they long been among the people, who could practice it!"

CHAPTER IV

1. The Master said, "I know how it is that the path of the Mean is not walked in:-The knowing go beyond it, and the stupid do not come up to it. I know how it is that the path of the Mean is not understood:-The men of talents and virtue go beyond it, and the worthless do not come up to it.

2. "There is no body but eats and drinks. But they are few who can distinguish flavors."

CHAPTER VI

The Master said, "There was Shun:-He indeed was greatly wise! Shun loved to question others, and to study their words, though they might be shallow. He concealed what was bad in them, and displayed what was good. He took hold of their two extremes, determined the Mean, and employed it in his government of the people. It was by this that he was Shun!"

CHAPTER VIII

The Master said, "This was the manner of Hui:-he made choice of the Mean, and whenever he got hold of what was good, he clasped it firmly, as if wearing it on his breast, and did not lose it."

CHAPTER X

1. Tsze-lu asked about energy.

2. The Master said, "Do you mean the energy of the South, the energy of the North, or the energy which you should cultivate yourself?"

3. "To show forbearance and gentleness in teaching others; and not to revenge unreasonable conduct:-this is the energy of southern regions, and the good man makes it his study.

4. "To lie under arms; and meet death without regret:-this is the energy of northern regions, and the forceful make it their study.

5. "Therefore, the superior man cultivates a friendly harmony, without being weak.-How firm is he in his energy! He stands erect in the middle, without inclining to either side.-How firm is he in his energy! When good principles prevail in the government of his country, he does not change from what he was in retirement.-How firm is he in his energy! When bad principles prevail in the country, he maintains his course to death without changing.-How firm is he in his energy!"

CHAPTER XIII

3. "When one cultivates to the utmost the principles of his nature, and exercises them on the principle of reciprocity, he is not far from the path. What you do not like when done to yourself, do not do to others.

5. The Master said, "In archery we have something like the way of the superior man. When the archer misses the center of the target, he turns around and seeks for the cause of his failure in himself."

CHAPTER XX

5. "Benevolence is the characteristic element of humanity, and the great exercise of it is in loving relatives. Righteousness is the accordance of actions with what is right, and the great exercise of it is in honoring the worthy. The decreasing measures of the love due to relatives, and the steps in the honor due to the worthy, are produced by the principle of propriety.

6. "When those in inferior situations do not possess the confidence of their superiors, they cannot retain the government of the people.

8. "The duties of universal obligation are five, and the virtues wherewith they are practiced are three. The duties are those between sovereign and minister, between father and son, between husband and wife, between elder brother and younger, and those belonging to the intercourse of friends. Those five are the duties of universal obligation. Knowledge, magnanimity, and energy, these three, are the virtues universally binding. And the means by which they carry the duties into practice is singleness.

9. "Some are born with the knowledge of those duties; some know them by study; and some acquire the knowledge after a painful feeling of their ignorance. But the knowledge being possessed, it comes to the same thing. Some practice them with a natural ease; some from a desire for their advantages; and some by strenuous effort. But the achievement being made, it comes to the same thing."

18. "Sincerity is the way of Heaven. The attainment of sincerity is the way of men. He who possesses sincerity is he who, without an effort, hits what is right, and apprehends, without the exercise of thought; he is the sage who naturally and easily embodies the right way. He who attains to sincerity is he who chooses what is good, and firmly holds it fast.

19. "To this attainment there are requisite the extensive study of what is good, accurate inquiry about it, careful reflection on it, the clear discrimination of it, and the earnest practice of it.

CHAPTER XXI

When we have intelligence resulting from sincerity, this condition is to be ascribed to nature; when we have sincerity resulting from intelligence, this condition is to be ascribed to instruction.

But given the sincerity, and there shall be the intelligence; given the intelligence, and there shall be the sincerity.

CHAPTER XXV

1. Sincerity is that whereby self-completion is effected, and its way is that by which man must direct himself.
2. Sincerity is the end and beginning of things; without sincerity there would be nothing. On this account, the superior man regards the attainment of sincerity as the most excellent thing.
3. The possessor of sincerity does not merely accomplish the self-completion of himself. With this quality he completes other men and things also. The completing himself shows his perfect virtue. The completing other men and things shows his knowledge. Both these are virtues belonging to the nature, and this is the way by which a union is effected of the external and internal. Therefore, whenever he-the entirely sincere man-employs them,-that is, these virtues,-their action will be right.

CHAPTER XXVII

5. Hence it is said, "Only by perfect virtue can the perfect path, in all its courses, be made a fact."
6. Therefore, the superior man honors his virtuous nature, and maintains constant inquiry and study, seeking to carry it out to its breadth and greatness, so as to omit none of the more exquisite and minute points which it embraces, and to raise it to its greatest height and brilliancy, so as to pursue the course of the Mean. He cherishes his old knowledge, and is continually acquiring new. He exerts an honest, generous earnestness, in the esteem and practice of all propriety.

Virtue

Excerpt from Nicomachean Ethics

By Aristotle

Written 350 B.C.E

Translated by W. D. Ross

Book I

1

Every art and every inquiry, and similarly every action and pursuit, is thought to aim at some good; and for this reason the good has rightly been declared to be that at which all things aim. But a certain difference is found among ends; some are activities, others are products apart from the activities that produce them. Where there are ends apart from the actions, it is the nature of the products to be better than the activities. Now, as there are many actions, arts, and sciences, their ends also are many; the end of the medical art is health, that of shipbuilding a vessel, that of strategy victory, that of economics wealth. But where such arts fall under a single capacity- as bridle-making and the other arts concerned with the equipment of horses fall under the art of riding, and this and every military action under strategy, in the same way other arts fall under yet others- in all of these the ends of the master arts are to be preferred to all the subordinate ends; for it is for the sake of the former that the latter are pursued. It makes no difference whether the activities themselves are the ends of the actions, or something else apart from the activities, as in the case of the sciences just mentioned.

2

If, then, there is some end of the things we do, which we desire for its own sake (everything else being desired for the sake of this), and if we do not choose everything for the sake of something else (for at that rate the process would go on to infinity, so that our desire would be empty and vain), clearly this must be the good and the chief good. Will not the knowledge of it, then, have a great influence on life? Shall we not, like archers who have a mark to aim at, be more likely to hit upon what is right? If so, we must try, in outline at least, to determine what it is, and of which of the sciences or capacities it is the object. It would seem to belong to the most authoritative art and that which is most truly the master art. And politics appears to be of this nature; for it is this that ordains which of the sciences should be studied in a state, and which each class of citizens should learn and up to what point they should learn them; and we see even the most highly esteemed of capacities to fall under this, e.g. strategy, economics, rhetoric; now, since politics uses the rest of the sciences, and since, again, it legislates as to what we are to do and what we are to abstain from, the end of this science must include those of the others, so that this end must be the good for man. For even if the end is the same for a single man and for a state, that of the state seems at all events something greater and more complete whether to attain or to preserve; though it is worth while to attain the end merely for one man, it is finer and more godlike to attain it for a nation or for city-states. These, then, are the ends at which our inquiry aims, since it is political science, in one sense of that term.

3

Our discussion will be adequate if it has as much clearness as the subject-matter admits of, for precision is not to be sought for alike in all discussions, any more than in all the products of the crafts. Now fine and just actions, which political science investigates, admit of much variety and fluctuation of opinion, so that they may be thought to exist only by convention, and not by nature. And goods also give rise to a similar fluctuation because they bring harm to many people; for before now men have been undone by reason of their wealth, and others by reason of their courage. We must be content, then, in speaking of such subjects and with such premisses to indicate the truth roughly and in outline, and in speaking about things which are only for the most part true and with premisses of the same kind to reach conclusions that are no better. In the same spirit, therefore, should each type of statement be received; for it is the mark of an educated man to look for precision in each class of things just so far as the nature of the subject admits; it is evidently equally foolish to accept probable reasoning from a mathematician and to demand from a rhetorician scientific proofs.

Now each man judges well the things he knows, and of these he is a good judge. And so the man who has been educated in a subject is a good judge of that subject, and the man who has received an all-round education is a good judge in general. Hence a young man is not a proper hearer of lectures on political science; for he is inexperienced in the actions that occur in life, but its discussions start from these and are about these; and, further, since he tends to follow his passions, his study will be vain and unprofitable, because the end aimed at is not knowledge but action. And it makes no difference whether he is young in years or youthful in character; the defect does not depend on time, but on his living, and pursuing each successive object, as passion directs. For to such persons, as to the incontinent, knowledge brings no profit; but to those who desire and act in accordance with a rational principle knowledge about such matters will be of great benefit.

These remarks about the student, the sort of treatment to be expected, and the purpose of the inquiry, may be taken as our preface.

4

Let us resume our inquiry and state, in view of the fact that all knowledge and every pursuit aims at some good, what it is that we say political science aims at and what is the highest of all goods achievable by action. Verbally there is very general agreement; for both the general run of men and people of superior refinement say that it is happiness, and identify living well and doing well with being happy; but with regard to what happiness is they differ, and the many do not give the same account as the wise. For the former think it is some plain and obvious thing, like pleasure, wealth, or honour; they differ, however, from one another- and often even the same man identifies it with different things, with health when he is ill, with wealth when he is poor; but, conscious of their ignorance, they admire those who proclaim some great ideal that is above their comprehension. Now some thought that apart from these many goods there is another which is self-subsistent and causes the goodness of all these as well. To examine all the opinions that have been held were perhaps somewhat fruitless; enough to examine those that are most prevalent or that seem to be arguable.

Let us not fail to notice, however, that there is a difference between arguments from and those to the first principles. For Plato, too, was right in raising this question and asking, as he used to do, 'are we on the way from or to the first principles?' There is a difference, as there is in a race-course between the course from the judges to the turning-point and the way back. For, while we must begin with what is known, things are objects of knowledge in two senses- some to us, some without qualification. Presumably, then, we must begin with things known to us. Hence any one who is to listen intelligently to lectures about what is noble and just, and generally, about the subjects of political science must have been brought up in good habits. For the fact is the starting-point, and if this is sufficiently plain to him, he will not at the start need the reason as well; and the man who has been well brought up has or can easily get starting points. And as for him who neither has nor can get them, let him hear the words of Hesiod:

Far best is he who knows all things himself;
 Good, he that hearkens when men counsel right;
 But he who neither knows, nor lays to heart
 Another's wisdom, is a useless wight.

5

Let us, however, resume our discussion from the point at which we digressed. To judge from the lives that men lead, most men, and men of the most vulgar type, seem (not without some ground) to identify the good, or happiness, with pleasure; which is the reason why they love the life of enjoyment. For there are, we may say, three prominent types of life- that just mentioned, the political, and thirdly the contemplative life. Now the mass of mankind are evidently quite slavish in their tastes, preferring a life suitable to beasts, but they get some ground for their view from the fact that many of those in high places share the tastes of Sardanapallus. A consideration of the prominent types of life shows that people of superior refinement and of active disposition identify happiness with honour; for this is, roughly speaking, the end of the political life. But it seems too superficial to be what we are looking for, since it is thought to depend on those who bestow honour rather than on him who receives it, but the good we divine to be something proper to a man and not easily taken from him. Further, men seem to pursue honour in order that they may be assured of their goodness; at least it is by men of practical wisdom that they seek to be honoured, and among those who know them, and on the ground of their virtue; clearly, then, according to them, at any rate, virtue is better. And perhaps one might even suppose this to be, rather than honour, the end of the political life. But even this appears somewhat incomplete; for possession of virtue seems actually compatible with being asleep, or with lifelong inactivity, and,

further, with the greatest sufferings and misfortunes; but a man who was living so no one would call happy, unless he were maintaining a thesis at all costs. But enough of this; for the subject has been sufficiently treated even in the current discussions. Third comes the contemplative life, which we shall consider later.

The life of money-making is one undertaken under compulsion, and wealth is evidently not the good we are seeking; for it is merely useful and for the sake of something else. And so one might rather take the aforementioned objects to be ends; for they are loved for themselves. But it is evident that not even these are ends; yet many arguments have been thrown away in support of them. Let us leave this subject, then.

7

Let us again return to the good we are seeking, and ask what it can be. It seems different in different actions and arts; it is different in medicine, in strategy, and in the other arts likewise. What then is the good of each? Surely that for whose sake everything else is done. In medicine this is health, in strategy victory, in architecture a house, in any other sphere something else, and in every action and pursuit the end; for it is for the sake of this that all men do whatever else they do. Therefore, if there is an end for all that we do, this will be the good achievable by action, and if there are more than one, these will be the goods achievable by action.

So the argument has by a different course reached the same point; but we must try to state this even more clearly. Since there are evidently more than one end, and we choose some of these (e.g. wealth, flutes, and in general instruments) for the sake of something else, clearly not all ends are final ends; but the chief good is evidently something final. Therefore, if there is only one final end, this will be what we are seeking, and if there are more than one, the most final of these will be what we are seeking. Now we call that which is in itself worthy of pursuit more final than that which is worthy of pursuit for the sake of something else, and that which is never desirable for the sake of something else more final than the things that are desirable both in themselves and for the sake of that other thing, and therefore we call final without qualification that which is always desirable in itself and never for the sake of something else.

Now such a thing happiness, above all else, is held to be; for this we choose always for self and never for the sake of something else, but honour, pleasure, reason, and every virtue we choose indeed for themselves (for if nothing resulted from them we should still choose each of them), but we choose them also for the sake of happiness, judging that by means of them we shall be happy. Happiness, on the other hand, no one chooses for the sake of these, nor, in general, for anything other than itself.

From the point of view of self-sufficiency the same result seems to follow; for the final good is thought to be self-sufficient. Now by self-sufficient we do not mean that which is sufficient for a man by himself, for one who lives a solitary life, but also for parents, children, wife, and in general for his friends and fellow citizens, since man is born for citizenship. But some limit must be set to this; for if we extend our requirement to ancestors and descendants and friends' friends we are in for an infinite series. Let us examine this question, however, on another occasion; the self-sufficient we now define as that which when isolated makes life desirable and lacking in nothing; and such we think happiness to be; and further we think it most desirable of all things, without being counted as one good thing among others- if it were so counted it would clearly be made more desirable by the addition of even the least of goods; for that which is added becomes an excess of goods, and of goods the greater is always more desirable. Happiness, then, is something final and self-sufficient, and is the end of action.

Presumably, however, to say that happiness is the chief good seems a platitude, and a clearer account of what it is still desired. This might perhaps be given, if we could first ascertain the function of man. For just as for a flute-player, a sculptor, or an artist, and, in general, for all things that have a function or activity, the good and the 'well' is thought to reside in the function, so would it seem to be for man, if he has a function. Have the carpenter, then, and the tanner certain functions or activities, and has man none? Is he born without a function? Or as eye, hand, foot, and in general each of the parts evidently has a function, may one lay it down that man similarly has a function apart from all these? What then can this be? Life seems to be common even to plants, but we are seeking what is peculiar to man. Let us exclude, therefore, the life of nutrition and growth. Next there would be a life of perception, but it also seems to be common even to the horse, the ox, and every animal. There remains, then, an active life of the element that has a rational principle; of this, one part has such a principle in the sense of being obedient to one, the other in the sense of possessing one and exercising thought. And, as 'life of the rational element' also has two meanings, we must state that life in the sense of activity is what we mean; for this seems to be the more proper sense of the term. Now if the function of man is an activity of soul which follows or implies a rational principle, and if we say 'so-and-so-and 'a good so-and-so' have a function which is the same in kind, e.g. a lyre, and a good lyre-player, and so without qualification in all cases, eminence in respect of goodness being added to the name of the function (for the function of a lyre-player is to play the lyre, and that of a good lyre-player is to do so well): if this is the case, and we state the function of man to be a certain kind of life, and this to be an activity or actions of the soul implying a rational principle, and the function of a good man to be the good and noble performance of these, and if any action is well performed when it is performed in accordance with the appropriate excellence: if this is the case, human good turns out to be activity of soul in accordance with virtue, and if there are more than one virtue, in accordance with the best and most complete.

But we must add 'in a complete life.' For one swallow does not make a summer, nor does one day; and so too one day, or a short time, does not make a man blessed and happy.

Let this serve as an outline of the good; for we must presumably first sketch it roughly, and then later fill in the details. But it would seem that any one is capable of carrying on and articulating what has once been well outlined, and that time is a good discoverer or partner in such a work; to which facts the advances of the arts are due; for any one can add what is lacking. And we must also remember what has been said before, and not look for precision in all things alike, but in each class of things such precision as accords with the subject-matter, and so much as is appropriate to the inquiry. For a carpenter and a geometer investigate the right angle in different ways; the former does so in so far as the right angle is useful for his work, while the latter inquires what it is or what sort of thing it is; for he is a spectator of the truth. We must act in the same way, then, in all other matters as well, that our main task may not be subordinated to minor questions. Nor must we demand the cause in all matters alike; it is enough in some cases that the fact be well established, as in the case of the first principles; the fact is the primary thing or first principle. Now of first principles we see some by induction, some by perception, some by a certain habituation, and others too in other ways. But each set of principles we must try to investigate in the natural way, and we must take pains to state them definitely, since they have a great influence on what follows. For the beginning is thought to be more than half of the whole, and many of the questions we ask are cleared up by it.

For this reason also the question is asked, whether happiness is to be acquired by learning or by habituation or some other sort of training, or comes in virtue of some divine providence or again by chance. Now if there is any gift of the gods to men, it is reasonable that happiness should be god-given, and most surely god-given of all human things inasmuch as it is the best. But this question would perhaps be more appropriate to another inquiry; happiness seems, however, even if it is not god-sent but comes as a result of virtue and some process of learning or training, to be among the most godlike things; for that which is the prize and end of virtue seems to be the best thing in the world, and something godlike and blessed.

It will also on this view be very generally shared; for all who are not maimed as regards their potentiality for virtue may win it by a certain kind of study and care. But if it is better to be happy thus than by chance, it is reasonable that the facts should be so, since everything that depends on the action of nature is by nature as good as it can be, and similarly everything that depends on art or any rational cause, and especially if it depends on the best of all causes. To entrust to chance what is greatest and most noble would be a very defective arrangement.

The answer to the question we are asking is plain also from the definition of happiness; for it has been said to be a virtuous activity of soul, of a certain kind. Of the remaining goods, some must necessarily pre-exist as conditions of happiness, and others are naturally co-operative and useful as instruments. And this will be found to agree with what we said at the outset; for we stated the end of political science to be the best end, and political science spends most of its pains on making the citizens to be of a certain character, viz. good and capable of noble acts.

It is natural, then, that we call neither ox nor horse nor any other of the animals happy; for none of them is capable of sharing in such activity. For this reason also a boy is not happy; for he is not yet capable of such acts, owing to his age; and boys who are called happy are being congratulated by reason of the hopes we have for them. For there is required, as we said, not only complete virtue but also a complete life, since many changes occur in life, and all manner of chances, and the most prosperous may fall into great misfortunes in old age, as is told of Priam in the Trojan Cycle; and one who has experienced such chances and has ended wretchedly no one calls happy.

Book II

6

We must, however, not only describe virtue as a state of character, but also say what sort of state it is. We may remark, then, that every virtue or excellence both brings into good condition the thing of which it is the excellence and makes the work of that thing be done well; e.g. the excellence of the eye makes both the eye and its work good; for it is by the excellence of the eye that we see well. Similarly the excellence of the horse makes a horse both good in itself and good at running and at carrying its rider and at awaiting the attack of the enemy. Therefore, if this is true in every case, the virtue of man also will be the state of character which makes a man good and which makes him do his own work well.

How this is to happen we have stated already, but it will be made plain also by the following consideration of the specific nature of virtue. In everything that is continuous and divisible it is possible to take more, less, or an equal amount, and that either in terms of the thing itself or relatively to us; and the equal is an intermediate between excess and defect. By the intermediate in the object I mean that which is equidistant from each of the extremes, which is one and the same for all men; by the intermediate relatively to us that which is neither too much nor too little- and this is not one, nor the same for all. For instance, if ten is many and two is few, six is

the intermediate, taken in terms of the object; for it exceeds and is exceeded by an equal amount; this is intermediate according to arithmetical proportion. But the intermediate relatively to us is not to be taken so; if ten pounds are too much for a particular person to eat and two too little, it does not follow that the trainer will order six pounds; for this also is perhaps too much for the person who is to take it, or too little- too little for Milo, too much for the beginner in athletic exercises. The same is true of running and wrestling. Thus a master of any art avoids excess and defect, but seeks the intermediate and chooses this- the intermediate not in the object but relatively to us.

If it is thus, then, that every art does its work well- by looking to the intermediate and juggling its works by this standard (so that we often say of good works of art that it is not possible either to take away or to add anything, implying that excess and defect destroy the goodness of works of art, while the mean preserves it; and good artists, as we say, look to this in their work), and if, further, virtue is more exact and better than any art, as nature also is, then virtue must have the quality of aiming at the intermediate. I mean moral virtue; for it is this that is concerned with passions and actions, and in these there is excess, defect, and the intermediate. For instance, both fear and confidence and appetite and anger and pity and in general pleasure and pain may be felt both too much and too little, and in both cases not well; but to feel them at the right times, with reference to the right objects, towards the right people, with the right motive, and in the right way, is what is both intermediate and best, and this is characteristic of virtue. Similarly with regard to actions also there is excess, defect, and the intermediate. Now virtue is concerned with passions and actions, in which excess is a form of failure, and so is defect, while the intermediate is praised and is a form of success; and being praised and being successful are both characteristics of virtue. Therefore virtue is a kind of mean, since, as we have seen, it aims at what is intermediate.

Again, it is possible to fail in many ways (for evil belongs to the class of the unlimited, as the Pythagoreans conjectured, and good to that of the limited), while to succeed is possible only in one way (for which reason also one is easy and the other difficult- to miss the mark easy, to hit it difficult); for these reasons also, then, excess and defect are characteristic of vice, and the mean of virtue;

For men are good in but one way, but bad in many.

Virtue, then, is a state of character concerned with choice, lying in a mean, i.e. the mean relative to us, this being determined by a rational principle, and by that principle by which the man of practical wisdom would determine it. Now it is a mean between two vices, that which depends on excess and that which depends on defect; and again it is a mean because the vices respectively fall short of or exceed what is right in both passions and actions, while virtue both finds and chooses that which is intermediate. Hence in respect of its substance and the definition which states its essence virtue is a mean, with regard to what is best and right an extreme.

But not every action nor every passion admits of a mean; for some have names that already imply badness, e.g. spite, shamelessness, envy, and in the case of actions adultery, theft, murder; for all of these and suchlike things imply by their names that they are themselves bad, and not the excesses or deficiencies of them. It is not possible, then, ever to be right with regard to them; one must always be wrong. Nor does goodness or badness with regard to such things depend on committing adultery with the right woman, at the right time, and in the right way, but simply to do any of them is to go wrong. It would be equally absurd, then, to expect that in unjust, cowardly, and voluptuous action there should be a mean, an excess, and a deficiency; for at that rate there would be a mean of excess and of deficiency, an excess of excess, and a deficiency of

deficiency. But as there is no excess and deficiency of temperance and courage because what is intermediate is in a sense an extreme, so too of the actions we have mentioned there is no mean nor any excess and deficiency, but however they are done they are wrong; for in general there is neither a mean of excess and deficiency, nor excess and deficiency of a mean.

7

We must, however, not only make this general statement, but also apply it to the individual facts. For among statements about conduct those which are general apply more widely, but those which are particular are more genuine, since conduct has to do with individual cases, and our statements must harmonize with the facts in these cases. We may take these cases from our table. With regard to feelings of fear and confidence courage is the mean; of the people who exceed, he who exceeds in fearlessness has no name (many of the states have no name), while the man who exceeds in confidence is rash, and he who exceeds in fear and falls short in confidence is a coward. With regard to pleasures and pains- not all of them, and not so much with regard to the pains- the mean is temperance, the excess self-indulgence. Persons deficient with regard to the pleasures are not often found; hence such persons also have received no name. But let us call them 'insensible'.

With regard to giving and taking of money the mean is liberality, the excess and the defect prodigality and meanness. In these actions people exceed and fall short in contrary ways; the prodigal exceeds in spending and falls short in taking, while the mean man exceeds in taking and falls short in spending. (At present we are giving a mere outline or summary, and are satisfied with this; later these states will be more exactly determined.) With regard to money there are also other dispositions- a mean, magnificence (for the magnificent man differs from the liberal man; the former deals with large sums, the latter with small ones), an excess, tastelessness and vulgarity, and a deficiency, niggardliness; these differ from the states opposed to liberality, and the mode of their difference will be stated later. With regard to honour and dishonour the mean is proper pride, the excess is known as a sort of 'empty vanity', and the deficiency is undue humility; and as we said liberality was related to magnificence, differing from it by dealing with small sums, so there is a state similarly related to proper pride, being concerned with small honours while that is concerned with great. For it is possible to desire honour as one ought, and more than one ought, and less, and the man who exceeds in his desires is called ambitious, the man who falls short unambitious, while the intermediate person has no name. The dispositions also are nameless, except that that of the ambitious man is called ambition. Hence the people who are at the extremes lay claim to the middle place; and we ourselves sometimes call the intermediate person ambitious and sometimes unambitious, and sometimes praise the ambitious man and sometimes the unambitious. The reason of our doing this will be stated in what follows; but now let us speak of the remaining states according to the method which has been indicated.

With regard to anger also there is an excess, a deficiency, and a mean. Although they can scarcely be said to have names, yet since we call the intermediate person good-tempered let us call the mean good temper; of the persons at the extremes let the one who exceeds be called irascible, and his vice irascibility, and the man who falls short an inirascible sort of person, and the deficiency inirascibility.

There are also three other means, which have a certain likeness to one another, but differ from one another: for they are all concerned with intercourse in words and actions, but differ in that one is concerned with truth in this sphere, the other two with pleasantness; and of this one kind is exhibited in giving amusement, the other in all the circumstances of life. We must therefore

speak of these too, that we may the better see that in all things the mean is praise-worthy, and the extremes neither praiseworthy nor right, but worthy of blame. Now most of these states also have no names, but we must try, as in the other cases, to invent names ourselves so that we may be clear and easy to follow. With regard to truth, then, the intermediate is a truthful sort of person and the mean may be called truthfulness, while the pretence which exaggerates is boastfulness and the person characterized by it a boaster, and that which understates is mock modesty and the person characterized by it mock-modest. With regard to pleasantness in the giving of amusement the intermediate person is ready-witted and the disposition ready wit, the excess is buffoonery and the person characterized by it a buffoon, while the man who falls short is a sort of boor and his state is boorishness. With regard to the remaining kind of pleasantness, that which is exhibited in life in general, the man who is pleasant in the right way is friendly and the mean is friendliness, while the man who exceeds is an obsequious person if he has no end in view, a flatterer if he is aiming at his own advantage, and the man who falls short and is unpleasant in all circumstances is a quarrelsome and surly sort of person.

There are also means in the passions and concerned with the passions; since shame is not a virtue, and yet praise is extended to the modest man. For even in these matters one man is said to be intermediate, and another to exceed, as for instance the bashful man who is ashamed of everything; while he who falls short or is not ashamed of anything at all is shameless, and the intermediate person is modest. Righteous indignation is a mean between envy and spite, and these states are concerned with the pain and pleasure that are felt at the fortunes of our neighbours; the man who is characterized by righteous indignation is pained at undeserved good fortune, the envious man, going beyond him, is pained at all good fortune, and the spiteful man falls so far short of being pained that he even rejoices. But these states there will be an opportunity of describing elsewhere; with regard to justice, since it has not one simple meaning, we shall, after describing the other states, distinguish its two kinds and say how each of them is a mean; and similarly we shall treat also of the rational virtues.

9

That moral virtue is a mean, then, and in what sense it is so, and that it is a mean between two vices, the one involving excess, the other deficiency, and that it is such because its character is to aim at what is intermediate in passions and in actions, has been sufficiently stated. Hence also it is no easy task to be good. For in everything it is no easy task to find the middle, e.g. to find the middle of a circle is not for every one but for him who knows; so, too, any one can get angry—that is easy— or give or spend money; but to do this to the right person, to the right extent, at the right time, with the right motive, and in the right way, that is not for every one, nor is it easy; wherefore goodness is both rare and laudable and noble.

Hence he who aims at the intermediate must first depart from what is the more contrary to it, as Calypso advises—

Hold the ship out beyond that surf and spray.

For of the extremes one is more erroneous, one less so; therefore, since to hit the mean is hard in the extreme, we must as a second best, as people say, take the least of the evils; and this will be done best in the way we describe. But we must consider the things towards which we ourselves also are easily carried away; for some of us tend to one thing, some to another; and this will be recognizable from the pleasure and the pain we feel. We must drag ourselves away to the contrary extreme; for we shall get into the intermediate state by drawing well away from error, as people do in straightening sticks that are bent.

Now in everything the pleasant or pleasure is most to be guarded against; for we do not judge it impartially. We ought, then, to feel towards pleasure as the elders of the people felt towards Helen, and in all circumstances repeat their saying; for if we dismiss pleasure thus we are less likely to go astray. It is by doing this, then, (to sum the matter up) that we shall best be able to hit the mean.

But this is no doubt difficult, and especially in individual cases; for or is not easy to determine both how and with whom and on what provocation and how long one should be angry; for we too sometimes praise those who fall short and call them good-tempered, but sometimes we praise those who get angry and call them manly. The man, however, who deviates little from goodness is not blamed, whether he do so in the direction of the more or of the less, but only the man who deviates more widely; for he does not fail to be noticed. But up to what point and to what extent a man must deviate before he becomes blameworthy it is not easy to determine by reasoning, any more than anything else that is perceived by the senses; such things depend on particular facts, and the decision rests with perception. So much, then, is plain, that the intermediate state is in all things to be praised, but that we must incline sometimes towards the excess, sometimes towards the deficiency; for so shall we most easily hit the mean and what is right.

Religion & Morality

Ethics from the *Bible*

The Ten Commandments

Then God delivered all these commandments:

I, the LORD, am your God, who brought you out of the land of Egypt, that place of slavery. YOU shall not have other gods besides me. YOU shall not carve idols for yourselves in the shape of anything in the sky above or on the earth below or in the waters beneath the earth; 'you shall not bow down before them or worship them. For I, the LORD, your God, am a jealous God, inflicting punishment for their fathers' wickedness on the children of those who hate me, down to the third and fourth generation; but bestowing mercy down to the thousandth generation, on the children of those who love me and keep my commandments.

You shall not take the name of the LORD, your God, in vain. For the LORD will not leave unpunished him who takes his name in vain.

Remember to keep holy the sabbath day. Six days you may labor and do all your work, but the seventh day is the sabbath of the LORD, your God. No work may be done then either by you, or your son or daughter, or your male or female slave, or your beast, or by the alien who lives with you. "In six days the LORD made the heavens and the earth, the sea and all that is in them; but on the seventh day he rested. That is why the LORD has blessed the sabbath day and made it holy.

Honor your father and your mother, that you may have a long life in the land which the LORD, your God, is giving you.

You shall not kill.

You shall not commit adultery.

You shall not steal.

You shall not bear false witness against your neighbor.

You shall not covet your neighbor's house. You shall not covet your neighbor's wife, nor his male or female slave, nor his ox or ass, nor anything else that belongs to him.

Punishment

Whoever strikes a man a mortal blow must be put to death. He, however, who did not hunt a man down, but caused his death by an act of God, may flee to a place which I will set apart for this purpose. But when a man kills another after maliciously scheming to do so, you must take him even from my altar and put him to death. Whoever strikes his father or mother shall be put to death.

A kidnaper, whether he sells his victim or still has him when caught, shall be put to death.

Whoever curses his father or mother shall be put to death.

When men quarrel and one strikes the other with a stone or with his fist, not mortally, but enough to put him in bed, the one who struck the blow shall be acquitted, provided the other can get up and walk around with the help of his staff. Still, he must compensate him for his enforced idleness and provide for his complete cure.

When a man strikes his male or female slave with a rod so hard that the slave dies under his hand, he shall be punished. If, however, the slave survives for a day or two, he is not to be punished, since the slave is his own property.

Loans & Responsibilities

When a man gives money or any article to another for safekeeping and it is stolen from the latter's house, the thief, if caught, must make twofold restitution. If the thief is not caught, the owner of the house shall be brought to God, to swear that he himself did not lay hands on his neighbor's property. In every question of dishonest appropriation, whether it be about an ox, or an ass, or a sheep, or a garment, or anything else that has disappeared, where another claims that the thing is his, both parties shall present their case before God; the one whom God convicts must make twofold restitution to the other.

When a man gives an ass, or an ox, or a sheep, or any other animal to another for safekeeping, if it dies, or is maimed or snatched away, without anyone witnessing the fact, the custodian shall swear by the LORD that he did not lay hands on his neighbor's property; the owner must accept the oath, and no restitution is to be made. But if the custodian is really guilty of theft, he must make restitution to the owner. If it has been killed by a wild beast, let him bring it as evidence, and he need not make restitution for the mangled animal.

When a man borrows an animal from his neighbor, if it is maimed or dies while the owner is not present, the man must make restitution. But if the owner is present, he need not make restitution. If it was hired, this was covered by the price of its hire.

Miscellaneous Rules

When a man seduces a virgin who is not betrothed, and lies with her, he shall pay her marriage price and marry her. If her father refuses to give her to him, he must still pay him the customary marriage price for virgins.

You shall not let a sorceress live.

Anyone who lies with an animal shall be put to death.

Whoever sacrifices to any god, except to the LORD alone, shall be doomed.

You shall not molest or oppress an alien, for you were once aliens yourselves in the land of Egypt.

You shall not wrong any widow or orphan. If ever you wrong them and they cry out to me, I will surely hear their cry. My wrath will flare up, and I will kill you with the sword; then your own wives will be widows, and your children orphans.

Women

Timothy 2:11-14 (NIV): A woman should learn in quietness and full submission. I do not permit a woman to teach or to have authority over a man; she must be silent. For Adam was formed first, then Eve. And Adam was not the one deceived; it was the woman who was deceived and became a sinner.

Judges 19:24 (NIV): Look, here is my virgin daughter, and his concubine. I will bring them out to you now, and you can use them and do to them whatever you wish. But to this man, don't do such a disgraceful thing ... the man took his concubine and sent her outside to them, and they raped her and abused her throughout the night, and at dawn they let her go. At daybreak the woman went back to the house where her master was staying, fell down at the door and lay there until daylight. When her master got up in the morning and opened the door of the house and stepped out to continue on his way, there lay his concubine, fallen in the doorway of the house, with her hands on the threshold. He said to her, "Get up; let's go." But there was no answer. Then the man put her on his donkey and set out for home. When he reached home, he took a knife and cut up his concubine, limb by limb, into twelve parts and sent them into all the areas of Israel

Birth Control

Genesis 38:6-10: "...Judah took a wife for Er his firstborn, whose name was Tamar. And Er, Judah's firstborn, was wicked in the sight of the LORD; and the LORD slew him. And Judah said unto Onan, Go in unto thy brother's wife, and marry her, and raise up seed to thy brother. And Onan knew that the seed should not be his; and it came to pass, when he went in unto his brother's wife, that he spilled it on the ground, lest that he should give seed to his brother. And the thing which he did displeased the LORD: wherefore he slew him also."

Torture

2 Samuel 12:26-31: "...Joab fought against Rabbah of the children of Ammon, and took the royal city. And Joab sent messengers to David, and said, I have fought against Rabbah, and have taken the city of waters. Now therefore gather the rest of the people together, and encamp against the city, and take it: lest I take the city, and it be called after my name. And David gathered all the people together, and went to Rabbah, and fought against it, and took it...And he brought forth the people that were therein, and put them under saws, and under harrows of iron, and under axes of iron, and made them pass through the brick-kiln: and thus did he unto all the cities of the children of Ammon."

Murder of Children

Deuteronomy 21:18-21 (NIV): If a man has a stubborn and rebellious son who does not obey his father and mother and will not listen to them when they discipline him, his father and mother shall take hold of him and bring him to the elders at the gate of his town. They shall say to the elders, "This son of ours is stubborn and rebellious. He will not obey us. He is a profligate and a drunkard." Then all the men of his town shall stone him to death.

2 Kings 2:23-24: "And he [Elisha] went up from thence unto Bethel: and as he was going up by the way, there came forth little children out of the city, and mocked him, and said unto him, Go up, thou bald head; go up, thou bald head. And he turned back, and looked on them, and cursed them in the name of the LORD. And there came forth two she bears out of the wood, and tare forty and two children of them."

Exodus 7:3: "...I will harden Pharaoh's heart, and multiply my signs and my wonders in the land of Egypt."

Exodus 7:13-14: "And he [God] hardened Pharaoh's heart, that he hearkened not unto them; as the LORD had said. And the LORD said unto Moses, Pharaoh's heart is hardened, he refuseth to let the people go."

Exodus 12:29-30: "And it came to pass, that at midnight the LORD smote all the firstborn in the land of Egypt, from the firstborn of Pharaoh that sat on his throne unto the firstborn of the captive that was in the dungeon; and all the firstborn of cattle. And Pharaoh rose up in the night, he, and all his servants, and all the Egyptians; and there was a great cry in Egypt; for there was not a house where there was not one dead."

Numbers 31:1-18: "...And they warred against the Midianites, as the Lord commanded Moses, and they slew all the [adult] males. And the children of Israel took all the women of Midian captives, and their little ones...And they brought the captives, and the prey, and the spoil, unto Moses...And Moses was angry with the officers of the host And Moses said unto them, Have ye saved all the women alive? Behold, these caused the children of Israel, through the counsel of Ba'laam, to commit trespass against the Lord in the matter of Peor, and there was a plague among the congregation of the Lord. Now therefore kill every male among the little ones, and kill every woman that hath known man by lying with him. But all the female children, that have not known a man by lying with him, keep alive for yourselves."

Genocide

Judges 21:8-10 (NIV): Then they asked, "Which one of the tribes of Israel failed to assemble before the LORD at Mizpah?" They discovered that no one from Jabesh Gilead had come to the camp for the assembly. For when they counted the people, they found that none of the people of Jabesh Gilead were there. So the assembly sent twelve thousand fighting men with instructions to go to Jabesh Gilead and put to the sword those living there, including the women and children.

Deuteronomy 32:21-25 They made me jealous by what is no god and angered me with their worthless idols. I will make them envious by those who are not a people ... a fire has been kindled by my wrath, one that burns to the realm of death below. It will devour the earth and its

harvests and set afire the foundations of the mountains. I will heap calamities upon them and spend my arrows against them. I will send wasting famine against them, consuming pestilence and deadly plague; I will send against them the fangs of wild beasts, the venom of vipers that glide in the dust. In the street the sword will make them childless; in their homes terror will reign. Young men and young women will perish, infants and gray-haired men.

Deuteronomy 7:1-2: "... the seven nations greater and mightier than thou; And when the LORD thy God shall deliver them before thee; thou shalt smite them, and utterly destroy them; thou shalt make no covenant with them, nor shew mercy unto them."

Joshua 6:21: "And they utterly destroyed all that was in the city, both man and woman, young and old, and ox, and sheep, and ass, with the edge of the sword.

Joshua 10:40-41: "So Joshua smote all the country of the hills, and of the south, and of the vale, and of the springs, and all their kings: he left none remaining, but utterly destroyed all that breathed, as the LORD God of Israel commanded. And Joshua smote them from Kadesh-barnea even unto Gaza, and all the country of Goshen, even unto Gibeon."

Slavery

Leviticus 25:42,25:44-46 (NIV): "Because the Israelites are my servants, whom I brought out of Egypt, they must not be sold as slaves ... Your male and female slaves are to come from the nations around you; from them you may buy slaves. You may also buy some of the temporary residents living among you and members of their clans born in your country, and they will become your property. You can will them to your children as inherited property and can make them slaves for life, but you must not rule over your fellow Israelites ruthlessly.

The Euthyphro Problem

From *The Euthyphro*

By Plato

Translation by Benjamin Jowett

SOCRATES: We shall know better, my good friend, in a little while. The point which I should first wish to understand is whether the pious or holy is beloved by the gods because it is holy, or holy because it is beloved of the gods.

EUTHYPHRO: I do not understand your meaning, Socrates.

SOCRATES: I will endeavor to explain:

we speak of carrying and we speak of being carried, of leading and being led, seeing and being seen. You know that in all such cases there is a difference, and you know also in what the difference lies?

EUTHYPHRO: I think that I understand.

SOCRATES: And is not that which is beloved distinct from that which loves? EUTHYPHRO: Certainly.

SOCRATES: Well; and now tell me, is that which is carried in this state of carrying because it is carried, or for some other reason?

EUTHYPHRO: No; that is the reason.

SOCRATES: And the same is true of what is led and of what is seen?

EUTHYPHRO: True.

SOCRATES: And a thing is not seen because it is visible, but conversely, visible because it is seen; nor is a thing led because it is in the state of being led, or carried because it is in the state of being carried, but the converse of this. And now I think, Euthyphro, that my meaning will be intelligible; and my meaning is, that any state of action or passion implies previous action or passion. It does not become because it is becoming, but it is in a state of becoming because it becomes; neither does it suffer because it is in a state of suffering, but it is in a state of suffering because it suffers. Do you not agree?

EUTHYPHRO: Yes.

SOCRATES: Is not that which is loved in some state either of becoming or suffering?

EUTHYPHRO: Yes.

SOCRATES: And the same holds as in the previous instances; the state of being loved follows the act of being loved, and not the act the state.

EUTHYPHRO: Certainly.

SOCRATES: And what do you say of piety, Euthyphro: is not piety, according to your definition, loved by all the gods?

EUTHYPHRO: Yes.

SOCRATES: Because it is pious or holy, or for some other reason?

EUTHYPHRO: No, that is the reason.

SOCRATES: It is loved because it is holy, not holy because it is loved?

EUTHYPHRO: Yes.

SOCRATES: And that which is dear to the gods is loved by them, and is in a state to be loved of them because it is loved of them?

EUTHYPHRO: Certainly.

SOCRATES: Then that which is dear to the gods, Euthyphro, is not holy, nor is that which is holy loved of God, as you affirm; but they are two different things. EUTHYPHRO: How do you mean, Socrates?

SOCRATES: I mean to say that the holy has been acknowledged by us to be loved of God because it is holy, not to be holy because it is loved.

EUTHYPHRO: Yes.

SOCRATES: But that which is dear to the gods is dear to them because it is loved by them, not loved by them because it is dear to them.

EUTHYPHRO: True.

SOCRATES: But, friend Euthyphro, if that which is holy is the same with that which is dear to God, and is loved because it is holy, then that which is dear to God would have been loved as being dear to God; but if that which is dear to God is dear to him because loved by him, then that which is holy would have been holy because loved by him. But now you see that the reverse is the case, and that they are quite different from one another. For one (theophiles) is of a kind to be loved cause it is loved, and the other (osion) is loved because it is of a kind to be loved. Thus you appear to me, Euthyphro, when I ask you what is the essence of holiness, to offer an attribute only, and not the essence—the attribute of being loved by all the gods. But you still refuse to explain to me the nature of holiness. And therefore, if you please, I will ask you not to hide your

treasure, but to tell me once more what holiness or piety really is, whether dear to the gods or not (for that is a matter about which we will not quarrel); and what is impiety? EUTHYPHRO: I really do not know, Socrates, how to express what I mean. For somehow or other our arguments, on whatever ground we rest them, seem to turn round and walk away from us.

The Summa Theologica

Thomas Aquinas

"Natural Law," *The Summa Theologica, Vol. II*, translated by the Fathers of the English Dominical Province (Wesminster, MD: Christian Classic, 1911), pp.90-108.

Whether There is an Eternal Law?

... A law is nothing else but a dictate of practical reason emanating from the ruler who governs a perfect community. Now it is evident, granted that the world is ruled by Divine Providence... that the whole community of the universe is governed by Divine Reason. Wherefore the very Idea of the government of things in God the Ruler of the universe, has the nature of a law. And since the Divine Reasons conception of things is not subject to time but is eternal, according to Prov. viii. 23, therefore it is that this kind of law must be called eternal....

... It is evident that all things partake somewhat of the eternal law, in so far as, namely, from its being imprinted on them, they derive their respective inclinations to their proper acts and ends. Now among all others, the rational creature is subject to Divine providence in the most excellent way, in so far as it partakes of a share of providence, by being provident both for itself and for others. Wherefore it has a share of the Eternal Reason, whereby it has a natural inclination to its proper act and end: and this participation of the eternal law in the rational creature is called the natural law. . . . [T]he light of natural reason, whereby we discern what is good and what is evil, which is the function of the natural law, is nothing else than an imprint on us of the Divine light. It is there-fore evident that the natural law is nothing else than the rational creature's participation of the eternal law....

Whether an Effect of Law Is to Make Men Good?

... A law is nothing else than a dictate of reason in the ruler by whom his subjects are governed. Now the virtue of any subordinate thing consists in its being well subordinated to that by which it is regulated: thus we see that the virtue of the irascible and concupiscible faculties consists in their being obedient to reason; and accordingly *the virtue of every subject consists in his being well subjected to his ruler*, as the Philosopher [Aristotle] says (*Polit.* i). But every law aims at being obeyed by those who are subject to it. Consequently it is evident that the proper effect of law is to lead its subjects to their proper virtue: and since virtue is *that which makes its subject good*, it follows that the proper effect of law is to make those to whom it is given, good, either simply or in some particular respect....

... The goodness of any part is considered in comparison with the whole; hence Augustine says (*Conf.* iii) that *unseemly is the part that harmonizes not with the whole*. Since then every man is a part of the state, it is impossible that a man be good, unless he be well proportionate to the common good: nor can the whole be well consistent unless its parts be proportionate to it. Consequently the common good of the state cannot flourish, unless the citizens be virtuous, at

least those whose business it is to govern. But it is enough for the good of the community, that the other citizens be so far virtuous that they obey the commands of their rulers....

... A tyrannical law, through not being according to reason, is not a law, absolutely speaking, but rather a perversion of law; and yet in so far as it is something in the nature of a law, it aims at the citizens' being good. For all it has in the nature of a law consists in its being an ordinance made by a superior to his subjects, and aims at being obeyed by them, which is to make them good, not simply, but with respect to that particular government....

Whether the Natural Law Contains Several Precepts, or One Only?

... the precepts of the natural law are to the practical reason, what the first principles of demonstrations are to the speculative reason; because both are self-evident principles.... For instance, this proposition, *Man is a rational being, is*, in its very nature, self-evident, since who says *man*, says *a rational being*:... But some propositions are self-evident only to the wise, who understand the meaning of the terms of such propositions: thus to one who understands that an angel is not a body, it is self-evident that an angel is not circumscriptively in a place: but this is not evident to the unlearned, for they cannot grasp it.

Now a certain order is to be found in those things that are apprehended universally.... The first principle in the practical reason is one founded on the notion of good, viz., that *good is that which all things seek after*. Hence this is the first precept of law, that *good is to be done and pursued, and evil is to be avoided*. All other precepts of the natural law are based upon this: so that whatever the practical reason naturally apprehends as man's good (or evil) belongs to the precepts of the natural law as something to be done or avoided.

Since, however, good has the nature of an end, and evil, the nature of a contrary, hence it is that all those things to which man has a natural inclination, are naturally apprehended by reason as being good, and consequently as objects of pursuit, and their contraries as evil, and objects of avoidance. Wherefore according to the order of natural inclinations, is the order of the precepts of the natural law. Because in man there is first of all an inclination to good in accordance with the nature which he has in common with all substances: inasmuch as every substance seeks the preservation of its own being, according to its nature: and by reason of this inclination, whatever is a means of preserving human life, and of warding off its obstacles, belongs to the natural law.... There is in man an inclination to good, according to the nature of his reason, which nature is proper to him: thus man has a natural inclination to know the truth about God, and to live in society: and in this respect, whatever pertains to this inclination belongs to the natural law; for instance, to shun ignorance, to avoid offending those among whom one has to live, and other such things regarding the above inclination....

Whether the Natural Law Is the Same in All Men?

... [T]he natural law, as to general principles, is the same for all, both as to rectitude and as to knowledge. But as to certain matters of detail, which are conclusions, as it were, of those general principles, it is the same for all in the majority of cases, both as to rectitude and as to knowledge; and yet in some few cases it may fail, both as to rectitude, by reason of certain obstacles (just as natures subject to generation and corruption fail in some few cases on account of some obstacle), and as to knowledge, since in some the reason is perverted by passion, or evil habit, or an evil disposition of nature; ...

Consequentialism

Ethical Egoism

Except From *Leviathan*

-Thomas Hobbes

Chapter 13

Of the Natural Condition of Mankind

as Concerning Their Felicity and Misery

... Nature hath made men so equal, in the faculties of the body, and mind; as that though there be found one man sometimes manifestly stronger in body, or of quicker mind than another; yet when all is reckoned together, the difference between man, and man, is not so considerable, as that one man can thereupon claim to himself any benefit, to which another may not pretend, as well as he.

... From this equality of ability, ariseth equality of hope in the attaining of our ends. And therefore if any two men desire the same thing, which nevertheless they cannot both enjoy, they become enemies; and in the way to their end, which is principally their own conservation, and sometimes their delectation only, endeavour to destroy, or subdue one another....

... Men have no pleasure, but on the contrary a great deal of grief, in keeping company, where there is no power able to over-awe them all. For every man looketh that his companion should value him, at the same rate he sets upon him-self: and upon all signs of contempt, or undervaluing, naturally endeavours, as far as he dares, (which amongst them that have no common power to keep them in quiet, is far enough to make them destroy each other), to extort a greater value from his contemners, by damage; and from others, by the example.

So that in the nature of man, we find three principal causes of quarrel. First, competition; secondly, diffidence; thirdly, glory.

The first, maketh men invade for gain; the second, for safety; and the third, for reputation. The first use violence, to make themselves masters of other men's persons, wives, children, and cattle; the second, to defend them; the third, for trifles, as a word, a smile, a different opinion, and any other sign of undervalue, either direct in their persons, or by reflection in their kindred, their friends, their nation, their profession, or their name.

Out of civil states, there is always war of every one against every one. Hereby it is manifest, that during the time men live without a common power to keep them all in awe, they are in that condition which is called war; and such a war, as is of every man, against every man....

... In such condition, there is no place for industry; because the fruit thereof is uncertain: and consequently no culture of the earth; no navigation, nor use of the commodities that may be imported by sea; no commodious building; no instruments of moving, and removing, such things as require much force; no knowledge of the face of the earth; no account of time; no arts; no letters; no society; and which is worst of all, continual fear, and danger of violent death; and the life of man, solitary, poor, nasty, brutish, and short.

In such a war nothing is unjust. To this war of every man, against every man, this also is consequent; that nothing can be unjust. The notions of right and wrong, justice and injustice have there no place. Where there is no common power, there is no law: where no law, no injustice....

The passions that incline men to peace. The passions that incline men to peace, are fear of death; desire of such things as are necessary to commodious living; and a hope by their industry to obtain them. And reason suggesteth convenient articles of peace, upon which men may be drawn to agreement. These articles, are they, which otherwise are called the Laws of Nature: whereof I shall speak more particularly, in the two following chapters.

Chapter 14

Of the First and Second Natural Laws, and of Contracts

Right of nature what. THE RIGHT OF NATURE, which writers commonly call *jus naturale*, is the liberty each man hath, to use his own power, as he will himself, for the preservation of his own nature; that is to say, of his own life; and consequently, of doing any thing, which in his own judgment, and reason, he shall conceive to be the aptest means thereunto.

Liberty what. BY LIBERTY, is understood, according to the proper signification of the word, the absence of external impediments: which impediments, may oft take away part of a man's power to do what he would; but cannot hinder him from using the power left him, according as his judgment, and reason shall dictate to him.

A law of nature what. Difference of right and law. A LAW OF NATURE, *lex naturalis*, is a precept or general rule, found out by reason, by which a man is forbidden to do that, which is destructive of his life, or taketh away the means of preserving the same; and to omit that, by which he thinketh it may be best preserved. For though they that speak of this subject, use to confound *jus*, and *lex*, *right* and *law*: yet they ought to be distinguished; because RIGHT, consisteth in liberty to do, or to forbear: whereas LAW, determineth, and bindeth to one of them; so that law, and right, differ as much, as obligation, and liberty; which in one and the same matter are inconsistent.

Naturally every man has right to every thing. The fundamental law of nature... [I]t is a precept, or general rule of reason, *that every man, ought to endeavour peace, as far as he has hope of obtaining it; and when he cannot obtain it, that he may seek, and use, all helps, and advantages of war.* The first branch of which rule, containeth the first, and fundamental law of nature; which is, *to seek peace, and follow it.* The second, the sum of the right of nature; which is, *by all means we can, to defend ourselves.*

The second law of nature. From this fundamental law of nature, by which men are commanded to endeavour peace, is derived this second law; *that a man be willing, when others are so too, as far forth, as for peace, and defence of himself he shall think it necessary, to lay down this right to all things; and be contented with so much liberty against other men, as he would allow other men against himself.* For as long as every man holdeth this right, of doing any thing he liketh; so long are all men in the condition of war. But if other men will not lay down their right, as well as he; then there is no reason for any one, to divest himself of his: for that were to expose himself to prey, which no man is bound to, rather than to dispose himself to peace....

Chapter 15

Of Other Laws of Nature

The third law of nature, justice. From that law of nature, by which we are obliged to transfer to another, such rights, as being retained, hinder the peace of mankind, there followeth a third; which is this, *that men perform their covenants made:* without which, covenants are in vain, and but empty words; and the right of all men to all things remaining, we are still in the condition of war.

Justice and injustice what. And in this law of nature, consisteth the fountain and original of JUSTICE. For where no covenant bath preceded, there bath no right been transferred, and every man has right to every thing; and consequently, no action can be unjust. But when a covenant is made, then to break it is *unjust:* and the definition of INJUSTICE, is no other than *the not performance of covenant.* And whatsoever is not unjust, *is just.*

Justice and propriety begin with the constitution of commonwealth....

The science of these laws, is the true moral philosophy. And the science of them, is the true and only moral philosophy. For moral philosophy is nothing else but the science of what is *good*, and *evil*, in the conversation, and society of mankind. *Good*, and *evil*, are names that signify our appetites, and aversions; which in dif-ferent tempers, customs, and doctrines of men, are different: and divers men, dif-fer not only in their judgment, on the senses of what is pleasant, and unpleasant to the taste, smell, hearing, touch, and sight; but also of what is conformable, or disagreeable to reason, in the actions of common life. Nay, the same man, in divers times, differs from himself; and one time praiseth, that is, calleth good, what another time he dispraiseth, and calleth evil: from whence arise disputes, controversies, and at last war. And therefore so long as a man is in the condition of mere nature, which is a condition of war, as private appetite is the measure of good, and evil: and consequently all men agree on this, that peace is good, and therefore also the way, or means of peace, which, as I have shewed before, are *justice, gratitude, modesty, equity, mercy*, and the rest of the laws of nature, are good; that is to say; *moral virtues*; and their contrary *vices*, evil. Now the science of virtue and vice is moral philosophy; and therefore the true doctrine of the laws of nature, is the true moral philosophy. But writers of moral philosophy, though they acknowledge the same virtues and vices; yet not seeing wherein consisted their goodness; nor that they come to be praised, as the means of peaceable, sociable, and comfortable living, place them in a mediocrity of passions: as if not the cause, but the degree of daring, made fortitude; or not the cause, but the quantity of a gift made liberality.

There dictates of reason, men used to call by the names of laws, but improperly: for they are but conclusions, or theorems concerning what conduceth to the conservation and defense of themselves.

John Stuart Mill

From *Utilitarianism* (London, 1863)

What Utilitarianism Is

The creed which accepts as the foundation of morals "utility" or the "greatest happiness principle" holds that actions are right in proportion as they tend to promote happiness; wrong as

they tend to produce the reverse of happiness. By happiness is intended pleasure and the absence of pain-, by unhappiness, pain and the privation of pleasure. To give a clear view of the moral standard set up by the theory, much more requires to be said; in particular, what things it includes in the ideas of pain and pleasure, and to what extent this is left an open question. But these supplementary explanations do not affect the theory of life on which this theory of morality is grounded—namely, that pleasure and freedom from pain are the only things desirable as ends-, and that all desirable things (which are as numerous in the utilitarian as in any other scheme) are desirable either for pleasure inherent in themselves or as means to the promotion of pleasure and the prevention of pain.

Now such a theory of life excites in many minds, and among them in some of the most estimable in feeling and purpose, inveterate dislike. To suppose that life has (as they express it) no higher end than pleasure—no better and nobler object of desire and pursuit—they designate as utterly mean and groveling, as a doctrine worthy only of swine, to whom the followers of Epicurus were, at a very early period, contemptuously likened; and modern holders of the doctrine are occasionally made the subject of equally polite comparisons by its German, French, and English assailants.

When thus attacked, the Epicureans have always answered that it is not they, but their accusers, who represent human nature in a degrading light, since the accusation supposes human beings to be capable of no pleasures except those of which swine are capable. If this supposition were true, the charge could not be gainsaid, but would then be no longer an imputation; for if the sources of pleasure were precisely the same to human beings and to swine, the rule of life which is good enough for the one would be good enough for the other. The comparison of the Epicurean life to that of beasts is felt as degrading, precisely because a beast's pleasures do not satisfy a human being's conceptions of happiness. Human beings have faculties more elevated than the animal appetites and, when once made conscious of them, do not regard anything as happiness which does not include their gratification. I do not, indeed, consider the Epicureans to have been by any means faultless in drawing out their scheme of consequences from the utilitarian principle. To do this in any sufficient manner, many Stoic, as well as Christian, elements require to be included. But there is no known Epicurean theory of life which does not assign to the pleasures of the intellect, of the feelings and imagination, and of the moral sentiments a much higher value as pleasures than to those of mere sensation. It must be admitted, however, that utilitarian writers in general have placed the superiority of mental over bodily pleasures chiefly in the greater permanency, safety, uncostliness, etc., of the former—that is, in their circumstantial advantages rather than in their intrinsic nature. And on all these points utilitarians have fully proved their case; but they might have taken the other and, as it may be called, higher ground with entire consistency. It is quite compatible with the principle of utility to recognize the fact that some kinds of pleasure are more desirable and more valuable than others. It would be absurd that, while in estimating all other things quality is considered as well as quantity the estimation of pleasure should be supposed to depend on quantity alone.

If I am asked what I mean by difference of quality in pleasures, or what makes one pleasure more valuable than another, merely as a pleasure, except its being greater in amount, there is but one possible answer. Of two pleasures, if there be one to which all or almost all who have experience of both give a decided preference, irrespective of any feeling of moral obligation to prefer it, that is the more desirable pleasure. If one of the two is, by those who are competently acquainted with both, placed so far above the other that they prefer it, even though knowing it to be attended with a greater amount of discontent, and would not resign it for any quantity of the

other pleasure which their nature is capable of, we are justified in ascribing to the preferred enjoyment a superiority in quality so far outweighing quantity as to render it, in comparison, of small account.

Now it is an unquestionable fact that those who are equally acquainted with and equally capable of appreciating and enjoying both do give a most marked preference to the manner of existence which employs their higher faculties. Few human creatures would consent to be changed into any of the lower animals for a promise of the fullest allowance of a beast's pleasures; no intelligent human being would consent to be a fool, no instructed person would be an ignoramus, no person of feeling and conscience would be selfish and base, even though they should be persuaded that the fool, the dunce, or the rascal is better satisfied with his lot than they are with theirs. They would not resign what they possess more than he for the most complete satisfaction of all the desires which they have in common with him. If they ever fancy they would, it is only in cases of unhappiness so extreme that to escape from it they would exchange their lot for almost any other, however undesirable in their own eyes. A being of higher faculties requires more to make him happy, is capable probably of more acute suffering, and certainly accessible to it at more points, than one of an inferior type; but in spite of these liabilities, he can never really wish to sink into what he feels to be a lower grade of existence. We may give what explanation we please of this unwillingness; we may attribute it to pride, a name which is given indiscriminately to some of the most and to some of the least estimable feelings of which mankind are capable; we may refer it to the love of liberty and personal independence, an appeal to which was with the Stoics one of the most effective means for the inculcation of it; to the love of power or to the love of excitement, both of which do really enter into and contribute to it; but its most appropriate appellation is a sense of dignity which all human beings possess in one form or other, and in some, though by no means in exact, proportion to their higher faculties, and which is so essential a part of the happiness of those in whom it is strong that nothing which conflicts with it could be otherwise than momentarily an object of desire to them. Whoever supposes that this preference takes place at a sacrifice of happiness—that the superior being, in anything like equal circumstances, is not happier than the inferior—confounds the two very different ideas of happiness and content. It is indisputable that the being whose capacities of enjoyment are low has the greatest chance of having them fully satisfied—, and a highly endowed being will always feel that any happiness which he can look for, as the world is constituted, is imperfect. But he can learn to bear its imperfections, if they are at all bearable, and they will not make him envy the being who is indeed unconscious of the imperfections, but only because he feels not at all the good which those imperfections qualify. It is better to be a human being dissatisfied than a pig satisfied; better to be Socrates dissatisfied than a fool satisfied. And if the fool, or the pig, are of a different opinion, it is because they only know their own side of the question. The other party to the comparison knows both sides. it may be objected that many who are capable of the higher pleasures occasionally, under the influence of temptation, postpone them to the lower. But this is quite compatible with a full appreciation of the intrinsic superiority of the higher. Men often, from infirmity of character, make their election for the nearer good, though they know it to be the less valuable; and this no less when the choice is between two bodily pleasures than when it is between bodily and mental. They pursue sensual indulgences to the injury of health, though perfectly aware that health is the greater good. It may be further objected that many who begin with youthful enthusiasm for everything noble, as they advance in years, sink into indolence and selfishness. But I do not believe that those who undergo this very common change voluntarily choose the lower description of pleasures in preference to the

higher. I believe that, before they devote themselves exclusively to the one, they have already become incapable of the other. Capacity for the nobler feelings is in most natures a very tender plant, easily killed, not only by hostile influences, but by mere want of sustenance; and in the majority of young persons it speedily dies away if the occupations to which their position in life has devoted them, and the society into which it has thrown them, are not favorable to keeping that higher capacity in exercise. Men lose their high aspirations as they lose their intellectual tastes, because they have not time or opportunity for indulging them; and they addict themselves to inferior pleasures, not because they deliberately prefer them, but because they are either the only ones to which they have access or the only ones which they are any longer capable of enjoying. It may be questioned whether anyone who has remained equally susceptible to both classes of pleasures ever knowingly and calmly preferred the lower, though many, in all ages, have broken down in an ineffectual attempt to combine both.

From this verdict of the only competent judges, I apprehend there can be no appeal. On a question which is the best worth having of two pleasures, or which of two modes of existence is the most grateful to the feelings, apart from its moral attributes and from its consequences, the judgment of those who are qualified by knowledge of both, or, if they differ, that of the majority among them, must be admitted as final. And there needs be the less hesitation to accept this judgment respecting the quality of pleasures, since there is no other tribunal to be referred to even on the question of quantity. What means are there of determining which is the acutest of two pains, or the intenser of two pleasurable sensations, except the general suffrage of those who are familiar with both? Neither pains nor pleasures are homogeneous, and pain is always heterogeneous with pleasure. What is there to decide whether a particular pleasure is worth purchasing at the cost of a particular pain, except the feelings and judgment of the experienced? When, therefore, those feelings and judgment declare the pleasures derived from the higher faculties to be preferable in kind, apart from the question of intensity, to those of which the animal nature, disjoined from the higher faculties, is susceptible, they are entitled on this subject to the same regard.

I have dwelt on this point as being a necessary part of a perfectly just conception of utility or happiness considered as the directive rule of human conduct. But it is by no means an indispensable condition to the acceptance of the utilitarian standard; for that standard is not the agent's own greatest happiness, but the greatest amount of happiness altogether; and if it may possibly be doubted whether a noble character is always the happier for its nobleness, there can be no doubt that it makes other people happier, and that the world in general is immensely a gainer by it. Utilitarianism, therefore, could only attain its end by the general cultivation of nobleness of character, even if each individual were only benefited by the nobleness of others, and his own, so far as happiness is concerned, were a sheer deduction from the benefit. But the bare enunciation of such an absurdity as this last renders refutation superfluous.

According to the greatest happiness principle, as above explained, the ultimate end, with reference to and for the sake of which all other things are desirable—whether we are considering our own good or that of other people—is an existence exempt as far as possible from pain, and as rich as possible in enjoyments, both in point of quantity and quality; the test of quality and the rule for measuring it against quantity being the preference felt by those who, in their opportunities of experience, to which must be added their habits of self-consciousness and self-observation, are best furnished with the means of comparison. This, being according to the utilitarian opinion the end of human action, is necessarily also the standard of morality, which may accordingly be defined "the rules and precepts for human conduct," by the observance of

which an existence such as has been described might be, to the greatest extent possible, secured to all mankind; and not to them only, but, so far as the nature of things admits, to the whole sentient creation....

Of What Sort of Proof the Principle of Utility Is Susceptible

It has already been remarked that questions of ultimate ends do not admit of proof, in the ordinary acceptation of the term. To be incapable of proof by reasoning is common to all first principles, to the first premises of our knowledge, as well as to those of our conduct. But the former, being matters of fact, may be the subject of a direct appeal to the faculties which judge of fact—namely our senses and our internal consciousness. Can an appeal be made to the same faculties on questions of practical ends? Or by what other faculty is cognizance taken of them?

Questions about ends are, in other words, questions [about] what things are desirable. The utilitarian doctrine is that happiness is desirable, and the only thing desirable, as an end; all other things being only desirable as means to that end. What ought to be required of this doctrine, what conditions is it requisite that the doctrine should fulfill—to make good its claim to be believed?

The only proof capable of being given that an object is visible is that people actually see it. The only proof that a sound is audible is that people hear it; and so of the other sources of our experience. In like manner, I apprehend, the sole evidence it is possible to produce that anything is desirable is that people do actually desire it. If the end which the utilitarian doctrine proposes to itself were not, in theory and in practice, acknowledged to be an end, nothing could ever convince any person that it was so. 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. This, however, being a fact, we have not only all the proof which the case admits of, but all which it is possible to require, that happiness is a good, that each person's happiness is a good to that person, and the general happiness, therefore, a good to the aggregate of all persons. Happiness has made out its title as one of the ends of conduct and, consequently, one of the criteria of morality.

But it has not, by this alone, proved itself to be the sole criterion. To do that, it would seem, by the same rule, necessary to show, not only that people desire happiness, but that they never desire anything else. Now it is palpable that they do desire things which, in common language, are decidedly distinguished from happiness. They desire, for example, virtue and the absence of vice no less really than pleasure and the absence of pain. The desire of virtue is not as universal, but it is as authentic a fact as the desire of happiness. And hence the opponents of the utilitarian standard deem that they have a right to infer that there are other ends of human action besides happiness, and that happiness is not the standard of approbation and disapprobation.

But does the utilitarian doctrine deny that people desire virtue, or maintain that virtue is not a thing to be desired? The very reverse. It maintains not only that virtue is to be desired, but that it is to be desired disinterestedly, for itself. Whatever may be the opinion of utilitarian moralists as to the original conditions by which virtue is made virtue, however they may believe (as they do) that actions and dispositions are only virtuous because they promote another end than virtue, yet this being granted, and it having been decided, from considerations of this description, what is virtuous, they not only place virtue at the very head of the things which are good as means to the ultimate end, but they also recognize as a psychological fact the possibility of its being, to the individual, a good in itself, without looking to any end beyond it; and hold that the mind is not in a right state, not in a state conformable to utility, not in the state most conducive to the general

happiness, unless it does love virtue in this manner-as a thing desirable in itself, even although, in the individual instance, it should not produce those other desirable consequences which it tends to produce, and on account of which it is held to be virtue. This opinion is not, in the smallest degree, a departure from the happiness principle. The ingredients of happiness are very various, and each of them is desirable in itself, and not merely when considered as swelling an aggregate. The principle of utility does not mean that any given pleasure, as music, for instance, or any given exemption from pain, as for example health, is to be looked upon as means to a collective something termed happiness, and to be desired on that account. They are desired and desirable in and for themselves; besides being means, they are a part of the end. Virtue, according to the utilitarian doctrine, is not naturally and originally part of the end, but it is capable of becoming so; and in those who live it disinterestedly it has become so, and is desired and cherished, not as a means to happiness, but as a part of their happiness.

To illustrate this further, we may remember that virtue is not the only thing originally a means, and which if it were not a means to anything else would be and remain indifferent, but which by association with what it is a means to comes to be desired for itself, and that too with the utmost intensity. What, for example, shall we say of the love of money? There is nothing originally more desirable about money than about any heap of glittering pebbles. Its worth is solely that of the things which it will buy; the desires for other things than itself, which it is a means of gratifying. Yet the love of money is not only one of the strongest moving forces of human life, but money is, in many cases, desired in and for itself-, the desire to possess it is often stronger than the desire to use it, and goes on increasing when all the desires which point to ends beyond it, to be compassed by it, are falling off. It may, then, be said truly that money is desired not for the sake of an end, but as part of the end. From being a means to happiness, it has come to be itself a principal ingredient of the individual's conception of happiness. The same may be said of the majority of the great objects of human life: power, for example, or fame, except that to each of these there is a certain amount of immediate pleasure annexed, which has at least the semblance of being naturally inherent in them-a thing which cannot be said of money. Still, however, the strongest natural attraction, both of power and of fame, is the immense aid they give to the attainment of our other wishes; and it is the strong association thus generated between them and all our objects of desire which gives to the direct desire of them the intensity it often assumes, so as in some characters to surpass in strength all other desires. In these cases the means have become a part of the end, and a more important part of it than any of the things which they are means to. What was once desired as an instrument for the attainment of happiness has come to be desired for its own sake. In being desired for its own sake it is, however, desired as part of happiness. The person is made, or thinks he would be made, happy by its mere possession; and is made unhappy by failure to obtain it. The desire of it is not a different thing from the desire of happiness any more than the love of music or the desire of health. They are included in happiness. They are some of the elements of which the desire of happiness is made up. Happiness is not an abstract idea but a concrete whole; and these are some of its parts. And the utilitarian standard sanctions and approves their being so. Life would be a poor thing, very ill provided with sources of happiness, if there were not this provision of nature by which things originally indifferent, but conducive to, or otherwise associated with, the satisfaction of our primitive desires, become in themselves sources of pleasure more valuable than the primitive pleasures, both in permanency, in the space of human existence that they are capable of covering, and even in intensity

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, and desired as such with as great intensity as any other good; and with this difference between it and the love of money, of power, or of fame-that all of these may, and often do, render the individual noxious to the other members of the society to which he belongs, whereas there is nothing which makes him so much a blessing to them as the cultivation of the disinterested love of virtue. And consequently, the utilitarian standard, while it tolerates and approves those other acquired desires, up to the point beyond which they would be more injurious to the general happiness than promotive of it, enjoins and requires the cultivation of the love of virtue up to the greatest strength possible, as being above all things important to the general happiness.

It results from the preceding considerations that there is in reality nothing desired except happiness. Whatever is desired other-wise than as a means to some end beyond itself, and ultimately to happiness, is desired as itself a part of happiness, and is not desired for itself until it has become so. Those who desire virtue for its own sake desire it either because the consciousness of it is a pleasure, or because the consciousness of being without it is a pain, or for both reasons united; as in truth the pleasure and pain seldom exist separately but almost always together-the same person feeling pleasure in the degree of virtue attained, and pain in not having attained more. If one of these gave him no pleasure, and the other no pain, he would not love or desire virtue, or would desire it only for the other benefits which it might produce to himself or to persons whom he cared for.

We have now, then, an answer to the question, of what sort of proof the principle of utility is susceptible. If the opinion which I have now stated is psychologically true-if human nature is so constituted as to desire nothing which is not either a part of happiness or a means of happiness-we can have no other proof, and we require no other, that these are the only things desirable. If so, happiness is the sole end of human action, and the promotion of it the test by which to judge all of human conduct; from whence it necessarily follows that it must be the criterion of morality, since a part is included in the whole.

Good Will, Duty and the Categorical Imperative

Fundamental Principles of the Metaphysics of Morals

Immanuel Kant

Translation by T.K. Abbot (1898)

NOTHING CAN POSSIBLY BE CONCEIVED in the world, or even out of it, which can be called good without qualification, except a good will. Intelligence wit, judgment, and other *talents of the mind*, however they may be named, or courage, resolution, perseverance, as qualities of temperament are undoubtedly good and desirable in many respects-, but these gifts of nature may also become extremely bad and mischievous *if the will which is to make use of them, and which, therefore constitutes what is called character, is not good*. It is the same with the *gifts of fortune*. Power, riches, honor, even health, and the general well-being and contentment with one's condition which is called *happiness*, inspire pride, and often presumption, if there is not a good will to correct the influence *of these on the mind, and with this also to rectify the whole principle of acting, and adapt it to its end*. The sight of a being who is not adorned with a single feature of a pure and good will, enjoying unbroken prosperity, can never give pleasure to an

impartial rational spectator. Thus a good will appears to constitute the indispensable condition even of being worthy of happiness.

There are even some qualities which are of service to this good will itself, and may facilitate its action yet which have no intrinsic unconditional value, but always presuppose a good will, and this qualifies the esteem that we justly have for them, and does not permit us to regard them as absolutely good. Moderation in the affections and passions, self-control, and calm deliberation are not only good in many respects, but even seem to constitute part of the intrinsic worth of the person; but they, are far from deserving to be called good without qualification, although they have been so unconditionally praised by the ancients. For without the principles of a good will, they may become extremely bad; and the coolness of a villain not only makes him far more dangerous, but also directly makes him more abominable in our eyes than lie would have been without it.

A good will is good not because of what it performs or effects, not by its aptness for the attainment of some proposed end, but simply by virtue of the volition -that is, it is good in itself, and considered by itself is to be esteemed much higher than all that can be brought about by it in favor of any inclination, nay, even of the sum total of all inclinations even if it should happen that, owing to special disfavor of fortune, or the niggardly provision of a stepmotherly nature, this will should wholly lack power to accomplish its purpose, if with its greatest efforts it should yet achieve nothing, and there should remain only the good will (not, to be sure, a mere wish, but the summoning of all means in our power), then, like a jewel, it would still shine by its own light, as a thing which has its whole value in itself. Its usefulness or fruitlessness can neither add to nor take away anything from this value. It would be, as it were, only the setting to enable us to handle it the more conveniently in common commerce, or to attract to it the attention of those who are not yet connoisseurs, but not to recommend it to true connoisseurs, or to determine its value....

Everything in nature works according to laws. Rational beings alone have the faculty of acting according to *the conception* of laws, that is according to principles, *i.e.* have a will. Since the deduction of actions from principles requires *reason*, the will is nothing but practical reason.... the relation of the objective laws to a will that is not thoroughly good is conceived as the determination of the will of a rational being by principles of reason, but which the will from its nature does not of necessity follow.

The conception of an objective principle, in so far as it is obligatory for a will, is called a command (of reason), and the formula of the command is called an Imperative. .

Now all *imperatives* command either *hypothetically* or *categorically*...

... If now the action is good only as a means to *something else*, then the imperative is hypothetically if it is conceived as good *in itself* consequently as being necessarily the principle of a will which of itself conforms to reason, then it is *categorical*...

When I conceive of a hypothetical imperative, in general I do not know beforehand what it will contain until I am given the condition. But when I conceive a categorical imperative, I know at once what it contains. For as the imperative contains besides the law only the necessity that the maxims shall conform to this law, while the law contains no conditions restricting it, there remains nothing but the general statement that the maxim of the action should conform to a Universal law, and it is this conformity alone that the imperative properly represents as necessary

There is ... but one categorical imperative namely, this: *Act only on that maxim whereby thou canst at the same time will that it should become a universal law*

Now if all imperatives of duty can be deduced from this one imperative as from their principle, then, although it should remain undecided whether what is called duty is not merely a vain notion, yet at least we shall be able to show what we understand by it and what this notion means.

Since the universality of the law according to which effects are produced constitutes what is properly called *nature* in the most general sense (as to form), that is the existence of things so far as it is determined by general laws, the imperative of duty may be expressed thus: *Act as if the maxim of thy action were to become by thy will a universal law of nature.* We will now enumerate a few duties, adopting the usual division of them into duties to ourselves and to others, and into perfect and imperfect duties.

1. A man reduced to despair by a series of misfortunes feels wearied of life, but is still so far in possession of his reason that he can ask himself whether it would not be contrary to his duty to himself to take his own life. Now he inquires whether the maxim of his action could become a universal law of nature. His maxim is: From self-love I adopt it as a principle to shorten my life when its longer duration is likely to bring more evil than satisfaction. It is asked then simply whether this principle founded on self-love can become a universal law of nature. Now we see at once that a system of nature of which it should be a law to destroy life by means of the very feeling whose special nature it is to impel to the improvement of life would contradict itself, and therefore could not exist as a system of nature; hence that maxim cannot possibly exist as a universal law of nature, and consequently would be wholly inconsistent with the supreme principle of all duty.

2. Another finds himself forced by necessity to borrow money. He knows that he will not be able to repay it, but sees also that nothing will be lent to him, unless he promises stoutly to repay it in a definite time. He desires to make this promise, but he has still so much conscience as to ask himself- Is it not unlawful and inconsistent with duty to get out of a difficulty in this way? Suppose, however, that he resolves to do so, then the maxim of his action would be expressed thus: When I think myself in want of money, I will borrow money and promise to repay it, although I know that I never can do so. Now this principle of self-love or of one's own advantage may perhaps be consistent with my whole future welfare; but the question now is, is it right? I change then the suggestion of self-love into a universal law, and state the question thus: How would it be if my maxim were a universal law? Then I see at once that it could never hold as a universal law of nature, but would necessarily contradict itself. For supposing it to be a universal law that everyone when he thinks himself in a difficulty should be able to promise whatever he pleases, with the purpose of not keeping his promise, the promise itself would become impossible, as well as the end that might have in view in it, since no one would consider that anything was promised to him, but would ridicule all such statements as vain pretences.

3. A third finds in himself a talent which with the help of some culture might make him a useful man in many respects. But he finds himself in comfortable circumstances, and prefers to indulge in pleasure rather than to take pains in enlarging and improving his happy natural capacities. He asks, however, whether his maxim of neglect of his natural gifts, besides agreeing with his inclination to indulgence, agrees also with what is called duty. He sees then that a system of nature could indeed subsist with such a universal law although men (like the South Sea islanders) should let their talents rest, and resolve to devote their lives merely to idleness, amusement, and propagation of their species- in a word, to enjoyment; but he cannot possibly will that this should be a universal law of nature, or be implanted in us as such by a natural instinct.

For, as a rational being, he necessarily wills that his faculties be developed, since they serve him, and have been given him, for all sorts of possible purposes.

4. A fourth, who is in prosperity, while he sees that others have to contend with great wretchedness and that he could help them, thinks: 'What concern is it of mine, let everyone be as happy as Heaven pleases, or as he can make himself, I will take nothing from him nor even envy him, only I do not wish to contribute anything to his welfare or to his assistance in distress! Now no doubt if such a mode of thinking were a universal law, the human race might very well subsist, and doubtless even better than in a state in which everyone talks of sympathy and goodwill, or even takes care occasionally to put it into practice, but, on the other side, also cheats when he can, betrays the rights of men, or otherwise violates them. But although it is possible that a Universal law of nature might exist in accordance with that maxim, it is impossible to nullify such a principle should have the Universal validity of a law of nature. For a will which resolved this would contradict itself, inasmuch as cases might occur in which one would have the need of the love and sympathy of others, and in which, by such a law of nature, sprung from his own will he would deprive himself of all hope of the aid he desires.... We have thus established at least this much, that if duty is a conception which is to have any import and real legislative authority for our actions, it can only be expressed in categorical, and not at all in hypothetical imperatives. We have also, which is of great importance, exhibited clearly and definitely for every practical application the content of the categorical imperative, which must contain the principle of all duty if there is such a thing at all. We have not yet, however, advanced so far as to prove *a priori* that there actually is such an imperative, that there is a practical law which commands absolutely of itself, and without any other impulse, and that the following of this law is duty....

Now I say: man and generally any rational being *exists* as an end in himself, *not merely as a means* to be arbitrarily used by this or that will, but in all his actions, whether they concern himself or other rational beings, must be always regarded at the same time as an end. All objects of the inclinations have only a conditional worth; for if the inclinations and the wants founded on them did not exist, then their object would be without value. But the inclinations themselves being sources of want are so far from having an absolute worth for which they should be desired that, on the contrary, it must be the universal wish of every rational being to be wholly free from them. Thus the worth of any object which is *to be acquired* by our action is always conditional. Beings whose existence depends not on our will but on nature have nevertheless, if they are not rational beings, only a relative value as means, and are therefore called *things*; rational beings, on the contrary, are called *persons*, because their very nature points them out as ends in themselves, that is as something which must not be used only as means, and so far therefore restricts freedom of action (and is an object of respect). These, therefore, are not merely subjective ends whose existence has a worth *for us* as an effect of our action, but *objective ends*, that is things whose existence is an end in itself. an end moreover for which no other can be substituted, which they should subserve *merely* as means, for otherwise nothing whatever would possess *absolute worth*; but if all worth were conditioned and therefore contingent, then there would be no supreme practical principle of reason whatever.

If then there is a Supreme practical principle or, in respect of the human will, a categorical imperative it must be one which, being drawn from the conception of that which is necessarily an end for everyone because it is an *end in itself* constitutes an *objective* principle of will, and can therefore serve as a universal practical law. The foundation of this principle is: *rational nature exists as an end in itself* Man necessarily conceives his own existence as being so: so far then this

is a *subjective* principle of human action. But every other rational being regards its existence similarly, just on the same rational principle, that holds for me: so that it is at the same time an objective principle, from which as a supreme practical law all laws of the will must be capable of being deduced. Accordingly the practical imperative will be as follows: So act *as* to treat *humanity, whether in thine own person or in that of any other, in every case as an end withal, never as means only...*

The conception of every rational being as one which must consider itself as giving all the maxims of its will universal laws, so as to judge itself and its actions from this point of view-this conception leads to another which depends on it and is very fruitful, namely, that of a *kingdom ends*.

By a *kingdom I* understand the union of different rational beings in a system by common laws. Now since it is by laws that ends are determined as regards their universal validity, hence, if we abstract from the personal differences of rational beings, and likewise from all the content of their private ends, we shall be able to conceive all ends combined in a systematic whole (including both rational beings as ends in themselves, and also the special ends which each may propose to himself), that is to say, we can conceive a kingdom of ends, which on the preceding principle is possible.

Ethical Relativism

HERODOTUS

Herodotus (485-430 B.C.) was the first Western historian.

If anyone, no matter who, were given the opportunity of choosing from amongst all the nations in the world the set of beliefs which he thought best, he would inevitably, after careful consideration of their relative merits, choose that of his own country. Everyone without exception believes his own native customs, and the religion he was brought up in, to be the best; and that being so, it is unlikely that anyone but a madman would mock at such things. There is abundant evidence that this is the universal feeling about the ancient customs of one's country. One might recall, in particular, an anecdote of Darius. When he was king of Persia, he summoned the Greeks who happened to be present at his court, and asked them what they would take to eat the dead bodies of their fathers. They replied that they would not do it for any money in the world. Later, in the presence of the Greeks, and through an interpreter, so that they could understand what was said, he asked some Indians, of the tribe called Callatae, who do in fact eat their parents' dead bodies, what they would take to burn them. They uttered a cry of horror and forbade him to mention such a dreadful thing. One can see by this what custom can do, and Pindar, in my opinion, was right when he called it "king of all."

Part Three

Goodness & Equality

Being & Becoming Good

The Ring of Gyges

From *The Republic*

By Plato

Translation by Benjamin Jowett

Glaucon: I have never heard from anyone the sort of defense of justice that I want to hear, proving that it is better than injustice. I want to hear it praised for itself, and I think I am most likely to hear this from you. Therefore I am going to speak at length in praise of the unjust life and in doing so I will show you the way I want to hear you denouncing injustice and praising justice. See whether you want to hear what I suggest.

SOCRATES: I want it more than anything else. Indeed, what subject would a man of sense talk and hear about more often with enjoyment?

Glaucon: Splendid, then listen while I deal with the first subject I mentioned: the nature and origin of justice. They say that to do wrong is naturally good, to be wronged is bad, but the suffering of injury so far exceeds in badness the good of inflicting it that when men have done wrong to each other and suffered it, and have had a taste of both, those who are unable to avoid the latter and practice the former decide that it is profitable to come to an agreement with each other neither to inflict injury nor to suffer it. As a result they begin to make laws and covenants, and the law's command they call lawful and just. This, they say, is the origin and essence of justice. It stands between the best and the worst, the best being to do wrong without paying the penalty and the worst to be wronged without the power of revenge.

The just then is a mean between two extremes; it is welcomed and honored because of men's lack of the power to do wrong. The man who has that power, the real man, would not make a compact with anyone not to inflict injury or suffer it. For him that would be madness. This then, Socrates, is, according to their argument, the nature and origin of justice.

Even those who practice justice do so against their will because they lack the power to do wrong. This we could realize very clearly if we imagined ourselves granting to both the just and the unjust the freedom to do whatever they liked. We could then follow both of them and observe where their desires led them, and we would catch the just man red-handed traveling the same road as the unjust. The reason is the desire for undue gain which every organism by nature pursues as a good, but the law forcibly sidetracks him to honour equality. The freedom I just mentioned would most easily occur if these men had the power which they say the ancestor of the Lydian Gyges possessed. The story is that he was a shepherd in the service of the ruler of Lydia. There was a violent rainstorm and an earthquake which broke open the ground and created a chasm at the place where he was tending sheep. Seeing this and marveling, he went down into it. He saw, besides many other wonders of which we are told, a hollow bronze horse. There were window like openings in it; he climbed through them and caught sight of a corpse which seemed of more than human stature, wearing nothing but a ring of gold on its finger. This ring the shepherd put on and came out. He arrived at the usual monthly meeting which reported to the king on the state of the flocks, wearing the ring. As he was sitting among the others he happened to twist the hoop of the ring towards himself, to the inside of his hand, and as he did this he became invisible to those sitting near him and they went on talking as if he had gone. He marveled at this and, fingering the ring, he turned the hoop outward again and became visible. Perceiving this he tested whether the ring had this power and so it happened: if he turned the hoop inwards he became invisible, but was visible when he turned it outwards. When he realized this, he at once arranged to become one of the messengers to the king. He went, committed

adultery with the king's wife, attacked the king with her help, killed him, and took over the kingdom.

Now if there were two such rings, one worn by the just man, the other by the unjust, no one, as these people think, would be so incorruptible that he would stay on the path of justice or bring himself to keep away from other people's property and not touch it, when he could with impunity take whatever he wanted from the market, go into houses and have sexual relations with anyone he wanted, kill anyone, free all those he wished from prison, and do the other things which would make him like a god among men. His actions would be in no way different from those of the other and they would both follow the same path. This, some would say, is a great proof that no one is just willingly' but under compulsion, so that justice is not one's private good, since wherever either thought he could do wrong with impunity he would do so. Every man believes that injustice is much more profitable to himself than justice, and any exponent of this argument will say that he is right. The man who did not wish to do wrong with that opportunity, and did not touch other people's property, would be thought by those who knew it to be very foolish and miserable. They would praise him in public, thus deceiving one another, for fear of being wronged. So much for my second topic.

As for the choice between the lives we are discussing, we shall be able to make a correct judgment about it only if we put the most just man and the most unjust man face to face; otherwise we cannot do so. By face to face I mean this: let us grant to the unjust the fullest degree of injustice and to the just the fullest justice, each being perfect in his own pursuit. First, the unjust man will act as clever craftsmen do—a top navigator for example or physician distinguishes what his craft can do and what it cannot; the former he will undertake, the latter he will pass by, and when he slips he can put things right. So the unjust man's correct attempts at wrongdoing must remain secret; the one who is caught must be considered a poor performer, for the extreme of injustice is to have a reputation for justice, and our perfectly unjust man must be granted perfection in injustice. We must not take this from him, but we must allow that, while committing the greatest crimes, he has provided himself with the greatest reputation for justice; if he makes a slip he must be able to put it right; he must be a sufficiently persuasive speaker if some wrongdoing of his is made public; he must be able to use force, where force is needed, with the help of his courage, his strength, and the friends and wealth with which he has provided himself.

Having described such a man, let us now in our argument put beside him the just man, simple as he is and noble, who, as Aeschylus put it, does not wish to appear just but to be so. We must take away his reputation, for a reputation for justice would bring him honor and rewards, and it would then not be clear whether he is what he is for justice's sake or for the sake of rewards and honor. We must strip him of everything except justice and make him the complete opposite of the other. Though he does no wrong, he must have the greatest reputation for wrongdoing so that he may be tested for justice by not weakening under ill repute and its consequences. Let him go his incorruptible way until death with a reputation for injustice throughout his life, just though he is, so that our two men may reach the extremes, one of justice, the other of in justice, and let them be judged as to which of the two is the happier.

SOCRATES: Whew! My dear Glaucon, what a mighty scouring you have given those two characters, as if they were statues in a competition.

Moral Education and the State

Excerpt from Nicomachean Ethics

By Aristotle

Written 350 B.C.E

Translated by W. D. Ross

Book II

1

Virtue, then, being of two kinds, intellectual and moral, intellectual virtue in the main owes both its birth and its growth to teaching (for which reason it requires experience and time), while moral virtue comes about as a result of habit, whence also its name (ethike) is one that is formed by a slight variation from the word ethos (habit). From this it is also plain that none of the moral virtues arises in us by nature; for nothing that exists by nature can form a habit contrary to its nature. For instance the stone which by nature moves downwards cannot be habituated to move upwards, not even if one tries to train it by throwing it up ten thousand times; nor can fire be habituated to move downwards, nor can anything else that by nature behaves in one way be trained to behave in another. Neither by nature, then, nor contrary to nature do the virtues arise in us; rather we are adapted by nature to receive them, and are made perfect by habit.

Again, of all the things that come to us by nature we first acquire the potentiality and later exhibit the activity (this is plain in the case of the senses; for it was not by often seeing or often hearing that we got these senses, but on the contrary we had them before we used them, and did not come to have them by using them); but the virtues we get by first exercising them, as also happens in the case of the arts as well. For the things we have to learn before we can do them, we learn by doing them, e.g. men become builders by building and lyre players by playing the lyre; so too we become just by doing just acts, temperate by doing temperate acts, brave by doing brave acts.

This is confirmed by what happens in states; for legislators make the citizens good by forming habits in them, and this is the wish of every legislator, and those who do not effect it miss their mark, and it is in this that a good constitution differs from a bad one.

Again, it is from the same causes and by the same means that every virtue is both produced and destroyed, and similarly every art; for it is from playing the lyre that both good and bad lyre-players are produced. And the corresponding statement is true of builders and of all the rest; men will be good or bad builders as a result of building well or badly. For if this were not so, there would have been no need of a teacher, but all men would have been born good or bad at their craft. This, then, is the case with the virtues also; by doing the acts that we do in our transactions with other men we become just or unjust, and by doing the acts that we do in the presence of danger, and being habituated to feel fear or confidence, we become brave or cowardly. The same is true of appetites and feelings of anger; some men become temperate and good-tempered, others self-indulgent and irascible, by behaving in one way or the other in the appropriate circumstances. Thus, in one word, states of character arise out of like activities. This is why the activities we exhibit must be of a certain kind; it is because the states of character correspond to the differences between these. It makes no small difference, then, whether we form habits of one kind or of another from our very youth; it makes a very great difference, or rather all the difference.

2

Since, then, the present inquiry does not aim at theoretical knowledge like the others (for we are inquiring not in order to know what virtue is, but in order to become good, since otherwise our inquiry would have been of no use), we must examine the nature of actions, namely how we

ought to do them; for these determine also the nature of the states of character that are produced, as we have said. Now, that we must act according to the right rule is a common principle and must be assumed—it will be discussed later, i.e. both what the right rule is, and how it is related to the other virtues. But this must be agreed upon beforehand, that the whole account of matters of conduct must be given in outline and not precisely, as we said at the very beginning that the accounts we demand must be in accordance with the subject-matter; matters concerned with conduct and questions of what is good for us have no fixity, any more than matters of health. The general account being of this nature, the account of particular cases is yet more lacking in exactness; for they do not fall under any art or precept but the agents themselves must in each case consider what is appropriate to the occasion, as happens also in the art of medicine or of navigation.

But though our present account is of this nature we must give what help we can. First, then, let us consider this, that it is the nature of such things to be destroyed by defect and excess, as we see in the case of strength and of health (for to gain light on things imperceptible we must use the evidence of sensible things); both excessive and defective exercise destroys the strength, and similarly drink or food which is above or below a certain amount destroys the health, while that which is proportionate both produces and increases and preserves it. So too is it, then, in the case of temperance and courage and the other virtues. For the man who flies from and fears everything and does not stand his ground against anything becomes a coward, and the man who fears nothing at all but goes to meet every danger becomes rash; and similarly the man who indulges in every pleasure and abstains from none becomes self-indulgent, while the man who shuns every pleasure, as boors do, becomes in a way insensible; temperance and courage, then, are destroyed by excess and defect, and preserved by the mean.

But not only are the sources and causes of their origination and growth the same as those of their destruction, but also the sphere of their actualization will be the same; for this is also true of the things which are more evident to sense, e.g. of strength; it is produced by taking much food and undergoing much exertion, and it is the strong man that will be most able to do these things. So too is it with the virtues; by abstaining from pleasures we become temperate, and it is when we have become so that we are most able to abstain from them; and similarly too in the case of courage; for by being habituated to despise things that are terrible and to stand our ground against them we become brave, and it is when we have become so that we shall be most able to stand our ground against them.

3

We must take as a sign of states of character the pleasure or pain that ensues on acts; for the man who abstains from bodily pleasures and delights in this very fact is temperate, while the man who is annoyed at it is self-indulgent, and he who stands his ground against things that are terrible and delights in this or at least is not pained is brave, while the man who is pained is a coward. For moral excellence is concerned with pleasures and pains; it is on account of the pleasure that we do bad things, and on account of the pain that we abstain from noble ones. Hence we ought to have been brought up in a particular way from our very youth, as Plato says, so as both to delight in and to be pained by the things that we ought; for this is the right education.

Again, if the virtues are concerned with actions and passions, and every passion and every action is accompanied by pleasure and pain, for this reason also virtue will be concerned with pleasures and pains. This is indicated also by the fact that punishment is inflicted by these means; for it is a kind of cure, and it is the nature of cures to be effected by contraries.

Again, as we said but lately, every state of soul has a nature relative to and concerned with the kind of things by which it tends to be made worse or better; but it is by reason of pleasures and pains that men become bad, by pursuing and avoiding these- either the pleasures and pains they ought not or when they ought not or as they ought not, or by going wrong in one of the other similar ways that may be distinguished. Hence men even define the virtues as certain states of impassivity and rest; not well, however, because they speak absolutely, and do not say 'as one ought' and 'as one ought not' and 'when one ought or ought not', and the other things that may be added. We assume, then, that this kind of excellence tends to do what is best with regard to pleasures and pains, and vice does the contrary.

The following facts also may show us that virtue and vice are concerned with these same things. There being three objects of choice and three of avoidance, the noble, the advantageous, the pleasant, and their contraries, the base, the injurious, the painful, about all of these the good man tends to go right and the bad man to go wrong, and especially about pleasure; for this is common to the animals, and also it accompanies all objects of choice; for even the noble and the advantageous appear pleasant.

Again, it has grown up with us all from our infancy; this is why it is difficult to rub off this passion, engrained as it is in our life. And we measure even our actions, some of us more and others less, by the rule of pleasure and pain. For this reason, then, our whole inquiry must be about these; for to feel delight and pain rightly or wrongly has no small effect on our actions.

Again, it is harder to fight with pleasure than with anger, to use Heraclitus' phrase', but both art and virtue are always concerned with what is harder; for even the good is better when it is harder. Therefore for this reason also the whole concern both of virtue and of political science is with pleasures and pains; for the man who uses these well will be good, he who uses them badly bad.

That virtue, then, is concerned with pleasures and pains, and that by the acts from which it arises it is both increased and, if they are done differently, destroyed, and that the acts from which it arose are those in which it actualizes itself- let this be taken as said.

4

The question might be asked,; what we mean by saying that we must become just by doing just acts, and temperate by doing temperate acts; for if men do just and temperate acts, they are already just and temperate, exactly as, if they do what is in accordance with the laws of grammar and of music, they are grammarians and musicians.

Or is this not true even of the arts? It is possible to do something that is in accordance with the laws of grammar, either by chance or at the suggestion of another. A man will be a grammarian, then, only when he has both done something grammatical and done it grammatically; and this means doing it in accordance with the grammatical knowledge in himself.

Again, the case of the arts and that of the virtues are not similar; for the products of the arts have their goodness in themselves, so that it is enough that they should have a certain character, but if the acts that are in accordance with the virtues have themselves a certain character it does not follow that they are done justly or temperately. The agent also must be in a certain condition when he does them; in the first place he must have knowledge, secondly he must choose the acts, and choose them for their own sakes, and thirdly his action must proceed from a firm and unchangeable character. These are not reckoned in as conditions of the possession of the arts, except the bare knowledge; but as a condition of the possession of the virtues knowledge has little or no weight, while the other conditions count not for a little but for everything, i.e. the very conditions which result from often doing just and temperate acts.

Actions, then, are called just and temperate when they are such as the just or the temperate man would do; but it is not the man who does these that is just and temperate, but the man who also does them as just and temperate men do them. It is well said, then, that it is by doing just acts that the just man is produced, and by doing temperate acts the temperate man; without doing these no one would have even a prospect of becoming good.

But most people do not do these, but take refuge in theory and think they are being philosophers and will become good in this way, behaving somewhat like patients who listen attentively to their doctors, but do none of the things they are ordered to do. As the latter will not be made well in body by such a course of treatment, the former will not be made well in soul by such a course of philosophy.

Book X

9

If these matters and the virtues, and also friendship and pleasure, have been dealt with sufficiently in outline, are we to suppose that our programme has reached its end? Surely, as the saying goes, where there are things to be done the end is not to survey and recognize the various things, but rather to do them; with regard to virtue, then, it is not enough to know, but we must try to have and use it, or try any other way there may be of becoming good. Now if arguments were in themselves enough to make men good, they would justly, as Theognis says, have won very great rewards, and such rewards should have been provided; but as things are, while they seem to have power to encourage and stimulate the generous-minded among our youth, and to make a character which is gently born, and a true lover of what is noble, ready to be possessed by virtue, they are not able to encourage the many to nobility and goodness. For these do not by nature obey the sense of shame, but only fear, and do not abstain from bad acts because of their baseness but through fear of punishment; living by passion they pursue their own pleasures and the means to them, and the opposite pains, and have not even a conception of what is noble and truly pleasant, since they have never tasted it. What argument would remold such people? It is hard, if not impossible, to remove by argument the traits that have long since been incorporated in the character; and perhaps we must be content if, when all the influences by which we are thought to become good are present, we get some tincture of virtue.

Now some think that we are made good by nature, others by habituation, others by teaching. Nature's part evidently does not depend on us, but as a result of some divine causes is present in those who are truly fortunate; while argument and teaching, we may suspect, are not powerful with all men, but the soul of the student must first have been cultivated by means of habits for noble joy and noble hatred, like earth which is to nourish the seed. For he who lives as passion directs will not hear argument that dissuades him, nor understand it if he does; and how can we persuade one in such a state to change his ways? And in general passion seems to yield not to argument but to force. The character, then, must somehow be there already with a kinship to virtue, loving what is noble and hating what is base.

But it is difficult to get from youth up a right training for virtue if one has not been brought up under right laws; for to live temperately and hardily is not pleasant to most people, especially when they are young. For this reason their nurture and occupations should be fixed by law; for they will not be painful when they have become customary. But it is surely not enough that when they are young they should get the right nurture and attention; since they must, even when they are grown up, practice and be habituated to them, we shall need laws for this as well, and

generally speaking to cover the whole of life; for most people obey necessity rather than argument, and punishments rather than the sense of what is noble.

This is why some think that legislators ought to stimulate men to virtue and urge them forward by the motive of the noble, on the assumption that those who have been well advanced by the formation of habits will attend to such influences; and that punishments and penalties should be imposed on those who disobey and are of inferior nature, while the incurably bad should be completely banished. A good man (they think), since he lives with his mind fixed on what is noble, will submit to argument, while a bad man, whose desire is for pleasure, is corrected by pain like a beast of burden. This is, too, why they say the pains inflicted should be those that are most opposed to the pleasures such men love.

However that may be, if (as we have said) the man who is to be good must be well trained and habituated, and go on to spend his time in worthy occupations and neither willingly nor unwillingly do bad actions, and if this can be brought about if men live in accordance with a sort of reason and right order, provided this has force,-if this be so, the paternal command indeed has not the required force or compulsive power (nor in general has the command of one man, unless he be a king or something similar), but the law has compulsive power, while it is at the same time a rule proceeding from a sort of practical wisdom and reason. And while people hate men who oppose their impulses, even if they oppose them rightly, the law in its ordaining of what is good is not burdensome.

In the Spartan state alone, or almost alone, the legislator seems to have paid attention to questions of nurture and occupations; in most states such matters have been neglected, and each man lives as he pleases, Cyclops-fashion, 'to his own wife and children dealing law'. Now it is best that there should be a public and proper care for such matters; but if they are neglected by the community it would seem right for each man to help his children and friends towards virtue, and that they should have the power, or at least the will, to do this.

It would seem from what has been said that he can do this better if he makes himself capable of legislating. For public control is plainly effected by laws, and good control by good laws; whether written or unwritten would seem to make no difference, nor whether they are laws providing for the education of individuals or of groups-any more than it does in the case of music or gymnastics and other such pursuits. For as in cities laws and prevailing types of character have force, so in households do the injunctions and the habits of the father, and these have even more because of the tie of blood and the benefits he confers; for the children start with a natural affection and disposition to obey. Further, private education has an advantage over public, as private medical treatment has; for while in general rest and abstinence from food are good for a man in a fever, for a particular man they may not be; and a boxer presumably does not prescribe the same style of fighting to all his pupils. It would seem, then, that the detail is worked out with more precision if the control is private; for each person is more likely to get what suits his case.

But the details can be best looked after, one by one, by a doctor or gymnastic instructor or any one else who has the general knowledge of what is good for every one or for people of a certain kind (for the sciences both are said to be, and are, concerned with what is universal); not but what some particular detail may perhaps be well looked after by an unscientific person, if he has studied accurately in the light of experience what happens in each case, just as some people seem to be their own best doctors, though they could give no help to any one else. None the less, it will perhaps be agreed that if a man does wish to become master of an art or science he must go to the universal, and come to know it as well as possible; for, as we have said, it is with this that the sciences are concerned.

Excerpt from *Emile*

Jean-Jacques Rousseau

The Object of Education

Coming from the hands of the Author of all things, everything is good; in the hands of man, everything degenerates. Man obliges one soil to nourish the productions of another, one tree to bear the fruits of another; he mingles and confounds climates, elements, seasons; he mutilates his dog, his horse, his slave. He overturns everything, disfigures everything; he loves deformity, monsters; he desires that nothing should be as nature made it, not even man himself...

We are born weak, we need strength; we are born destitute of all things, we need assistance; we are born stupid, we need judgment. All that we have not at our birth, and that we need when grown up, is given us by education.

This education comes to us from nature itself, or from other men, or from circumstances. The internal development of our faculties and of our organs is the education nature gives us; the use we are taught to make of this development is the education we get from other men; and what we learn, by our own experience, about things that interest us, is the education of circumstances.... Watch nature carefully, and follow the paths she traces out for you. She gives children continual exercise; she strengthens their constitution by ordeals of every kind; she teaches them early what pain and trouble mean....

This is the law of nature. Why do you oppose her? Do you not see that in thinking to correct her you destroy her work and counteract the effect of all her cares? ...

The Education of Emile*Result. The Pupil at the Age of Ten or Twelve*

Supposing that my method is indeed that of nature itself, and that I have made no mistakes in applying it, I have now conducted my pupil through the region of sensations to the boundaries of childish reason. The first step beyond should be that of a man. But before beginning this new career, let us for a moment cast our eyes over what we have just traversed. Every age and station in life has a perfection, a maturity, all its own.... When he tells you what he has been thinking or doing, he will speak of the evil as freely as of the good, not in the least embarrassed by its effect upon those who hear him. He will use words in all the simplicity of their original meaning.

We like to prophesy good of children, and are always sorry when a stream of nonsense comes to disappoint hopes aroused by some chance repartee. My pupil seldom awakens such hopes, and will never cause such regrets: for he never utters an unnecessary word, or wastes breath in babble to which he knows nobody will listen....

He does not know the meaning of custom or routine. What he did yesterday does not in any wise affect his actions of to-day. He never follows a rigid formula, or gives way in the least to authority or to example. Everything he does and says is after the natural fashion of his age.

Expect of him, therefore, no formal speeches or studied manners, but always the faithful expression of his own ideas, and a conduct arising from his own inclinations.

You will find he has a few moral ideas in relation to his own concerns, but in regard to men in general, none at all. Of what use would these last be to him, since a child is not yet an active member of society? Speak to him of liberty, of prop-erty, even of things done by common consent, and he may understand you. He knows why his own things belong to him and those of another person do not, and beyond this he knows nothing. Speak to him of duty and obedience, and he will not know what you mean. Command him to do a thing, and he will not understand you. But tell him that if he will do you such and such a favor, you will do the same for him whenever you can, and he will readily oblige you; for he likes nothing better than to increase his power, and to lay you under obligations he knows to be inviolable. Perhaps, too, he enjoys being recognized as somebody and accounted worth something. But if this last be his motive, he has already left the path of nature, and you have not effectually closed the approaches to vanity....

Leave him at liberty and by himself, and without saying a word, watch what he does, and how he does it. Knowing perfectly well that he is free, he will do nothing from mere thoughtlessness, or just to show that he can do it; for is he not aware that he is always his own master? ...

Result. The Pupil at the Age of Fifteen

I think these explanations will suffice to mark distinctly the advance my pupil's mind has hitherto made, and the route by which he has advanced. You are probably alarmed at the number of subjects I have brought to his notice. You are afraid I will overwhelm his mind with all this knowledge. But I teach him rather not to know them than to know them. I am showing him a path to knowledge not in-deed difficult, but without limit, slowly measured, long, or rather endless, and tedious to follow. I am showing him how to take the first steps, so that he may know its beginning, but allow him to go no farther.

Obliged to learn by his own effort, he employs his own reason, not that of another. Most of our mistakes arise less within ourselves than from others; so that if he is not to be ruled by opinion, he must receive nothing upon authority. Such continual exercise must invigorate the mind as labor and fatigue strengthen the body....

Smile is industrious, temperate, patient, steadfast, and full of courage. His imagination, never aroused, does not exaggerate dangers. He feels few discomforts, and can bear pain with fortitude, because he has never learned to contend with fate. He does not yet know exactly what death is, but, accustomed to yield to the law of necessity, he will die when he must, without a groan or a struggle. Nature can do no more at that moment abhorred by all. To live free and to have little to do with human affairs is the best way of learning how to die.

In a word, Smile has even virtue which affects himself. To have the social virtues as well, he only needs to know the relations which make them necessary; and this knowledge his mind is ready to receive. He considers himself independently of others, and is satisfied when others do not think of him at all. He exacts nothing from others, and never thinks of owing anything to them. He is alone in human society, and depends solely upon himself. He has the best right of all to be independent, for he is all that any one can be at his age. He has no errors but such as a human being must have; no vices but those from which no one can war-rant himself exempt. He

has a sound constitution, active limbs, a fair and un-prejudiced mind, a heart free and without passions. Self-love, the first and most natural of all, has scarcely manifested itself at all. Without disturbing any one's peace of mind he has led a happy, contented life, as free as nature will allow...

The Rights of Women (1792)

MARY WOLLSTONECRAFT

FROM THE RESPECT PAID TO PROPERTY FLOW, as from a poisoned fountain, most of the evils and vices which render this world such a dreary scene to the contemplative mind. For it is in the most polished society that noisome reptiles and venomous serpents lurk under the rank herbage; and there is voluptuousness pampered by the still sultry air, which relaxes every good disposition before it ripens into virtue.

One class presses on another, for all are aiming to procure respect on account of their property; and property once gained will procure the respect due only to talents and virtue. Men neglect the duties incumbent on man, yet are treated like demigods. Religion is also separated from morality by a ceremonial veil, yet men wonder that the world is almost, literally speaking, a den of sharpers or oppressors.

There is a homely proverb, which speaks shrewd truth, that whoever the devil finds idle he will employ. And what but habitual idleness can heredity wealth and titles produce? For man is so constituted that he can only attain a proper use of his faculties by exercising them, and will not exercise them unless necessity of some kind first set the wheels in motion. Virtue likewise can only be acquired by the discharge of relative duties; but the importance of these sacred duties will scarcely be felt by the being who is cajoled out of his humanity by the flattery of sycophants. There must be more equality established in society, or morality will never gain ground, and this virtuous equality will not rest firmly even when founded on a rock, if one-half of mankind be chained to its bottom by fate, for they will be continually undermining it through ignorance or pride.

It is vain to expect virtue from women till they are in some degree independent of men; nay, it is vain to expect that strength of natural affection which would make them good wives and mothers. While they are absolutely dependent on their husbands they will be cunning, mean, and selfish; and the men who can be gratified by the fawning fondness of spaniel-like affection have not much delicacy, for love is not to be bought; in any sense of the words, its silken wings are instantly shriveled up when anything beside a return in kind is sought. Yet whilst wealth enervates men, and women live,

as it were, by their personal charms, how can we expect them to discharge those ennobling duties which equally require exertion and self-denial? Hereditary property sophisticates the mind, and the unfortunate victims to it-if I may so express myself-swathed from their birth, seldom exert the locomotive faculty of body or mind, and thus viewing everything through one medium, and that a false one, they are unable to discern in what true merit and happiness consist. False, indeed, must be the fight when the drapery of situation hides the man, and makes him stalk in masquerade, dragging from one scene of dissipation to another the nerveless limbs that hang

with stupid listlessness, and rolling round the vacant eye, which plainly tells us that there is no mind at home.

I mean therefore to infer that the society is not properly organized which does not compel men and women to discharge their respective duties by making it the only way to acquire that countenance from their fellow-creatures, which every human being wishes some way to attain. The respect consequently which is paid to wealth and mere personal charms is a true north-east blast that blights the tender blossoms of affection and virtue. Nature has wisely attached affections to duties to sweeten toil, and to give that vigor to the exertions of reason which only the heart can give. But the affection which is put on merely because it is the appropriated insignia of a certain character, when its duties are not fulfilled, is one of the empty compliments which vice and folly are obliged to pay to virtue and the real nature of things.

To illustrate my opinion, I need only observe that when a woman is admired for her beauty, and suffers herself to be so far intoxicated by the admiration she receives as to neglect to discharge the indispensable duty of a mother, she sins against herself by neglecting to cultivate an affection that would equally tend to make her useful and happy. True happiness -I mean all the contentment and virtuous satisfaction that can be snatched in this imperfect state-must arise from well-regulated affections, and an affection includes a duty. Men are not aware of the misery they cause, and the vicious weakness they cherish, by only inciting women to render themselves pleasing; they do not consider that they thus make natural and artificial duties clash by sacrificing the comfort and respectability of a woman's life to voluptuous notions of beauty, when in nature they all harmonize.

Cold would be the heart of a husband, were he not rendered unnatural by early debauchery, who did not feel more delight at seeing his child suckled by its mother than the most artful wanton tricks could ever raise, yet this natural way of cementing the matrimonial tie, and twisting esteem with fonder recollections, wealth leads women to spurn. To preserve their beauty, and wear the flowery crown of the day, which gives them a kind of right to reign for a short time over the sex, they neglect to stamp impressions on their husbands' hearts that would be remembered with more tenderness when the snow on the head began to chill the bosom than even their virgin charms. The maternal solicitude of a reasonable affectionate woman is very interesting, and the chastened dignity with which a mother returns the caresses that she and her child receive from a father who has been fulfilling the serious duties of his station is not only a respectable, but a beautiful sight. So singular, indeed, are my feelings -and I have endeavored not to catch factitious ones-that after having been fatigued with the sight of insipid grandeur and the slavish ceremonies that with cumbrous pomp supplied the place of domestic affections, I have turned to some other scene to relieve my eye by resting it on the refreshing green everywhere scattered by Nature. I have then viewed with pleasure a woman nursing her children, and discharging the duties of her station with perhaps merely a servant-maid to take off her hands the servile part of the household business. I have seen her prepare herself and children, with only the luxury of cleanliness, to receive her husband, who, returning weary home in the evening, found smiling babes and clean hearth. My heart has loitered in the midst of the group, and has even throbbed with sympathetic emotion when the scraping of the well-known foot has raised a pleasing tumult.

Whilst my benevolence has been gratified by contemplating this artless picture, I have thought that a couple of this description, equally necessary and independent of each other, because each fulfilled the respective duties of their station, possessed all that life could give. Raised sufficiently above abject poverty not to be obliged to weight the consequence of every farthing

they spend, and having sufficient to prevent their attending to a frigid system of economy which narrows both heart and mind, I declare, so vulgar are my conceptions, that I know not what is wanted to tender this the happiest as well as the most respectable situation in the world, but a taste for literature, to throw a little variety and interest into social converse, and some superfluous money to give to the needy and to buy books. For it is not pleasant when the heart is opened by compassion, and the head active in arranging plans of usefulness, to have a prim urchin continually twitching back the elbow to prevent the hand from drawing out an almost empty purse, whispering at the same time some prudential maxim about the priority of justice.

Destructive, however, as riches and inherited honors are to the human character, women are more debased and cramped, if possible, by them than men, because men may still in some degree unfold their faculties by becoming soldiers and statesmen.

As soldiers, I grant they can now only gather for the most part vainglorious laurels, whilst they adjust to a hair the European balance, taking especial care that no bleak northern nook or sound incline the beam. But the days of true heroism are over, when a citizen fought for his country like a Fabricius or a Washington, and then returned to his farm to let his virtuous fervor run in a more placid, but not a less salutary, stream. No, our British heroes are oftener sent from the gaming-table than from the plough; and their passions have been rather inflamed by hanging with dumb suspense on the turn of a die, then sublimated by painting after the adventurous march of virtue in the historic page.

The statesman, it is true, might with more propriety quit the faro bank, or card-table, to guide the helm, for he has still but to shuffle and trick the whole system of British politics, if system it may courteously be called, consisting in multiplying dependents and contriving taxes which grind the poor to pamper the rich. Thus a war, or any wild-goose chase, is, as the vulgar use the phrase, a lucky turn-up of patronage for the minister, whose chief merit is the art of keeping himself in place. It is not necessary then that he should have bowls for the poor, so he can secure for his family the odd trick. Or should some show of respect, for what is termed with ignorant ostentation an Englishman's birthright, be expedient to bubble the gruff mastiff that he has to lead by the nose, he can make an empty show, very safely, by giving his single voice, and suffering his light squadron to file off to the other side. And when a question of humanity is agitated, he may dip a sop in the milk of human kindness to silence Cerberus, and talk of the interest which his heart takes in an attempt to make the earth no longer cry for vengeance as it sucks in its children's blood, though his cold hand may at the very moment rivet their chains, by sanctioning the abominable traffic. A minister is no longer a minister, than while he can carry a point, which he is determined to carry. Yet it is not necessary that a minister should feel like a man, when a bold push might shake his seat.

But, to have done with these episodal observations, let me return to the more specious slavery which chains the very soul of woman, keeping her for ever under the bondage of ignorance.

The preposterous distinctions of rank, which render civilization a curse, by dividing the world between voluptuous tyrants and cunning envious dependents, corrupt, almost equally, every class of people, because respectability is not attached to the discharge of the relative duties of life, but to the station, and when the duties are not fulfilled the affections cannot gain sufficient strength to fortify the virtue of which they are the natural reward, Still there are some loop-holes out of which a man may creep, and dare to think and act for himself; but for a woman it is a herculean task, because she has difficulties peculiar to her sex to overcome, which require almost superhuman powers.

A benevolent legislator always endeavors to make it the interest of each individual to be virtuous; and thus private virtue becoming the cement of public happiness, an orderly whole is consolidated by the tendency of all the parts towards a common center. But the private or public virtue of woman is very problematical, for Rousseau, and a numerous list of male writers, insist that she should all her life be subjected to a severe restraint, that of propriety. Why subject her to propriety-blind propriety-if she be capable of acting from a nobler spring, if she be an heir of immortality? Is sugar always to be produced by vital blood? Is one half of the human species, like the poor African slaves, to be subject to prejudices that brutalize them, when principles would be a surer guard, only to sweeten the cup of man? Is not this indirectly to deny woman reason? For a gift is a mockery, if it be unfit to use.

Women are, in common with men, rendered weak and luxurious by the relaxing pleasures which wealth procures; but added to this they are made slaves to their persons, and must render them alluring that man may lend them his reason to guide their tottering steps aright. Or should they be ambitious, they must govern their tyrants by sinister tricks, for without rights there cannot be any incumbent duties. The laws respecting woman, which I mean to discuss in a future part, make an absurd unit of a man and his wife; and then, by the easy transition of only considering him as responsible, she is reduced to a mere cipher.

The being who discharges the duties of its station is independent; and, speaking of women at large, their first duty is to themselves as rational creatures, and the next, in point of importance, as citizens, is that, which includes so many, of a mother. The rank in life which dispenses with their fulfilling this duty, necessarily degrades them by making them mere dolls. Or should they turn to something more important than merely fitting drapery upon a smooth block, their minds are only occupied by some soft platonic attachment; or the actual management of an intrigue may keep their thoughts in motion; for when they neglect domestic duties, they have it not in their power to take the field and march and counter-march like soldiers, or wrangle in the senate to keep their faculties from rusting.

I know that, as a proof of the inferiority of the sex, Rousseau has exultingly exclaimed, How can they leave the nursery for the camp! And the camp has by some moralists been proved the school of the most heroic virtues; though I think it would puzzle a keen casuist to prove the reasonableness of the greater number of wars that have dubbed heroes. I do not mean to consider this question critically; because, having frequently viewed these freaks of ambition as the first natural mode of civilization, when the ground must be torn up, and the woods cleared by fire and sword, I do not choose to call them pests; but surely the present system of war has little connection with virtue of any denomination, being rather the school of nescience and effeminacy than of fortitude.

Yet, if defensive war, the only justifiable war, in the present advanced state of society where virtue can show its face and ripen amidst the rigors which purify the air on the mountain's top, were alone to be adopted as just and glorious, the true heroism of antiquity might again animate female bosoms. But fair and softly, gentle reader, male or female, do not alarm thyself, for though I have compared the character of a modern soldier with that of a civilized woman, I am not going to advise them to turn their distaff into a musket, though I sincerely wish to see the bayonet converted into a pruninghook. I only re-created an imagination, fatigued by contemplating the vices and follies which all proceed from a feculent stream of wealth that has muddied the pure rills of natural affection, by supposing that society will some time or other be so constituted, that man must necessarily fulfill the duties of a citizen, or be despised, and that while he was

employed in any of the departments of civil life, his wife, also an active citizen, should be equally intent to manage her family, educate her children, and assist her neighbors.

But to render her really virtuous and useful, she must not, if she discharge her civil duties, want individually the protection of civil laws; she must not be dependent on her husband's bounty for her subsistence during his life, or support after his death; for how can a being be generous who has nothing of its own? or virtuous who is not free? The wife, in the present state of things, who is faithful to her husband, and neither suckles nor educates her children, scarcely deserves the name of a wife, and has no right to that of a citizen. But take away natural rights, and duties become null.

Women then must be considered as only the wanton solace of men, when they become so weak in mind and body that they cannot exert themselves unless to pursue some frothy pleasure, or to invent some frivolous fashion. What can be a more melancholy sight to a thinking mind, than to look into the numerous carriages that drive helter-skelter about this metropolis in a morning full of palefaced creatures who are flying from themselves! I have often wished, with Dr. Johnson, to place some of them in a little shop with half a dozen children looking up to their languid countenances for support. I am much mistaken, if some latent vigor would not soon give health and spirit to their eyes, and some lines drawn by the exercise of reason on the blank cheeks, which before were only undulated by dimples, might restore lost dignity to the character, or rather enable it to attain the true dignity of its nature. Virtue is not to be acquired even by speculation, much less by the negative supineness that wealth naturally generates.

Besides, when poverty is more disgraceful than even vice, is not morality cut to the quick? Still to avoid misconstruction, though I consider that women in the common walks of life are called to fulfill the duties of wives and mothers, by religion and reason, I cannot help lamenting that women of a superior cast have not a road open by which they can pursue more extensive plans of usefulness and independence. I may excite laughter, by dropping a hint, which I mean to pursue, some future time, for I really think that women ought to have representatives, instead of being arbitrarily governed without having any direct share allowed them in the deliberations of government.

But, as the whole system of representation is now, in this country, only a convenient handle for despotism, they need not complain, for they are as well represented as a numerous class of hardworking mechanics, who pay for the support of royalty when they can scarcely stop their children's mouth with bread. How are they represented whose very sweat supports the splendid stud of an heir-apparent, or varnishes the chariot of some female favorite who looks down on shame? Taxes on the very necessaries of life, enable an endless tribe of idle princes and princesses to pass with stupid pomp before a gaping crowd, who almost worship the very parade which costs them so dear. This is mere gothic grandeur, something like the barbarous useless parade of having sentinels on horseback at Whitehall, which I could never view without a mixture of contempt and indignation.

How strangely must the mind be sophisticated when this sort of state impresses it! But, till these monuments of folly are leveled by virtue, similar follies will leaven the whole mass. For the same character, in some degree, will prevail in the aggregate of society; and the refinements of luxury, or the vicious repinings of envious poverty, will equally banish virtue from society, considered as the characteristic of that society, or only allow it to appear as one of the stripes of the harlequin coat, worn by the civilized man.

In the superior ranks of life, every duty is done by deputies, as if duties could ever be waived, and the vain pleasures which consequent idleness forces the rich to pursue, appear so enticing to

the next rank, that the numerous scramblers for wealth sacrifice everything to tread on their heels. The most sacred trusts are then considered as sinecures, because they were procured by interest, and only sought to enable a man to keep good company. Women, in particular, all want to be ladies. Which is simply to have nothing to do, but listlessly to go they scarcely care where, for they cannot tell what.

But what have women to do in society? I may be asked, but to loiter with easy grace; surely you would not condemn them all to suckle fools and chronicle small beer! No. Women might certainly study the art of healing, and be physicians as well as nurses. And midwifery, decency seems to allot to them, though I am afraid, the word midwife, in our dictionaries, will soon give place to accoucheur, and one proof of the former delicacy of the sex be effaced from the language.

They might also study politics, and settle their benevolence on the broadest basis; for the reading of history will scarcely be more useful than the perusal of romances, if read as mere biography; if the character of the times, the political improvements, arts, etc. be not observed. In short, if it not be considered as the history of man and not of particular men, who filled a niche in the temple of fame, and dropped into the black rolling stream of time, that silently sweeps all before it into the shapeless void called- eternity. -For shape, can it be called, "that shape hath none"?

Business of various kinds, they might likewise pursue, if they were educated in a more orderly manner, which might save many from common and legal prostitution. Women would not then marry for a support, as men accept of places under Government, and neglect the implied duties; nor would an attempt to earn their own subsistence, a most laudable one! Sink them almost to the level of those poor abandoned creatures who live by prostitution. For are not milliners and mantua-makers reckoned the next class? The few employments open to women, so far, from being liberal, are menial; and when a superior education enables them to take charge of the education of children as governesses, they are not treated like the tutors of sons, though even clerical tutors are not always treated in a manner calculated to render them respectable in the eyes of their pupils, to say nothing of the private comfort of the individual. But as women educated like gentlewomen, are never designed for the humiliating situation which necessity sometimes forces them to fill; these situations are considered in the light of a degradation; and they know little of the human heart, who need to be told, that nothing so painfully sharpens sensibility to such a fall in life.

Some of these women might be restrained from marrying by a proper spirit of delicacy, and others may not have had it in their power to escape in this pitiful way from servitude; is not that Government then very defective, and very unmindful of the happiness of one-half of its members, that does not provide for honest, independent women, by encouraging them to fill respectable stations? But in order to render their private virtue a public benefit, they must have a civil existence in the state, married or single; else we shall continually see some worthy woman, whose, sensibility has been rendered painfully acute by undeserved contempt, droop like "the lily broken down by a plowshare."

It is a melancholy truth; yet such is the blessed effect of civilization! The most respectable women are the most oppressed; and, unless they have understandings far superior to the common run of understandings, taking in both sexes, they must, from being treated like contemptible beings, become contemptible. How many women thus waste life away the prey of discontent, who might have practices as physicians, regulated a farm, managed a shop, and stood erect, supported by their own industry, instead of hanging their heads surcharged with the dew of

sensibility, that consumes the beauty to which it at first gave luster; nay, I doubt whether pity and love are so near akin as poets feign for I have seldom seen much compassion excited by the helplessness of females, unless they were fair; then, perhaps, pity was the soft handmaid of love, or the harbinger of lust.

How much more respectable is the woman who earns her own bread by fulfilling any duty, than the most accomplished beauty! -beauty did I say! so sensible am I of the beauty of moral loveliness, or the harmonious propriety that attunes the passions of a well-regulated mind, that I blush at making the comparison; yet I sigh to think how few women aim at attaining this respectability by withdrawing from the giddy whirl of pleasure, or the indolent claim that stupefies the good sort of women it sucks in.

Proud of their weaknesses, however, they must always be protected, guarded from care, and all the rough toils that dignify the mind. If this be the fiat of fate, if they will make themselves insignificant and contemptible, sweetly to waste "life away," let them not expect to be valued when their beauty fades, for it is the fate of the fairest flowers to be admired and pulled to pieces by the careless hand that plucked them. In how many ways do I wish, from the purest benevolence, to impress this truth on my sex; yet I fear that they will not listen to a truth that dear bought experience has brought home to many an agitated bosom, nor willingly resign the privileges of rank and sex for the privileges of humanity, to which those have no claim who do not discharge its duties.

Those writers are particularly useful, in my opinion, who make man feel for man, independent of the station he fills, or the drapery of factitious sentiments. I then would fain convince reasonable men of the importance of some of my remarks; and prevail on them to weigh dispassionately the whole tenor of my observations. I appeal to their understandings; and, as a fellow-creature, claim, in the name of my sex, some interest in their hearts. I entreat them to assist to emancipate their companion, to make her a helpmeet for them.

Would men but generously snap our chains, and be content with rational fellowship instead of slavish obedience, they would find us more observant daughters, more affectionate sisters, more faithful wives, more reasonable mothers-in a word, better citizens. We should then love them with true affection, because we should learn to respect ourselves; and the peace of mind of a worthy man would not be interrupted by the idle vanity of his wife, nor the babes sent to nestle in a strange bosom, having never found a home in their mother's.

I have a Dream

by Martin Luther King, Jr.

Delivered on the steps at the Lincoln Memorial in Washington
D.C. on August 28, 1963

Five score years ago, a great American, in whose symbolic shadow we stand signed the Emancipation Proclamation. This momentous decree came as a great beacon light of hope to millions of Negro slaves who had been seared in the flames of withering injustice. It came as a joyous daybreak to end the long night of captivity.

But one hundred years later, we must face the tragic fact that the Negro is still not free. One hundred years later, the life of the Negro is still sadly crippled by the manacles of segregation and the chains of discrimination. One hundred years later, the Negro lives on a lonely island of poverty in the midst of a vast ocean of material prosperity. One hundred years later, the Negro is

still languishing in the corners of American society and finds himself an exile in his own land. So we have come here today to dramatize an appalling condition.

In a sense we have come to our nation's capital to cash a check. When the architects of our republic wrote the magnificent words of the Constitution and the declaration of Independence, they were signing a promissory note to which every American was to fall heir. This note was a promise that all men would be guaranteed the inalienable rights of life, liberty, and the pursuit of happiness.

It is obvious today that America has defaulted on this promissory note insofar as her citizens of color are concerned. Instead of honoring this sacred obligation, America has given the Negro people a bad check which has come back marked "insufficient funds." But we refuse to believe that the bank of justice is bankrupt. We refuse to believe that there are insufficient funds in the great vaults of opportunity of this nation. So we have come to cash this check—a check that will give us upon demand the riches of freedom and the security of justice. We have also come to this hallowed spot to remind America of the fierce urgency of now. This is no time to engage in the luxury of cooling off or to take the tranquilizing drug of gradualism. Now is the time to rise from the dark and desolate valley of segregation to the sunlit path of racial justice. Now is the time to open the doors of opportunity to all of God's children. Now is the time to lift our nation from the quicksands of racial injustice to the solid rock of brotherhood.

It would be fatal for the nation to overlook the urgency of the moment and to underestimate the determination of the Negro. This sweltering summer of the Negro's legitimate discontent will not pass until there is an invigorating autumn of freedom and equality. Nineteen sixty-three is not an end, but a beginning. Those who hope that the Negro needed to blow off steam and will now be content will have a rude awakening if the nation returns to business as usual. There will be neither rest nor tranquility in America until the Negro is granted his citizenship rights. The whirlwinds of revolt will continue to shake the foundations of our nation until the bright day of justice emerges.

But there is something that I must say to my people who stand on the warm threshold which leads into the palace of justice. In the process of gaining our rightful place we must not be guilty of wrongful deeds. Let us not seek to satisfy our thirst for freedom by drinking from the cup of bitterness and hatred.

We must forever conduct our struggle on the high plane of dignity and discipline. We must not allow our creative protest to degenerate into physical violence. Again and again we must rise to the majestic heights of meeting physical force with soul force. The marvelous new militancy which has engulfed the Negro community must not lead us to distrust of all white people, for many of our white brothers, as evidenced by their presence here today, have come to realize that their destiny is tied up with our destiny and their freedom is inextricably bound to our freedom. We cannot walk alone.

And as we walk, we must make the pledge that we shall march ahead. We cannot turn back. There are those who are asking the devotees of civil rights, "When will you be satisfied?" We can never be satisfied as long as our bodies, heavy with the fatigue of travel, cannot gain lodging in the motels of the highways and the hotels of the cities. We cannot be satisfied as long as the Negro's basic mobility is from a smaller ghetto to a larger one. We can never be satisfied as long as a Negro in Mississippi cannot vote and a Negro in New York believes he has nothing for which to vote. No, no, we are not satisfied, and we will not be satisfied until justice rolls down like waters and righteousness like a mighty stream.

I am not unmindful that some of you have come here out of great trials and tribulations. Some of you have come fresh from narrow cells. Some of you have come from areas where your quest for freedom left you battered by the storms of persecution and staggered by the winds of police brutality. You have been the veterans of creative suffering. Continue to work with the faith that unearned suffering is redemptive.

Go back to Mississippi, go back to Alabama, go back to Georgia, go back to Louisiana, go back to the slums and ghettos of our northern cities, knowing that somehow this situation can and will be changed. Let us not wallow in the valley of despair.

I say to you today, my friends, that in spite of the difficulties and frustrations of the moment, I still have a dream. It is a dream deeply rooted in the American dream.

I have a dream that one day this nation will rise up and live out the true meaning of its creed: "We hold these truths to be self-evident: that all men are created equal."

I have a dream that one day on the red hills of Georgia the sons of former slaves and the sons of former slave owners will be able to sit down together at a table of brotherhood.

I have a dream that one day even the state of Mississippi, a desert state, sweltering with the heat of injustice and oppression, will be transformed into an oasis of freedom and justice.

I have a dream that my four children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character.

I have a dream today.

I have a dream that one day the state of Alabama, whose governor's lips are presently dripping with the words of interposition and nullification, will be transformed into a situation where little black boys and black girls will be able to join hands with little white boys and white girls and walk together as sisters and brothers.

I have a dream today.

I have a dream that one day every valley shall be exalted, every hill and mountain shall be made low, the rough places will be made plain, and the crooked places will be made straight, and the glory of the Lord shall be revealed, and all flesh shall see it together.

This is our hope. This is the faith with which I return to the South. With this faith we will be able to hew out of the mountain of despair a stone of hope. With this faith we will be able to transform the jangling discords of our nation into a beautiful symphony of brotherhood. With this faith we will be able to work together, to pray together, to struggle together, to go to jail together, to stand up for freedom together, knowing that we will be free one day.

This will be the day when all of God's children will be able to sing with a new meaning, "My country, 'tis of thee, sweet land of liberty, of thee I sing. Land where my fathers died, land of the pilgrim's pride, from every mountainside, let freedom ring."

And if America is to be a great nation this must become true. So let freedom ring from the prodigious hilltops of New Hampshire. Let freedom ring from the mighty mountains of New York. Let freedom ring from the heightening Alleghenies of Pennsylvania!

Let freedom ring from the snowcapped Rockies of Colorado!

Let freedom ring from the curvaceous peaks of California!

But not only that; let freedom ring from Stone Mountain of Georgia!

Let freedom ring from Lookout Mountain of Tennessee!

Let freedom ring from every hill and every molehill of Mississippi. From every mountainside, let freedom ring.

When we let freedom ring, when we let it ring from every village and every hamlet, from every state and every city, we will be able to speed up that day when all of God's children, black men

and white men, Jews and Gentiles, Protestants and Catholics, will be able to join hands and sing in the words of the old Negro spiritual, "Free at last! Free at last! Thank God Almighty, we are free at last!"

Animals & Ethics

Whether It Is Unlawful to Kill Any Living Thing

THOMAS AQUINAS

From *Summa Theologica* (c. 1270)

Objection 1. It would seem unlawful to kill any living thing. For the Apostle says (Rm. 13:2): "They that resist the ordinance of God purchase to themselves damnation [Vulg.: 'He that resisteth the power, resisteth the ordinance of God: and they that resist, purchase themselves damnation.']." Now Divine providence has ordained that all living things should be preserved, according to Ps. 146:8,9, "Who maketh grass to grow on the mountains ... Who giveth to beasts their food." Therefore it seems unlawful to take the life of any living thing.

Objection 2. Further, murder is a sin because it deprives a man of life. Now life is common to all animals and plants. Hence for the same reason it is apparently a sin to slay dumb animals and plants.

Objection 3. Further, in the Divine law a special punishment is not appointed save for a sin. Now a special punishment had to be inflicted, according to the Divine law, on one who killed another man's ox or sheep (Ex. 22:1). Therefore the slaying of dumb animals is a sin.

On the contrary, Augustine says (De Civ. Dei i, 20): "When we hear it said, 'Thou shalt not kill,' we do not take it as referring to trees, for they have no sense, nor to irrational animals, because they have no fellowship with us. Hence it follows that the words, 'Thou shalt not kill' refer to the killing of a man."

I answer that, There is no sin in using a thing for the purpose for which it is. Now the order of things is such that the imperfect are for the perfect, even as in the process of generation nature proceeds from imperfection to perfection. Hence it is that just as in the generation of a man there is first a living thing, then an animal, and lastly a man, so too things, like the plants, which merely have life, are all alike for animals, and all animals are for man. Wherefore it is not unlawful if man use plants for the good of animals, and animals for the good of man, as the Philosopher states (Polit. i, 3).

Now the most necessary use would seem to consist in the fact that animals use plants, and men use animals, for food, and this cannot be done unless these be deprived of life: wherefore it is lawful both to take life from plants for the use of animals, and from animals for the use of men. In fact this is in keeping with the commandment of God Himself for it is written (Gn. 1:29,30): "Behold I have given you every herb ... and all trees ... to be your meat, and to all beasts of the earth": and again (Gn. 9:3): "Everything that moveth and liveth shall be meat to you."

Reply to Objection 1. According to the Divine ordinance the life of animals and plants is preserved not for themselves but for man. Hence, as Augustine says (De Civ. Dei i, 20), "By a most just ordinance of the Creator, both their life and their death are subject to our use."

Reply to Objection 2. Dumb animals and plants are devoid of the life of reason whereby to set themselves in motion; they are moved, as it were by another, by a kind of natural impulse, a sign of which is that they are naturally enslaved and accommodated to the uses of others.

Reply to Objection 3. He that kills another's ox, sins, not through killing the ox, but through injuring another man in his property. Wherefore this is not a species of the sin of murder but of the sin of theft or robbery.

The Automatism of Animals

RENE DESCARTES

From "Letter to Henry More" (c. 1648)

... the greatest of all prejudices we have retained from infancy is that of believing that animals [brutes] think. The source of our error comes from having observed that many of the bodily members of animals are not very different from our own in shape and movements. The mistake also comes from the belief that our mind is the principle of motions that occur in us, and that it imparts motion to the body and is the cause of our thoughts. Assuming this, we find no difficulty in believing that there is in animals a mind similar to our own. But, after thinking well upon it, I have made the discovery that two different principles of our movements are to be distinguished. The one is entirely mechanical and corporeal, and depends solely on the force of the animal spirits and the configuration of the bodily parts and may be called corporeal soul. The other is incorporeal, that is to say, mind or soul, which you may define a substance which thinks. I have inquired with great care whether the motions of animals proceed from these two principles or from one alone. Now, having clearly perceived that they can proceed from one only, I have held it demonstrated that we are not able in any manner to prove that there is in the animals a soul that thinks.

I am not at all disturbed in my opinion by those doublings and cunning tricks of dogs and foxes, nor by all those things which animals do, either from fear, or to get something to eat, or

just for sport. I engage to explain all that very easily, merely by the conformation of the parts of the animals. Nevertheless, although I regard it as a thing demonstrated that it cannot be proved that the animals have thought, I do not think that it can be demonstrated that the contrary is not true, because the human mind cannot penetrate into the heart to know what goes on there, But on examining into the probabilities of the case, I see no reason whatever to prove that animals think, except that by having eyes, ears, a tongue, and other organs of sense like ours, it is likely that they have sensations as we do, and as thought is involved in the sensations which we have, a similar faculty of thought must be attributed to them. Now, since this argument is within the reach of everyone's capacity, it has held possession of all minds from infancy. But there are other stronger and more numerous arguments for the opposite opinion, which do not so readily present themselves to everybody's mind. For example, it is more reasonable to make earthworms, flies, caterpillars, and the rest of the animals move as machines do, than to endow them with immortal souls.

It is certain that in the body of animals, as in ours, there are bones, nerves, muscles, blood, animal spirits, and other organs which are given in such a manner that they can produce themselves without the aid of any thought. All the movements which we observe in the animals, as appears in convulsive movements, when in spite of the mind itself, the machine of the body moves often with greater violence, and in more various ways than it is accustomed to do with the aid of the will. Further, humans are able to construct different automata in which there is movement without any thought. In as much as it is agreeable to reason that art should imitate nature, nature, on her part, might produce these automata, and far more excellent ones as the animals are, than those which come from the hands of people. Thus, there is no reason anywhere

why thought is to be found wherever we perceive a conformity of bodily members like that of the animals. And it is more surprising that there should be a soul in every human body than that there should be none at all in the animals.

But the principal argument to my mind, which may convince us that the animals are devoid of reason is this. Among animals of the same species, some are more perfect than others, as among people. This is particularly noticeable in horses and dogs, some of which have more capacity than others to retain what is taught them. All of them make us clearly understand their natural movements of anger, of fear, of hunger, and others of like kind, either by the voice or by other bodily motions. However, it has never yet been observed that any animal has arrived at such a degree of perfection as to make use of a true language. That is to say, they have not been able to indicate to us by the voice, or by other signs anything which could be referred to thought alone, rather than to a movement of mere nature. For the word is the sole sign and the only certain mark of the presence of thought hidden and wrapped up in the body. Now, all people, the most stupid and the most foolish, those even who are deprived of the organs of speech, make use of signs, whereas the animals never do anything of the kind. This may be taken as the true distinction between humans and animals.

... It must, however, be observed that I speak of the thought of animals, not of their life, nor of their sensation. For I do not deny the life of any animal when making it consist solely in the warmth of the heart. I do not refuse to them feeling even, in so far as it depends only on the bodily organs. Thus, my opinion is not so cruel to animals as it is favorable to humans. I speak to those who are not committed to the extravagant position of Pythagoras, who held people under suspicion of a crime those who ate or killed animals.

Duties Towards Animals

IMMANUEL KANT

From Lectures on Ethics (c. 1780)

Baumgarten speaks of duties towards beings which are beneath us and beings which are above us. But so far as animals are concerned, we have no direct duties. Animals are not self-conscious and are there merely as a means to an end. That end is man. We can ask, "Why do animals exist?" But to ask, "Why does man exist?" is a meaningless question. Our duties towards animals are merely indirect duties towards humanity. Animal nature has analogies to human nature, and by doing our duties to animals in respect of manifestations which correspond to manifestations of human nature, we indirectly do our duty towards humanity. Thus, if a dog has served his master long and faithfully, his service, on the analogy of human service, deserves reward, and when the dog has grown too old to serve, his master ought to keep him until he dies. Such action helps to support us in our duties towards human beings, where they are bounden duties.

If then any acts of animals are analogous to human acts and spring from the same principles, we have duties towards the animals because thus we cultivate the corresponding duties towards human beings. If a man shoots his dog because the animal is no longer capable of service, he does not fail in his duty to the dog, for the dog cannot judge, but his act is inhuman and damages in himself that humanity which it is his duty to show towards mankind. If he is not to stifle his human feelings, he must practice kindness towards animals, for he who is cruel to animals becomes hard also in his dealings with men. We can judge the heart of a man by his treatment of animals. Hogarth depicts this in his engravings.

He shows how cruelty grows and develops. He shows the child's cruelty to animals, pinching the tail of a dog or a cat; he then depicts the grown man in his cart running over a child; and lastly, the culmination of cruelty in murder. He thus brings home to us in a terrible fashion the rewards of cruelty, and this should be an impressive lesson to children. The more we come in contact with animals and observe their behavior, the more we love them, for we see how great is their care for their young. It is then difficult for us to be cruel in thought even to a wolf.

Leibniz used a tiny worm for purposes of observation, and then carefully replaced it with its leaf on the tree so that it should not come to harm through any act of his. He would have been sorry—a natural feeling for a humane man—to destroy such a creature for no reason. Tender feelings towards dumb animals develop humane feelings towards mankind. In England butchers and doctors do not sit on a jury because they are accustomed to the sight of death and hardened. Vivisectionists, who use living animals for their experiments, certainly act cruelly, although their aim is praiseworthy, and they can justify their cruelty, since animals must be regarded as man's instruments; but any such cruelty for sport cannot be justified. A master who turns out his ass or his dog because the animal can no longer earn its keep manifests a small mind. The Greeks' ideas in this respect were high-minded, as can be seen from the fable of the ass and the bell of ingratitude. Our duties towards animals, then, are indirect duties towards mankind.

Part IV

Rights & Liberty

Of the State of Men without Civil Society

From the *Leviathan*

Thomas Hobbes (1588-1679)

1. The faculties of human nature may be reduced unto four kinds; bodily strength, experience, reason, passion. Taking the beginning of this following doctrine from these, we will declare in the first place what manner of inclinations men who are endued with these faculties bear towards each other, and whether, and by what faculty they are born, apt for society, and to preserve themselves against mutual violence; then proceeding, we will show what advice was necessary to be taken for this business, and what are the conditions of society, or of human peace; that is to say, (changing the words only) what are the fundamental laws of nature.

2. The greatest part of those men who have written aught concerning commonwealths, either suppose, or require us, or beg of us to believe, that man is a creature born fit for society. The Greeks call him <greek text> and on this foundation they so build up the doctrine of civil society, as if for the preservation of peace, and the government of mankind, there were nothing else necessary, than that men should agree to make certain covenants and conditions together, which themselves should then call laws. Which axiom, though received by most, is yet certainly false, and an error proceeding from our too slight contemplation of human nature. For they who shall more narrowly look into the causes for which men come together, and delight in each other's company, shall easily find that this happens not because naturally it could happen no

otherwise, but by accident. For if by nature one man should love another (that is) as man, there could no reason be returned why every man should not equally love every man, as being equally man, or why he should rather frequent those whose society affords him honour or profit. We do not therefore by nature seek society for its own sake, but that we may receive some honour or profit from it; these we desire primarily, that secondarily. How, by what advice, men do meet, will be best known by observing those things which they do when they are met. For if they meet for traffic, it is plain every man regards not his fellow, but his business; if to discharge some office, a certain market-friendship is begotten, which hath more of jealousy in it than true love, and whence factions sometimes may arise, but good will never; if for pleasure, and recreation of Mind, every man is wont to please himself most with those things which stir up laughter, whence he may (according to the nature of that which is ridiculous) by comparison of another man's defects and infirmities, pass the more current in his own opinion; and although this be sometimes innocent and without offence, yet it is manifest they are not so much delighted with the society, as their own vain glory. But for the most part, in these kinds of meetings, we wound the absent; their whole life, sayings, actions are examined, judged, condemned; nay, it is very rare, but some present receive a fling before they part, so as his reason was not ill who was wont always at parting to go out last. And these are indeed the true delights of society, unto which we are carried by nature, that is, by those passions which are incident to all creatures, until either by sad experience, or good precepts, it so fall out (which in many never happens) that the appetite of present matters be dulled with the memory of things past, without which, the discourse of most quick and nimble men on this subject, is but cold and hungry.

But if it so happen, that being met, they pass their time in relating some stories, and one of them begins to tell one which concerns himself, instantly every one of the rest most greedily desires to speak of himself too; if one relate some wonder, the rest will tell you Miracles, if they have them, if not, they will feign them. Lastly, that I may say somewhat of them who pretend to be wiser than others; if they meet to talk of philosophy, look how many men, so many would be esteemed masters, or else they not only love not their fellows, but even persecute them with hatred. So clear is it by experience to all men who a little more narrowly consider human affairs, that all free congress ariseth either from mutual poverty, or from vain glory, whence the parties met, endeavour to carry with them either some benefit, or to leave behind them that same <greek text> some esteem and honour with those, with whom they have been conversant. The same is also collected by reason out of the definitions themselves, of will, good, honor, profitable. For when we voluntarily contract society, in all manner of society we look after the object of the will, that is, that, which every one of those who gather together, propounds to himself for good. Now whatsoever seems good, is pleasant, and relates either to the senses, or the mind. But all the mind's pleasure is either glory, (or to have a good opinion of one's self) or refers to glory in the end; the rest are sensual, or conducing to sensuality, which may be all comprehended under the word conveniences. All society therefore is either for gain, or for glory; that is, not so much for love of our fellows, as for the love of ourselves. But no society can be great, or lasting, which begins from vain glory; because that glory is like honor, if all men have it, no man hath it, for they consist in comparison and precellence; neither doth the society of others advance any whit the cause of my glorying in myself; for every man must account himself, such as he can make himself, without the help of others. But though the benefits of this life may be much farthered by mutual help, since yet those may be better attained to by dominion, than by the society of others: I hope no body will doubt but that men would much more greedily be carried by nature, if all fear were removed, to obtain dominion, than to gain society. We must therefore resolve, that the

original of all great and lasting societies consisted not in the mutual good will men had towards each other, but in the mutual fear they had of each other.

3. The cause of mutual fear consists partly in the natural equality of men, partly in their mutual will of hurting: whence it comes to pass, that we can neither expect from others, nor promise to ourselves the least security. For if we look on men full-grown, and consider how brittle the frame of our human body is, which perishing, all its strength, vigour, and wisdom itself perisheth with it; and how easy a matter it is, even for the weakest man to kill the strongest: there is no reason why any man, trusting to his own strength, should conceive himself made by nature above others. They are equals, who can do equal things one against the other; but they who can do the greatest things, namely, kill, can do equal things. All men therefore among themselves are by nature equal; the inequality we now discern, hath its spring from the civil law.

4. All men in the state of nature have a desire and will to hurt, but not proceeding from the same cause, neither equally to be condemned. For one man, according to that natural equality which is among us, permits as much to others as he assumes to himself, which is an argument of a temperate man, and one that rightly values his power. Another, supposing himself above others, will have a license to do what he lists, and challenges respect and honour, as due to him before others; which is an argument of a fiery spirit. This man's will to hurt ariseth from vain glory, and the false esteem he hath of his own strength; the other's from the necessity of defending himself, his liberty, and his goods, against this man's violence.

5. Furthermore, since the combat of wits is the fiercest, the greatest discords which are, must necessarily arise from this contention. For in this case it is not only odious to contend against, but also not to consent. For not to approve of what a man saith, is no less than tacitly to accuse him of an error in that thing which he speaketh; as in very many things to dissent, is as much as if you accounted him a fool whom you dissent from; which may appear hence, that there are no wars so sharply waged as between sects of the same religion, and factions of the same commonweal, where the contestation is either concerning doctrines or politic prudence. And since all the pleasure and jollity of the mind consists in this, even to get some, with whom comparing, it may find somewhat wherein to triumph and vaunt itself, it is impossible but men must declare sometimes some mutual scorn and contempt, either by laughter, or by words, or by gesture, or some sign or other; than which there is no greater vexation of mind, and than from which there cannot possibly arise a greater desire to do hurt.

6. But the most frequent reason why men desire to hurt each other, ariseth hence, that many men at the same time have an appetite to the same thing; which yet very often they can neither enjoy in common, nor yet divide it; whence it follows that the strongest must have it, and who is strongest must be decided by the sword.

7. Among so many dangers therefore, as the natural lusts of men do daily threaten each other withal, to have a care of one's self is not a matter so scornfully to be looked upon, as if so be there had not been a power and will left in one to have done otherwise. For every man is desirous of what is good for him, and shuns what is evil, but chiefly the chiefest of natural evils, which is death; and this he doth, by a certain impulsion of nature, no less than that whereby a stone moves downward. It is therefore neither absurd, nor reprehensible, neither against the dictates of true reason, for a man to use all his endeavours to preserve and defend his body and the members thereof from death and sorrows. But that which is not contrary to right reason, that all men account to be done justly, and with right; neither by the word right is anything else signified, than that liberty which every man hath to make use of his natural faculties according to right

reason. Therefore the first foundation of natural right is this, that every man as much as in him lies endeavour to protect his life and members.

8. But because it is in vain for a man to have a right to the end, if the right to the necessary means be denied him; it follows, that since every man hath a right to preserve himself, he must also be allowed a right to use all the means, and do all the actions, without which he cannot preserve himself.

9. Now whether the means which he is about to use, and the action he is performing, be necessary to the preservation of his life and members, or not, he himself, by the right of nature, must be judge. For say another man judge that it is contrary to right reason that I should judge of mine own peril: why now, because he judgeth of what concerns me, by the same reason, because we are equal by nature, will I judge also of things which do belong to him. Therefore it agrees with right reason, that is, it is the right of nature that I judge of his opinion, that is, whether it conduce to my preservation, or not.

10. Nature hath given to every one a right to all; that is, it was lawful for every man in the bare state of nature, or before such time as men had engaged themselves by any covenants or bonds, to do what he would, and against whom he thought fit, and to possess, use, and enjoy all what he would, or could get. Now because whatsoever a man would, it therefore seems good to him because he wins it, and either it really doth, or at least seems to him to contribute towards his preservation, (but we have already allowed him to be judge, in the foregoing article, whether it doth or not, in so much as we are to hold A for necessary whatsoever he shall esteem so), and by the 7th article it appears that by the right of nature those things may be done, and must be had, which necessarily conduce to the protection of life and members, it follows, that in the state of nature, to have an, and do all, is lawful for all. And this is that which is meant by that common saying, nature hath given all to all, from whence we understand likewise, that in the state of nature, profit is the measure of right.

11. But it was the least benefit for men thus to have a common right to all things; for the effects of this right are the same, almost, as if there had been no right at all. For although any man might say of every thing, this is mine, yet could he not enjoy it, by reason of his neighbour, who having equal right, and equal power, would pretend the same thing to be his.

12. If now to this natural proclivity of men, to hurt each other, which they derive from their passions, but chiefly from a vain esteem of themselves, you add, the right of all to all, wherewith one by right invades, the other by right resists, and whence arise perpetual jealousies and suspicions on all hands, and how hard a thing it is to provide against an enemy invading us, with an intention to oppress, and ruin, though he come with a small number, and no great provision; it cannot be denied but that the natural state of men, before they entered into society, was a mere war, and that not simply, but a war of all men against all men. For what is war, but that same time in which the win of contesting by force is fully declared, either by words, or deeds? The time remaining, is termed peace.

13. But it is easily judged how disagreeable a thing to the preservation either of mankind, or of each single man, a perpetual war is. But it is perpetual in its own nature, because in regard of the equality of those that strive, it cannot be ended by victory; for in this state the conqueror is subject to so much danger, as it were to be accounted a miracle, if any, even the most strong, should close up his life with many years, and old age, They of America are examples hereof, even in this present age: other nations have been in former ages, which now indeed are become civil and flourishing, but were then few, fierce, short-lived, poor, nasty, and deprived of all that pleasure, and beauty of life, which peace and society are wont to bring with them. Whosoever

therefore holds, that it had been best to have continued in that state in which all things were lawful for all men, he contradicts himself. For every man by natural necessity desires that which is good for him: nor is there any that esteems a war of all against all, which necessarily adheres to such a state, to be good for him. And so it happens, that through fear of each other we think it fit to rid ourselves of this condition, and to get some fellows; that if there needs must be war, it may not yet be against all men, nor without some helps.

14. Fellows are gotten either by constraint, or by consent; by constraint, when after fight the conqueror makes the conquered serve him, either through fear of death, or by laying fetters on him: by consent, when men enter into society to help each other, both parties consenting without any constraint. But the conqueror may by right compel the conquered, or the strongest the weaker, (as a man in health may one that is sick, or he that is of riper years a child), unless he will choose to die, to give caution of his future obedience. For since the right of protecting ourselves according to our own wills, proceeded from our danger, and our danger from our equality, it is more consonant to reason, and more certain for our conservation, using the present advantage to secure ourselves by taking caution, than when they shall be full grown and strong, and got out of our power, to endeavour to recover that power again by doubtful fight. And on the other side, nothing can be thought more absurd, than by discharging whom you already have weak in your power, to make him at once both an enemy and a strong one. From whence we may understand likewise as a corollary in the natural state of men, that, a sure and irresistible power confers the right of dominion and ruling over those who cannot resist; insomuch, as the right of all things that can be done, adheres essentially and immediately unto this omnipotence hence arising.

15. Yet cannot men expect any lasting preservation, continuing thus in the state of nature, that is, of war, by reason of that equality of power, and other human faculties they are endued withal. Wherefore to seek peace, where there is any hopes of obtaining it, and where there is none, to enquire out for auxiliaries of war, is the dictate of right reason, that is, the law of nature.

Excerpts from Two Treatises of Government

John Locke

OF CIVIL-GOVERNMENT

Book II

C H A P. I I. Of the State of Nature.

Sect. 4. TO understand political power right, and derive it from its original, we must consider, what state all men are naturally in, and that is, a state of perfect freedom to order their actions, and dispose of their possessions and persons, as they think fit, within the bounds of the law of nature, without asking leave, or depending upon the will of any other man.

A state also of equality, wherein all the power and jurisdiction is reciprocal, no one having more than another; there being nothing more evident, than that creatures of the same species and rank, promiscuously born to all the same advantages of nature, and the use of the same faculties, should also be equal one amongst another without subordination or subjection, unless the lord and master of them all should, by any manifest declaration of his will, set one above another, and confer on him, by an evident and clear appointment, an undoubted right to dominion and sovereignty.

Sect. 6. But though this be a state of liberty, yet it is not a state of license: though man in that state have an uncontrollable liberty to dispose of his person or possessions, yet he has not liberty to destroy himself, or so much as any creature in his possession, but where some nobler use than its bare preservation calls for it. The state of nature has a law of nature to govern it, which obliges every one: and reason, which is that law, teaches all mankind, who will but consult it, that being all equal and independent, no one ought to harm another in his life, health, liberty, or possessions: for men being all the workmanship of one omnipotent, and infinitely wise maker; all the servants of one sovereign master, sent into the world by his order, and about his business; they are his property, whose workmanship they are, made to last during his, not one another's pleasure: and being furnished with like faculties, sharing all in one community of nature, there cannot be supposed any such subordination among us, that may authorize us to destroy one another, as if we were made for one another's uses, as the inferior ranks of creatures are for our's. Every one, as he is bound to preserve himself, and not to quit his station willfully, so by the like reason, when his own preservation comes not in competition, ought he, as much as he can, to preserve the rest of mankind, and may not, unless it be to do justice on an offender, take away, or impair the life, or what tends to the preservation of the life, the liberty, health, limb, or goods of another.

Sect. 7. And that all men may be restrained from invading others rights, and from doing hurt to one another, and the law of nature be observed, which willeth the peace and preservation of all mankind, the execution of the law of nature is, in that state, put into every man's hands, whereby every one has a right to punish the transgressors of that law to such a degree, as may hinder its violation: for the law of nature would, as all other laws that concern men in this world 'be in vain, if there were no body that in the state of nature had a power to execute that law, and thereby preserve the innocent and restrain offenders. And if any one in the state of nature may punish another for any evil he has done, every one may do so: for in that state of perfect equality, where naturally there is no superiority or jurisdiction of one over another, what any may do in prosecution of that law, every one must needs have a right to do.

Sect. 8. And thus, in the state of nature, one man comes by a power over another; but yet no absolute or arbitrary power, to use a criminal, when he has got him in his hands, according to the passionate heats, or boundless extravagancy of his own will; but only to retribute to him, so far as calm reason and conscience dictate, what is proportionate to his transgression, which is so much as may serve for reparation and restraint: for these two are the only reasons, why one man may lawfully do harm to another, which is that we call punishment. In transgressing the law of nature, the offender declares himself to live by another rule than that of reason and common equity, which is that measure God has set to the actions of men, for their mutual security; and so he becomes dangerous to mankind, the tie, which is to secure them from injury and violence, being slighted and broken by him. Which being a trespass against the whole species, and the peace and safety of it, provided for by the law of nature, every man upon this score, by the right he hath to preserve mankind in general, may restrain, or where it is necessary, destroy things noxious to them, and so may bring such evil on any one, who hath transgressed that law, as may make him repent the doing of it, and thereby deter him, and by his example others, from doing the like mischief. And in the case, and upon this ground, EVERY MAN HATH A RIGHT TO PUNISH THE OFFENDER, AND BE EXECUTIONER OF THE LAW OF NATURE.

Sect, 10. Besides the crime which consists in violating the law, and varying from the right rule of reason, whereby a man so far becomes degenerate, and declares himself to quit the principles of human nature, and to be a noxious creature, there is commonly injury done to some person or

other, and some other man receives damage by his transgression: in which case he who hath received any damage, has, besides the right of punishment common to him with other men, a particular right to seek reparation from him that has done it: and any other person, who finds it just, may also join with him that is injured, and assist him in recovering from the offender so much as may make satisfaction for the harm he has suffered.

Sect. 11. From these two distinct rights, the one of punishing the crime for restraint, and preventing the like offence, which right of punishing is in every body; the other of taking reparation, which belongs only to the injured party, comes it to pass that the magistrate, who by being magistrate hath the common right of punishing put into his hands, can often, where the public good demands not the execution of the law, remit the punishment of criminal offences by his own authority, but yet cannot remit the satisfaction due to any private man for the damage he has received. That, he who has suffered the damage has a right to demand in his own name, and he alone can remit: the damnified person has this power of appropriating to himself the goods or service of the offender, by right of self-preservation, as every man has a power to punish the crime, to prevent its being committed again, by the right he has of preserving all mankind, and doing all reasonable things he can in order to that end: and thus it is, that every man, in the state of nature, has a power to kill a murderer, both to deter others from doing the like injury, which no reparation can compensate, by the example of the punishment that attends it from every body, and also to secure men from the attempts of a criminal, who having renounced reason, the common rule and measure God hath given to mankind, hath, by the unjust violence and slaughter he hath committed upon one, declared war against all mankind, and therefore may be destroyed as a lion or a tiger, one of those wild savage beasts, with whom men can have no society nor security: and upon this is grounded that great law of nature, Whoso sheddeth man's blood, by man shall his blood be shed. And Cain was so fully convinced, that every one had a right to destroy such a criminal, that after the murder of his brother, he cries out, Every one that findeth me, shall slay me; so plain was it writ in the hearts of all mankind.

C H A P. I I I. Of the State of War.

16. THE state of war is a state of enmity and destruction: and therefore declaring by word or action, not a passionate and hasty, but a sedate settled design upon another man's life, puts him in a state of war with him against whom he has declared such an intention, and so has exposed his life to the other's power to be taken away by him, or any one that joins with him in his defense, and espouses his quarrel; it being reasonable and just, I should have a right to destroy that which threatens me with destruction: for, by the fundamental law of nature, man being to be preserved as much as possible, when all cannot be preserved, the safety of the innocent is to be preferred: and one may destroy a man who makes war upon him, or has discovered an enmity to his being, for the same reason that he may kill a wolf or a lion; because such men are not under the ties of the commonlaw of reason, have no other rule, but that of force and violence, and so may be treated as beasts of prey, those dangerous and noxious creatures, that will be sure to destroy him whenever he falls into their power.

Sect. 17. And hence it is, that he who attempts to get another man into his absolute power, does thereby put himself into a state of war with him; it being to be understood as a declaration of a design upon his life: for I have reason to conclude, that he who would get me into his power without my consent, would use me as he pleased when he had got me there, and destroy me too when he had a fancy to it; for no body can desire to have me in his absolute power, unless it be to

compel me by force to that which is against the right of my freedom, i.e. make me a slave. To be free from such force is the only security of my preservation; and reason bids me look on him, as an enemy to my preservation, who would take away that freedom which is the fence to it; so that he who makes an attempt to enslave me, thereby puts himself into a state of war with me. He that, in the state of nature, would take away the freedom that belongs to any one in that state, must necessarily be supposed to have a design to take all the rest; as he that in the state of society would take away the freedom belonging to those of that society or commonwealth, must be supposed to design to take away from them every thing else, and so be looked on as in a state of war.

Sec. 18. This makes it lawful for a man to kill a thief, who has not in the least hurt him, nor declared any design upon his life, any farther than, by the use of force, so to get him in his power, as to take away his money, or what he pleases, from him; because using force, where he has no right, to get me into his power, let his pretence be what it will, I have no reason to suppose, that he, who would take away my liberty, would not, when he had me in his power, take away every thing else. And therefore it is lawful for me to treat him as one who has put himself into a state of war with me, i.e. kill him if I can; for to that hazard does he justly expose himself, whoever introduces a state of war, and is aggressor in it.

Distinction Between the State of Nature and the State of War

Sec. 19. And here we have the plain difference between the state of nature and the state of war, which however some men have confounded, are as far distant, as a state of peace, good will, mutual assistance and preservation, and a state of enmity, malice, violence and mutual destruction, are one from another. Men living together according to reason, without a common superior on earth, with authority to judge between them, is properly the state of nature. But force, or a declared design of force, upon the person of another, where there is no common superior on earth to appeal to for relief, is the state of war: and it is the want of such an appeal gives a man the right of war even against an aggressor, tho' he be in society and a fellow subject. Thus a thief, whom I cannot harm, but by appeal to the law, for having stolen all that I am worth, I may kill, when he sets on me to rob me but of my horse or coat; because the law, which was made for my preservation, where it cannot interpose to secure my life from present force, which, if lost, is capable of no reparation, permits me my own defense, and the right of war, a liberty to kill the aggressor, because the aggressor allows not time to appeal to our common judge, nor the decision of the law, for remedy in a case where the mischief may be irreparable. Want of a common judge with authority, puts all men in a state of nature: force without right, upon a man's person, makes a state of war, both where there is, and is not, a common judge.

Sec. 20. But when the actual force is over, the state of war ceases between those that are in society, and are equally on both sides subjected to the fair determination of the law; because then there lies open the remedy of appeal for the past injury, and to prevent future harm: but where no such appeal is, as in the state of nature, for want of positive laws, and judges with authority to appeal to, the state of war once begun, continues, with a right to the innocent party to destroy the other whenever he can, until the aggressor offers peace, and desires reconciliation on such terms as may repair any wrongs he has already done, and secure the innocent for the future; nay, where an appeal to the law, and constituted judges, lies open, but the remedy is denied by a manifest perverting of justice, and a barefaced wresting of the laws to protect or indemnify the violence or injuries of some men, or party of men, there it is hard to imagine any thing but a state of war: for wherever violence is used, and injury done, though by hands appointed to administer justice, it is still violence and injury, however colored with the name, pretences, or forms of law, the end

whereof being to protect and redress the innocent, by an unbiased application of it, to all who are under it; wherever that is not bona fide done, war is made upon the sufferers, who having no appeal on earth to right them, they are left to the only remedy in such cases, an appeal to heaven.

Sec. 21. To avoid this state of war (wherein there is no appeal but to heaven, and wherein every the least difference is apt to end, where there is no authority to decide between the contenders) is one great reason of men's putting themselves into society, and quitting the state of nature: for where there is an authority, a power on earth, from which relief can be had by appeal, there the continuance of the state of war is excluded, and the controversy is decided by that power. Had there been any such court, any superior jurisdiction on earth, to determine the right between Jephtha and the Ammonites, they had never come to a state of war: but we see he was forced to appeal to heaven. The Lord the Judge (says he) be judge this day between the children of Israel and the children of Ammon, Judg. xi. 27. and then prosecuting, and relying on his appeal, he leads out his army to battle: and therefore in such controversies, where the question is put, who shall be judge? It cannot be meant, who shall decide the controversy; every one knows what Jephtha here tells us, that the Lord the Judge shall judge. Where there is no judge on earth, the appeal lies to God in heaven. That question then cannot mean, who shall judge, whether another hath put himself in a state of war with me, and whether I may, as Jephtha did, appeal to heaven in it? of that I myself can only be judge in my own conscience, as I will answer it, at the great day, to the supreme judge of all men.

CHAP. V. Of PROPERTY.

Sec. 26. God, who hath given the world to men in common, hath also given them reason to make use of it to the best advantage of life, and convenience. The earth, and all that is therein, is given to men for the support and comfort of their being. And tho' all the fruits it naturally produces, and beasts it feeds, belong to mankind in common, as they are produced by the spontaneous hand of nature; and no body has originally a private dominion, exclusive of the rest of mankind, in any of them, as they are thus in their natural state: yet being given for the use of men, there must of necessity be a means to appropriate them some way or other, before they can be of any use, or at all beneficial to any particular man. The fruit, or venison, which nourishes the wild Indian, who knows no enclosure, and is still a tenant in common, must be his, and so his, i.e. a part of him, that another can no longer have any right to it, before it can do him any good for the support of his life.

Sec. 27. Though the earth, and all inferior creatures, be common to all men, yet every man has a property in his own person: this no body has any right to but himself. The labour of his body, and the work of his hands, we may say, are properly his. Whatsoever then he removes out of the state that nature hath provided, and left it in, he hath mixed his labour with, and joined to it something that is his own, and thereby makes it his property. It being by him removed from the common state nature hath placed it in, it hath by this labour something annexed to it, that excludes the common right of other men: for this labour being the unquestionable property of the labourer, no man but he can have a right to what that is once joined to, at least where there is enough, and as good, left in common for others.

Sec. 31. It will perhaps be objected to this, that if gathering the acorns, or other fruits of the earth, &c. makes a right to them, then any one may ingross as much as he will. To which I answer, Not so. The same law of nature, that does by this means give us property, does also bound that property too. God has given us all things richly, 1 Tim. vi. 12. is the voice of reason confirmed by inspiration. But how far has he given it us? To enjoy. As much as any one

can make use of to any advantage of life before it spoils, so much he may by his labor fix a property in: whatever is beyond this, is more than his share, and belongs to others. Nothing was made by God for man to spoil or destroy. And thus, considering the plenty of natural provisions there was a long time in the world, and the few spenders; and to how small a part of that provision the industry of one man could extend itself, and ingross it to the prejudice of others; especially keeping within the bounds, set by reason, of what might serve for his use; there could be then little room for quarrels or contentions about property so established.

Sec. 50. But since gold and silver, being little useful to the life of man in proportion to food, raiment, and carriage, has its value only from the consent of men, whereof labour yet makes, in great part, the measure, it is plain, that men have agreed to a disproportionate and unequal possession of the earth, they having, by a tacit and voluntary consent, found out, a way how a man may fairly possess more land than he himself can use the product of, by receiving in exchange for the overplus gold and silver, which may be hoarded up without injury to any one; these metals not spoiling or decaying in the hands of the possessor. This partage of things in an inequality of private possessions, men have made practicable out of the bounds of society, and without compact, only by putting a value on gold and silver, and tacitly agreeing in the use of money: for in governments, the laws regulate the right of property, and the possession of land is determined by positive constitutions.

CHAP. XVIII. OF TYRANNY.

Sec. 199. AS usurpation is the exercise of power, which another hath a right to; so tyranny is the exercise of power beyond right, which no body can have a right to. And this is making use of the power any one has in his hands, not for the good of those who are under it, but for his own private separate advantage. When the governor, however entitled, makes not the law, but his will, the rule; and his commands and actions are not directed to the preservation of the properties of his people, but the satisfaction of his own ambition, revenge, covetousness, or any other irregular passion.

Sec. 202. Where-ever law ends, tyranny begins, if the law be transgressed to another's harm; and whosoever in authority exceeds the power given him by the law, and makes use of the force he has under his command, to compass that upon the subject, which the law allows not, ceases in that to be a magistrate; and, acting without authority, may be opposed, as any other man, who by force invades the right of another. This is acknowledged in subordinate magistrates. He that hath authority to seize my person in the street, may be opposed as a thief and a robber, if he endeavors to break into my house to execute a writ, notwithstanding that I know he has such a warrant, and such a legal authority, as will empower him to arrest me abroad. And why this should not hold in the highest, as well as in the most inferior magistrate, I would gladly be informed. Is it reasonable, that the eldest brother, because he has the greatest part of his father's estate, should thereby have a right to take away any of his younger brothers portions? or that a rich man, who possessed a whole country, should from thence have a right to seize, when he pleased, the cottage and garden of his poor neighbor? The being rightfully possessed of great power and riches, exceedingly beyond the greatest part of the sons of Adam, is so far from being an excuse, much less a reason, for rapine and oppression, which the endamaging another without authority is, that it is a great aggravation of it: for the exceeding the bounds of authority is no more a right in a great, than in a petty officer; no more justifiable in a king than a constable; but is so much the worse in him, in that he has more trust put in him, has already a much greater

share than the rest of his brethren, and is supposed, from the advantages of his education, employment, and counselors, to be more knowing in the measures of right and wrong.

Obedience & Liberty

C R I T O ;

OR, THE DUTY OF A CITIZEN

Persons of the Dialogue: SOCRATES, CRITO

Scene: -- The Prison of Socrates

Translated by BENJAMIN JOWETT.

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Socrates: Why have you come at this hour, Crito? It must be quite early.

Crito. Yes, certainly.

Socrates: What is the exact time?

Crito: The dawn is breaking.

Socrates: I wonder the keeper of the prison would let you in.

Crito: He knows me because I often come, Socrates; moreover, I have done him a kindness.

Socrates: And are you only just come?

Crito: No, I came some time ago.

Socrates: Then why did you sit and say nothing, instead of awakening me at once?

Crito: Why, indeed, Socrates, I myself would rather not have all this sleeplessness and sorrow. But I have been wondering at your peaceful slumbers, and that was the reason why I did not awaken you, because I wanted you to be out of pain. I have always thought you happy in the calmness of your temperament; but never did I see the like of the easy, cheerful way in which you bear this calamity.

Socrates: Why, Crito, when a man has reached my age he ought not to be repining at the prospect of death.

Crito: And yet other old men find themselves in similar misfortunes, and age does not prevent them from repining.

Socrates: That may be. But you have not told me why you come at this early hour.

Crito: I come to bring you a message which is sad and painful; not as I believe, to yourself, but to all of us who are your friends, and saddest of all to me.

Socrates: What! I suppose that the ship has come from Delos, on the arrival of which I am to die?

Crito: No, the ship has not actually arrived, but she will probably be here to-day, as persons who have come from Sunium tell me that they left her there; and therefore to-morrow, Socrates, will be the last day of your life.

Socrates: Very well, Crito; if such is the will of God, I am willing; but my belief is that there will be a delay of a day.

Crito: Why do you say this?

Socrates: I will tell you. I am to die on the day after the arrival of the ship?

Crito: Yes; that is what the authorities say.

Socrates: But I do not think that the ship will be here until tomorrow; this I gather from a vision which I had last night, or rather only just now, when you fortunately allowed me to sleep.

Crito: And what was the nature of the vision?

Socrates: There came to me the likeness of a woman, fair and comely, clothed in white raiment, who called to me and said: O Socrates—"The third day hence, to Phthia shalt thou go."

Crito: What a singular dream, Socrates!

Socrates: There can be no doubt about the meaning, Crito, I think.

Crito: Yes: the meaning is only too clear. But, oh my beloved Socrates, let me entreat you once more to take my advice and escape. For if you die I shall not only lose a friend who can never be replaced, but there is another evil: people who do not know you and me will believe that I might have saved you if I had been willing to give money, but that I did not care. Now, can there be a worse disgrace than this --that I should be thought to value money more than the life of a friend? For the many will not be persuaded that I wanted you to escape, and that you refused.

Socrates: But why, my dear Crito, should we care about the opinion of the many? Good men, and they are the only persons who are worth considering, will think of these things truly as they happened.

Crito: But do you see, Socrates, that the opinion of the many must be regarded, as is evident in your own case, because they can do the very greatest evil to anyone who has lost their good opinion.

Socrates: I only wish, Crito, that they could; for then they could also do the greatest good, and that would be well. But the truth is, that they can do neither good nor evil: they cannot make a man wise or make him foolish; and whatever they do is the result of chance.

Crito: Well, I will not dispute about that; but please to tell me, Socrates, whether you are not acting out of regard to me and your other friends: are you not afraid that if you escape hence we may get into trouble with the informers for having stolen you away, and lose either the whole or a great part of our property; or that even a worse evil may happen to us? Now, if this is your fear, be at ease; for in order to save you, we ought surely to run this or even a greater risk; be persuaded, then, and do as I say.

Socrates: Yes, Crito, that is one fear which you mention, but by no means the only one.

Crito: Fear not. There are persons who at no great cost are willing to save you and bring you out of prison; and as for the informers, you may observe that they are far from being exorbitant in their demands; a little money will satisfy them. My means, which, as I am sure, are ample, are at your service, and if you have a scruple about spending all mine, here are strangers who will give you the use of theirs; and one of them, Simmias the Theban, has brought a sum of money for this very purpose; and Cebes and many others are willing to spend their money too. I say, therefore, do not on that account hesitate about making your escape, and do not say, as you did in the court, that you will have a difficulty in knowing what to do with yourself if you escape. For men will love you in other places to which you may go, and not in Athens only; there are friends of mine in Thessaly, if you like to go to them, who will value and protect you, and no Thessalian will give you any trouble. Nor can I think that you are justified, Socrates, in betraying your own life when you might be saved; this is playing into the hands of your enemies and destroyers; and moreover I should say that you were betraying your children; for you might bring them up and educate them; instead of which you go away and leave them, and they will have to take their chance; and if they do not meet with the usual fate of orphans, there will be small thanks to you. No man should bring children into the world who is unwilling to persevere to the end in their nurture and education. But you are choosing the easier part, as I think, not the better

and manlier, which would rather have become one who professes virtue in all his actions, like yourself. And, indeed, I am ashamed not only of you, but of us who are your friends, when I reflect that this entire business of yours will be attributed to our want of courage. The trial need never have come on, or might have been brought to another issue; and the end of all, which is the crowning absurdity, will seem to have been permitted by us, through cowardice and base-ness, who might have saved you, as you might have saved yourself, if we had been good for anything (for there was no difficulty in escaping); and we did not see how disgraceful, Socrates, and also miserable all this will be to us as well as to you. Make your mind up then, or rather have your mind already made up, for the time of deliberation is over, and there is only one thing to be done, which must be done, if at all, this very night, and which any delay will render all but impossible; I beseech you therefore, Socrates, to be persuaded by me, and to do as I say.

Socrates: Dear Crito, your zeal is invaluable, if a right one; but if wrong, the greater the zeal the greater the evil; and therefore we ought to consider whether these things shall be done or not. For I am and always have been one of those natures who must be guided by reason, whatever the reason may be which upon reflection appears to me to be the best; and now that this fortune has come upon me, I cannot put away the reasons which I have before given: the principles which I have hitherto honored and revered I still honor, and unless we can find other and better principles on the instant, I am certain not to agree with you; no, not even if the power of the multitude could inflict many more imprisonments, confiscations, deaths, frightening us like children with hobgoblin terrors. But what will be the fairest way of considering the question? Shall I return to your old argument about the opinions of men? some of which are to be regarded, and others, as we were saying, are not to be regarded. Now were we right in maintaining this before I was condemned? And has the argument which was once good now proved to be talk for the sake of talking; in fact an amusement only, and altogether vanity? That is what I want to consider with your help, Crito, whether, under my present circumstances, the argument appears to be in any way different or not; and is to be allowed by me or disallowed. That argument, which, as I believe, is maintained by many who assume to be authorities, was to the effect, as I was saying, that the opinions of some men are to be regarded, and of other men not to be regarded. Now you, Crito, are a disinterested person who is not going to die tomorrow—at least, there is no human probability of this, and you are therefore not liable to be deceived by the circumstances in which you are placed. Tell me, then, whether I am right in saying that some opinions, and the opinions of some men only, are to be valued, and other opinions, and the opinions of other men, are not to be valued. I ask you whether I was right in maintaining this?

Crito: Certainly.

Socrates: The good are to be regarded, and not the bad?

Crito: Yes.

Socrates: And the opinions of the wise are good, and the opinions of the unwise are evil?

Crito: Certainly.

Socrates: And what was said about another matter? Was the disciple in gymnastics supposed to attend to the praise and blame and opinion of every man, or of one man only—his physician or trainer, whoever that was?

Crito: Of one man only.

Socrates: And he ought to fear the censure and welcome the praise of that one only, and not of the many?

Crito: That is clear.

Socrates: And he ought to live and train, and eat and drink in the way which seems good to his single master who has understanding, rather than according to the opinion of all other men put together?

Crito: True.

Socrates: And if he disobeys and disregards the opinion and approval of the one, and regards the opinion of the many who have no understanding, will he not suffer evil?

Crito: Certainly he will.

Socrates: And what will the evil be, whither tending and what affecting, in the disobedient person?

Crito: Clearly, affecting the body; that is what is destroyed by the evil.

Socrates: Very good; and is not this true, Crito, of other things which we need not separately enumerate? In the matter of just and unjust, fair and foul, good and evil, which are the subjects of our present consultation, ought we to follow the opinion of the many and to fear them; or the opinion of the one man who has understanding, and whom we ought to fear and reverence more than all the rest of the world: and whom deserting we shall destroy and injure that principle in us which may be assumed to be improved by justice and deteriorated by injustice; is there not such a principle?

Crito: Certainly there is, Socrates.

Socrates: Take a parallel instance: if, acting under the advice of men who have no understanding, we destroy that which is improvable by health and deteriorated by disease—when that has been destroyed, I say, would life be worth having? And that is—the body?

Crito: Yes.

Socrates: Could we live, having an evil and corrupted body?

Crito: Certainly not.

Socrates: And will life be worth having, if that higher part of man be depraved, which is improved by justice and deteriorated by injustice? Do we suppose that principle, whatever it may be in man, which has to do with justice and injustice, to be inferior to the body?

Crito: Certainly not.

Socrates: More honored, then?

Crito: Far more honored.

Socrates: Then, my friend, we must not regard what the many say of us: but what he, the one man who has understanding of just and unjust, will say, and what the truth will say. And therefore you begin in error when you suggest that we should regard the opinion of the many about just and unjust, good and evil, honorable and dishonorable. Well, someone will say, “But the many can kill us.”

Crito: Yes, Socrates; that will clearly be the answer.

Socrates: That is true: but still I find with surprise that the old argument is, as I conceive, unshaken as ever. And I should like to know whether I may say the same of another proposition—that not life, but a good life, is to be chiefly valued?

Crito: Yes, that also remains.

Socrates: And a good life is equivalent to a just and honorable one—that holds also?

Crito: Yes, that holds.

Socrates: From these premises I proceed to argue the question whether I ought or ought not to try to escape without the consent of the Athenians: and if I am clearly right in escaping, then I will make the attempt; but if not, I will abstain. The other considerations which you mention, of

money and loss of character, and the duty of educating children, are, as I hear, only the doctrines of the multitude, who would be as ready to call people to life, if they were able, as they are to put them to death—and with as little reason. But now, since the argument has thus far prevailed, the only question which remains to be considered is, whether we shall do rightly either in escaping or in suffering others to aid in our escape and paying them in money and thanks, or whether we shall not do rightly; and if the latter, then death or any other calamity which may ensue on my remaining here must not be allowed to enter into the calculation.

Crito: I think that you are right, Socrates; how then shall we proceed?

Socrates: Let us consider the matter together, and do you either refute me if you can, and I will be convinced; or else cease, my dear friend, from repeating to me that I ought to escape against the wishes of the Athenians: for I am extremely desirous to be persuaded by you, but not against my own better judgment. And now please to consider my first position, and do your best to answer me.

Crito: I will do my best.

Socrates: Are we to say that we are never intentionally to do wrong, or that in one way we ought and in another way we ought not to do wrong, or is doing wrong always evil and dishonorable, as I was just now saying, and as has been already acknowledged by us? Are all our former admissions which were made within a few days to be thrown away? And have we, at our age, been earnestly discoursing with one another all our life long only to discover that we are no better than children? Or are we to rest assured, in spite of the opinion of the many, and in spite of consequences whether better or worse, of the truth of what was then said, that injustice is always an evil and dishonor to him who acts unjustly? Shall we affirm that?

Crito: Yes.

Socrates: Then we must do no wrong?

Crito: Certainly not.

Socrates: Nor when injured injure in return, as the many imagine; for we must injure no one at all?

Crito: Clearly not.

Socrates: Again, Crito, may we do evil?

Crito: Surely not, Socrates.

Socrates: And what of doing evil in return for evil, which is the morality of the many—is that just or not?

Crito: Not just.

Socrates: For doing evil to another is the same as injuring him?

Crito: Very true.

Socrates: Then we ought not to retaliate or render evil for evil to anyone, whatever evil we may have suffered from him. But I would have you consider, Crito, whether you really mean what you are saying. For this opinion has never been held, and never will be held, by any considerable number of persons; and those who are agreed and those who are not agreed upon this point have no common ground, and can only despise one another when they see how widely they differ. Tell me, then, whether you agree with and assent to my first principle, that neither injury nor retaliation nor warding off evil by evil is ever right. And shall that be the premise of our argument? Or do you decline and dissent from this? For this has been of old and is still my opinion; but, if you are of another opinion, let me hear what you have to say. If, however, you remain of the same mind as formerly, I will proceed to the next step.

Crito: You may proceed, for I have not changed my mind.

Socrates: Then I will proceed to the next step, which may be put in the form of a question: Ought a man to do what he admits to be right, or ought he to betray the right?

Crito: He ought to do what he thinks right.

Socrates: But if this is true, what is the application? In leaving the prison against the will of the Athenians, do I wrong any? or rather do I not wrong those whom I ought least to wrong? Do I not desert the principles which were acknowledged by us to be just? What do you say?

Crito: I cannot tell, Socrates, for I do not know.

Socrates: Then consider the matter in this way: Imagine that I am about to play truant (you may call the proceeding by any name which you like), and the laws and the government come and interrogate me: "Tell us, Socrates," they say;

"what are you about? are you going by an act of yours to overturn us—the laws and the whole State, as far as in you lies? Do you imagine that a State can subsist and not be overthrown, in which the decisions of law have no power, but are set aside and overthrown by individuals?" What will be our answer, Crito, to these and the like words? Anyone, and especially a clever rhetorician, will have a good deal to urge about the evil of setting aside the law which requires a sentence to be carried out; and we might reply, "Yes; but the State has injured us and given an unjust sentence." Suppose I say that?

Crito: Very good, Socrates.

Socrates: "And was that our agreement with you?" the law would say; "or were you to abide by the sentence of the State?" And if I were to express astonishment at their saying this, the law would probably add: "Answer, Socrates, instead of opening your eyes: you are in the habit of asking and answering questions. Tell us what complaint you have to make against us which justifies you in attempting to destroy us and the State? In the first place did we not bring you into existence? Your father married your mother by our aid and begat you. Say whether you have any objection to urge against those of us who regulate marriage?" None, I should reply. "Or against those of us who regulate the system of nurture and education of children in which you were trained? Were not the laws, who have the charge of this, right in commanding your father to train you in music and gymnastic?" Right, I should reply. "Well, then, since you were brought into the world and nurtured and educated by us, can you deny in the first place that you are our child and slave, as your fathers were before you? And if this is true you are not on equal terms with us; nor can you think that you have a right to do to us what we are doing to you. Would you have any right to strike or revile or do any other evil to a father or to your master, if you had one, when you have been struck or reviled by him, or received some other evil at his hands?—you would not say this? And because we think right to destroy you, do you think that you have any right to destroy us in return, and your country as far as in you lies? And will you, O professor of true virtue, say that you are justified in this? Has a philosopher like you failed to discover that our country is more to be valued and higher and holier far than mother or father or any ancestor, and more to be regarded in the eyes of the gods and of men of understanding? Also to be soothed, and gently and reverently entreated when angry, even more than a father, and if not persuaded, obeyed? And when we are punished by her, whether with imprisonment or stripes, the punishment is to be endured in silence; and if she leads us to wounds or death in battle, thither we follow as is right; neither may anyone yield or retreat or leave his rank, but whether in battle or in a court of law, or in any other place, he must do what his city and his country order him; or he must change their view of what is just: and if he may do no violence to his father or mother, much less may he do violence to his country." What answer shall we make to this, Crito? Do the laws speak truly, or do they not?

Crito: I think that they do.

Socrates: Then the laws will say: “Consider, Socrates, if this is true, that in your present attempt you are going to do us wrong. For, after having brought you into the world, and nurtured and educated you, and given you and every other citizen a share in every good that we had to give, we further proclaim and give the right to every Athenian, that if he does not like us when he has come of age and has seen the ways of the city, and made our acquaintance, he may go where he pleases and take his goods with him; and none of us laws will forbid him or interfere with him. Any of you who does not like us and the city, and who wants to go to a colony or to any other city, may go where he likes, and take his goods with him. But he who has experience of the manner in which we order justice and administer the State, and still remains, has entered into an implied contract that he will do as we command him. And he who disobeys us is, as we maintain, thrice wrong: first, because in disobeying us he is disobeying his parents; secondly, because we are the authors of his education; thirdly, because he has made an agreement with us that he will duly obey our commands; and he neither obeys them nor convinces us that our commands are wrong; and we do not rudely impose them, but give him the alternative of obeying or convincing us; that is what we offer, and he does neither. These are the sort of accusations to which, as we were saying, you, Socrates, will be exposed if you accomplish your intentions; you, above all other Athenians.” Suppose I ask, why is this? they will justly retort upon me that I above all other men have acknowledged the agreement. “There is clear proof,” they will say, “Socrates, that we and the city were not displeasing to you. Of all Athenians you have been the most constant resident in the city, which, as you never leave, you may be supposed to love. For you never went out of the city either to see the games, except once when you went to the Isthmus, or to any other place unless when you were on military service; nor did you travel as other men do. Nor had you any curiosity to know other States or their laws: your affections did not go beyond us and our State; we were your special favorites, and you acquiesced in our government of you; and this is the State in which you begat your children, which is a proof of your satisfaction. Moreover, you might, if you had liked, have fixed the penalty at banishment in the course of the trial—the State which refuses to let you go now would have let you go then. But you pretended that you preferred death to exile, and that you were not grieved at death. And now you have forgotten these fine sentiments, and pay no respect to us, the laws, of whom you are the destroyer; and are doing what only a miserable slave would do, running away and turning your back upon the compacts and agreements which you made as a citizen. And first of all answer this very question: Are we right in saying that you agreed to be governed according to us in deed, and not in word only? Is that true or not?” How shall we answer that, Crito? Must we not agree?

Crito: There is no help, Socrates.

Socrates: Then will they not say: “You, Socrates, are breaking the covenants and agreements which you made with us at your leisure, not in any haste or under any compulsion or deception, but having had seventy years to think of them, during which time you were at liberty to leave the city, if we were not to your mind, or if our covenants appeared to you to be unfair. You had your choice, and might have gone either to Lacedaemon or Crete, which you often praise for their good government, or to some other Hellenic or foreign State. Whereas you, above all other Athenians, seemed to be so fond of the State, or, in other words, of us her laws (for who would like a State that has no laws), that you never stirred out of her: the halt, the blind, the maimed, were not more stationary in her than you were. And now you run away and forsake your agreements. Not so, Socrates, if you will take our advice; do not make yourself ridiculous by escaping out of the city.

“For just consider, if you transgress and err in this sort of way, what good will you do, either to yourself or to your friends? That your friends will be driven into exile and deprived of citizenship, or will lose their property, is tolerably certain; and you yourself, if you fly to one of the neighboring cities, as, for example, Thebes or Megara, both of which are well-governed cities, will come to them as an enemy, Socrates, and their government will be against you, and all patriotic citizens will cast an evil eye upon you as a subverter of the laws, and you will confirm in the minds of the judges the justice of their own condemnation of you. For he who is a corrupter of the laws is more than likely to be corrupter of the young and foolish portion of mankind. Will you then flee from well-ordered cities and virtuous men? and is existence worth having on these terms? Or will you go to them without shame, and talk to them, Socrates? And what will you say to them? What you say here about virtue and justice and institutions and laws being the best things among men? Would that be decent of you? Surely not. But if you go away from well-governed States to Crito’s friends in Thessaly, where there is great disorder and license, they will be charmed to have the tale of your escape from prison, set off with ludicrous particulars of the manner in which you were wrapped in a goatskin or some other disguise, and metamorphosed as the fashion of runaways is—that is very likely; but will there be no one to remind you that in your old age you violated the most sacred laws from a miserable desire of a little more life? Perhaps not, if you keep them in a good temper; but if they are out of temper you will hear many degrading things; you will live, but how?—as the flatterer of all men, and the servant of all men; and doing what?—eating and drinking in Thessaly, having gone abroad in order that you may get a dinner. And where will be your fine sentiments about justice and virtue then? Say that you wish to live for the sake of your children, that you may bring them up and educate them—will you take them into Thessaly and deprive them of Athenian citizenship? Is that the benefit which you would confer upon them? Or are you under the impression that they will be better cared for and educated here if you are still alive, although absent from them; for that your friends will take care of them? Do you fancy that if you are an inhabitant of Thessaly they will take care of them, and if you are an inhabitant of the other world they will not take care of them? Nay; but if they who call themselves friends are truly friends, they surely will.

“Listen, then, Socrates, to us who have brought you up. Think not of life and children first, and of justice afterwards, but of justice first, that you may be justified before the princes of the world below. For neither will you nor any that belong to you be happier or holier or juster in this life, or happier in another, if you do as Crito bids. Now you depart in innocence, a sufferer and not a doer of evil; a victim, not of the laws, but of men. But if you go forth, returning evil for evil, and injury for injury, breaking the covenants and agreements which you have made with us, and wronging those whom you ought least to wrong, that is to say, yourself, your friends, your country, and us, we shall be angry with you while you live, and our brethren, the laws in the world below, will receive you as an enemy; for they will know that you have done your best to destroy us. Listen, then, to us and not to Crito.”

This is the voice which I seem to hear murmuring in my ears, like the sound of the flute in the ears of the mystic; that voice, I say, is humming in my ears, and prevents me from hearing any other. And I know that anything more which you may say will be in vain. Yet speak, if you have anything to say.

Crito: I have nothing to say, Socrates.

Socrates: Then let me follow the intimations of the will of God.

[End.]

On the Duty of Civil Disobedience

by Henry David Thoreau

[1849, original title: Resistance to Civil Government]

I heartily accept the motto, “That government is best which governs least”; and I should like to see it acted up to more rapidly and systematically. Carried out, it finally amounts to this, which also I believe—“That government is best which governs not at all”; and when men are prepared for it, that will be the kind of government which they will have. Government is at best but an expedient; but most governments are usually, and all governments are sometimes, inexpedient. The objections which have been brought against a standing army, and they are many and weighty, and deserve to prevail, may also at last be brought against a standing government. The standing army is only an arm of the standing government. The government itself, which is only the mode which the people have chosen to execute their will, is equally liable to be abused and perverted before the people can act through it. Witness the present Mexican war, the work of comparatively a few individuals using the standing government as their tool; for in the outset, the people would not have consented to this measure.

This American government—what is it but a tradition, though a recent one, endeavoring to transmit itself unimpaired to posterity, but each instant losing some of its integrity? It has not the vitality and force of a single living man; for a single man can bend it to his will. It is a sort of wooden gun to the people themselves. But it is not the less necessary for this; for the people must have some complicated machinery or other, and hear its din, to satisfy that idea of government which they have. Governments show thus how successfully men can be imposed upon, even impose on themselves, for their own advantage. It is excellent, we must all allow. Yet this government never of itself furthered any enterprise, but by the alacrity with which it got out of its way. It does not keep the country free. It does not settle the West. It does not educate. The character inherent in the American people has done all that has been accomplished; and it would have done somewhat more, if the government had not sometimes got in its way. For government is an expedient, by which men would fain succeed in letting one another alone; and, as has been said, when it is most expedient, the governed are most let alone by it. Trade and commerce, if they were not made of India-rubber, would never manage to bounce over obstacles which legislators are continually putting in their way; and if one were to judge these men wholly by the effects of their actions and not partly by their intentions, they would deserve to be classed and punished with those mischievous persons who put obstructions on the railroads.

But, to speak practically and as a citizen, unlike those who call themselves no-government men, I ask for, not at once no government, but at once a better government. Let every man make known what kind of government would command his respect, and that will be one step toward obtaining it.

After all, the practical reason why, when the power is once in the hands of the people, a majority are permitted, and for a long period continue, to rule is not because they are most likely to be in the right, nor because this seems fairest to the minority, but because they are physically the strongest. But a government in which the majority rule in all cases can not be based on justice, even as far as men understand it. Can there not be a government in which the majorities do not virtually decide right and wrong, but conscience?--in which majorities decide only those questions to which the rule of expediency is applicable? Must the citizen ever for a moment, or

in the least degree, resign his conscience to the legislator? Why has every man a conscience then? I think that we should be men first, and subjects afterward. It is not desirable to cultivate a respect for the law, so much as for the right. The only obligation which I have a right to assume is to do at any time what I think right. It is truly enough said that a corporation has no conscience; but a corporation on conscientious men is a corporation with a conscience. Law never made men a whit more just; and, by means of their respect for it, even the well-disposed are daily made the agents on injustice. A common and natural result of an undue respect for the law is, that you may see a file of soldiers, colonel, captain, corporal, privates, powder-monkeys, and all, marching in admirable order over hill and dale to the wars, against their wills, ay, against their common sense and consciences, which makes it very steep marching indeed, and produces a palpitation of the heart. They have no doubt that it is a damnable business in which they are concerned; they are all peaceably inclined. Now, what are they? Men at all? or small movable forts and magazines, at the service of some unscrupulous man in power?

Visit the Navy Yard, and behold a marine, such a man as an American government can make, or such as it can make a man with its black arts—a mere shadow and reminiscence of humanity, a man laid out alive and standing, and already, as one may say, buried under arms with funeral accompaniment, though it may be,

“Not a drum was heard, not a funeral note,
As his corpse to the rampart we hurried;
Not a soldier discharged his farewell shot
O’er the grave where out hero was buried.”

The mass of men serve the state thus, not as men mainly, but as machines, with their bodies. They are the standing army, and the militia, jailers, constables, posse comitatus, etc. In most cases there is no free exercise whatever of the judgment or of the moral sense; but they put themselves on a level with wood and earth and stones; and wooden men can perhaps be manufactured that will serve the purpose as well. Such command no more respect than men of straw or a lump of dirt.

They have the same sort of worth only as horses and dogs.

Yet such as these even are commonly esteemed good citizens. Others—as most legislators, politicians, lawyers, ministers, and office-holders—serve the state chiefly with their heads; and, as the rarely make any moral distinctions, they are as likely to serve the devil, without intending it, as God. A very few—as heroes, patriots, martyrs, reformers in the great sense, and men—serve the state with their consciences also, and so necessarily resist it for the most part; and they are commonly treated as enemies by it. A wise man will only be useful as a man, and will not submit to be “clay,” and “stop a hole to keep the wind away,” but leave that office to his dust at least:

“I am too high born to be propertied,
To be a second at control,
Or useful serving-man and instrument
To any sovereign state throughout the world.”

He who gives himself entirely to his fellow men appears to them useless and selfish; but he who gives himself partially to them in pronounced a benefactor and philanthropist.

How does it become a man to behave toward the American government today? I answer, that he cannot without disgrace be associated with it. I cannot for an instant recognize that political organization as my government which is the slave's government also.

All men recognize the right of revolution; that is, the right to refuse allegiance to, and to resist, the government, when its tyranny or its inefficiency are great and unendurable. But almost all say that such is not the case now. But such was the case, they think, in the Revolution of '75. If one were to tell me that this was a bad government because it taxed certain foreign commodities brought to its ports, it is most probable that I should not make an ado about it, for I can do without them. All machines have their friction; and possibly this does enough good to counter-balance the evil. At any rate, it is a great evil to make a stir about it. But when the friction comes to have its machine, and oppression and robbery are organized, I say, let us not have such a machine any longer. In other words, when a sixth of the population of a nation which has undertaken to be the refuge of liberty are slaves, and a whole country is unjustly overrun and conquered by a foreign army, and subjected to military law, I think that it is not too soon for honest men to rebel and revolutionize. What makes this duty the more urgent is that fact that the country so overrun is not our own, but ours is the invading army.

Paley, a common authority with many on moral questions, in his chapter on the "Duty of Submission to Civil Government," resolves all civil obligation into expediency; and he proceeds to say that "so long as the interest of the whole society requires it, that it, so long as the established government cannot be resisted or changed without public inconveniency, it is the will of God. . .that the established government be obeyed—and no longer. This principle being admitted, the justice of every particular case of resistance is reduced to a computation of the quantity of the danger and grievance on the one side, and of the probability and expense of redressing it on the other." Of this, he says, every man shall judge for himself. But Paley appears never to have contemplated those cases to which the rule of expediency does not apply, in which a people, as well and an individual, must do justice, cost what it may. If I have unjustly wrested a plank from a drowning man, I must restore it to him though I drown myself. This, according to Paley, would be inconvenient.

But he that would save his life, in such a case, shall lose it. This people must cease to hold slaves, and to make war on Mexico, though it cost them their existence as a people.

In their practice, nations agree with Paley; but does anyone think that Massachusetts does exactly what is right at the present crisis?

"A drab of stat,
a cloth-o'-silver slut,
To have her train borne up,
and her soul trail in the dirt."

Practically speaking, the opponents to a reform in Massachusetts are not a hundred thousand politicians at the South, but a hundred thousand merchants and farmers here, who are more interested in commerce and agriculture than they are in humanity, and are not prepared to do justice to the slave and to Mexico, cost what it may. I quarrel not with far-off foes, but with those who, neat at home, co-operate with, and do the bidding of, those far away, and without whom the latter would be harmless. We are accustomed to say, that the mass of men are unprepared; but improvement is slow, because the few are not as materially wiser or better than the many. It is not so important that many should be good as you, as that there be some absolute

goodness somewhere; for that will leaven the whole lump. There are thousands who are in opinion opposed to slavery and to the war, who yet in effect do nothing to put an end to them; who, esteeming themselves children of Washington and Franklin, sit down with their hands in their pockets, and say that they know not what to do, and do nothing; who even postpone the question of freedom to the question of free trade, and quietly read the prices-current along with the latest advices from Mexico, after dinner, and, it may be, fall asleep over them both. What is the price-current of an honest man and patriot today? They hesitate, and they regret, and sometimes they petition; but they do nothing in earnest and with effect. They will wait, well disposed, for other to remedy the evil, that they may no longer have it to regret. At most, they give up only a cheap vote, and a feeble countenance and Godspeed, to the right, as it goes by them. There are nine hundred and ninety-nine patrons of virtue to one virtuous man. But it is easier to deal with the real possessor of a thing than with the temporary guardian of it.

All voting is a sort of gaming, like checkers or backgammon, with a slight moral tinge to it, a playing with right and wrong, with moral questions; and betting naturally accompanies it. The character of the voters is not staked. I cast my vote, perchance, as I think right; but I am not vitally concerned that that right should prevail. I am willing to leave it to the majority. Its obligation, therefore, never exceeds that of expediency. Even voting for the right is doing nothing for it. It is only expressing to men feebly your desire that it should prevail. A wise man will not leave the right to the mercy of chance, nor wish it to prevail through the power of the majority. There is but little virtue in the action of masses of men. When the majority shall at length vote for the abolition of slavery, it will be because they are indifferent to slavery, or because there is but little slavery left to be abolished by their vote. They will then be the only slaves. Only his vote can hasten the abolition of slavery who asserts his own freedom by his vote.

I hear of a convention to be held at Baltimore, or elsewhere, for the selection of a candidate for the Presidency, made up chiefly of editors, and men who are politicians by profession; but I think, what is it to any independent, intelligent, and respectable man what decision they may come to? Shall we not have the advantage of this wisdom and honesty, nevertheless? Can we not count upon some independent votes? Are there not many individuals in the country who do not attend conventions? But no: I find that the respectable man, so called, has immediately drifted from his position, and despairs of his country, when his country has more reasons to despair of him. He forthwith adopts one of the candidates thus selected as the only available one, thus proving that he is himself available for any purposes of the demagogue. His vote is of no more worth than that of any unprincipled foreigner or hireling native, who may have been bought. O for a man who is a man, and, and my neighbor says, has a bone in his back which you cannot pass your hand through! Our statistics are at fault: the population has been returned too large. How many men are there to a square thousand miles in the country? Hardly one. Does not America offer any inducement for men to settle here? The American has dwindled into an Odd Fellow—one who may be known by the development of his organ of gregariousness, and a manifest lack of intellect and cheerful self-reliance; whose first and chief concern, on coming into the world, is to see that the almshouses are in good repair; and, before yet he has lawfully donned the virile garb, to collect a fund to the support of the widows and orphans that may be; who, in short, ventures to live only by the aid of the Mutual Insurance company, which has promised to bury him decently.

It is not a man's duty, as a matter of course, to devote himself to the eradication of any, even to most enormous, wrong; he may still properly have other concerns to engage him; but it is his

duty, at least, to wash his hands of it, and, if he gives it no thought longer, not to give it practically his support. If I devote myself to other pursuits and contemplations, I must first see, at least, that I do not pursue them sitting upon another man's shoulders. I must get off him first, that he may pursue his contemplations too. See what gross inconsistency is tolerated. I have heard some of my townsmen say, "I should like to have them order me out to help put down an insurrection of the slaves, or to march to Mexico—see if I would go"; and yet these very men have each, directly by their allegiance, and so indirectly, at least, by their money, furnished a substitute. The soldier is applauded who refuses to serve in an unjust war by those who do not refuse to sustain the unjust government which makes the war; is applauded by those whose own act and authority he disregards and sets at naught; as if the state were penitent to that degree that it hired one to scourge it while it sinned, but not to that degree that it left off sinning for a moment. Thus, under the name of Order and Civil Government, we are all made at last to pay homage to and support our own meanness. After the first blush of sin comes its indifference; and from immoral it becomes, as it were, unmoral, and not quite unnecessary to that life which we have made.

The broadest and most prevalent error requires the most disinterested virtue to sustain it. The slight reproach to which the virtue of patriotism is commonly liable, the noble are most likely to incur. Those who, while they disapprove of the character and measures of a government, yield to it their allegiance and support are undoubtedly its most conscientious supporters, and so frequently the most serious obstacles to reform. Some are petitioning the State to dissolve the Union, to disregard the requisitions of the President. Why do they not dissolve it themselves—the union between themselves and the State—and refuse to pay their quota into its treasury? Do not they stand in same relation to the State that the State does to the Union? And have not the same reasons prevented the State from resisting the Union which have prevented them from resisting the State?

How can a man be satisfied to entertain an opinion merely, and enjoy it? Is there any enjoyment in it, if his opinion is that he is aggrieved? If you are cheated out of a single dollar by your neighbor, you do not rest satisfied with knowing you are cheated, or with saying that you are cheated, or even with petitioning him to pay you your due; but you take effectual steps at once to obtain the full amount, and see to it that you are never cheated again. Action from principle, the perception and the performance of right, changes things and relations; it is essentially revolutionary, and does not consist wholly with anything which was. It not only divided States and churches, it divides families; ay, it divides the individual, separating the diabolical in him from the divine.

Unjust laws exist: shall we be content to obey them, or shall we endeavor to amend them, and obey them until we have succeeded, or shall we transgress them at once? Men, generally, under such a government as this, think that they ought to wait until they have persuaded the majority to alter them. They think that, if they should resist, the remedy would be worse than the evil. But it is the fault of the government itself that the remedy is worse than the evil. It makes it worse. Why is it not more apt to anticipate and provide for reform? Why does it not cherish its wise minority? Why does it cry and resist before it is hurt? Why does it not encourage its citizens to put out its faults, and do better than it would have them? Why does it always crucify Christ and excommunicate Copernicus and Luther, and pronounce Washington and Franklin rebels?

One would think, that a deliberate and practical denial of its authority was the only offense never contemplated by its government; else, why has it not assigned its definite, its suitable and proportionate, penalty? If a man who has no property refuses but once to earn nine shillings for

the State, he is put in prison for a period unlimited by any law that I know, and determined only by the discretion of those who put him there; but if he should steal ninety times nine shillings from the State, he is soon permitted to go at large again.

If the injustice is part of the necessary friction of the machine of government, let it go, let it go: perchance it will wear smooth—certainly the machine will wear out. If the injustice has a spring, or a pulley, or a rope, or a crank, exclusively for itself, then perhaps you may consider whether the remedy will not be worse than the evil; but if it is of such a nature that it requires you to be the agent of injustice to another, then I say, break the law. Let your life be a counter-friction to stop the machine. What I have to do is to see, at any rate, that I do not lend myself to the wrong which I condemn.

As for adopting the ways of the State has provided for remedying the evil, I know not of such ways. They take too much time, and a man's life will be gone. I have other affairs to attend to. I came into this world, not chiefly to make this a good place to live in, but to live in it, be it good or bad. A man has not everything to do, but something; and because he cannot do everything, it is not necessary that he should be petitioning the Governor or the Legislature any more than it is theirs to petition me; and if they should not hear my petition, what should I do then? But in this case the State has provided no way: its very Constitution is the evil. This may seem to be harsh and stubborn and unconciliatory; but it is to treat with the utmost kindness and consideration the only spirit that can appreciate or deserves it. So is all change for the better, like birth and death, which convulse the body.

I do not hesitate to say, that those who call themselves Abolitionists should at once effectually withdraw their support, both in person and property, from the government of Massachusetts, and not wait till they constitute a majority of one, before they suffer the right to prevail through them. I think that it is enough if they have God on their side, without waiting for that other one. Moreover, any man more right than his neighbors constitutes a majority of one already.

I meet this American government, or its representative, the State government, directly, and face to face, once a year—no more—in the person of its tax-gatherer; this is the only mode in which a man situated as I am necessarily meets it; and it then says distinctly, Recognize me; and the simplest, the most effectual, and, in the present posture of affairs, the indispensablest mode of treating with it on this head, of expressing your little satisfaction with and love for it, is to deny it then. My civil neighbor, the tax-gatherer, is the very man I have to deal with—for it is, after all, with men and not with parchment that I quarrel—and he has voluntarily chosen to be an agent of the government. How shall he ever know well that he is and does as an officer of the government, or as a man, until he is obliged to consider whether he will treat me, his neighbor, for whom he has respect, as a neighbor and well-disposed man, or as a maniac and disturber of the peace, and see if he can get over this obstruction to his neighborliness without a ruder and more impetuous thought or speech corresponding with his action. I know this well, that if one thousand, if one hundred, if ten men whom I could name—if ten honest men only—ay, if one HONEST man, in this State of Massachusetts, ceasing to hold slaves, were actually to withdraw from this co-partnership, and be locked up in the county jail therefor, it would be the abolition of slavery in America. For it matters not how small the beginning may seem to be: what is once well done is done forever. But we love better to talk about it: that we say is our mission. Reform keeps many scores of newspapers in its service, but not one man. If my esteemed neighbor, the State's ambassador, who will devote his days to the settlement of the question of human rights in the Council Chamber, instead of being threatened with the prisons of Carolina, were to sit down the prisoner of Massachusetts, that State which is so anxious to foist the sin of

slavery upon her sister—though at present she can discover only an act of inhospitality to be the ground of a quarrel with her—the Legislature would not wholly waive the subject of the following winter.

Under a government which imprisons unjustly, the true place for a just man is also a prison. The proper place today, the only place which Massachusetts has provided for her freer and less despondent spirits, is in her prisons, to be put out and locked out of the State by her own act, as they have already put themselves out by their principles. It is there that the fugitive slave, and the Mexican prisoner on parole, and the Indian come to plead the wrongs of his race should find them; on that separate but more free and honorable ground, where the State places those who are not with her, but against her—the only house in a slave State in which a free man can abide with honor. If any think that their influence would be lost there, and their voices no longer afflict the ear of the State, that they would not be as an enemy within its walls, they do not know by how much truth is stronger than error, nor how much more eloquently and effectively he can combat injustice who has experienced a little in his own person. Cast your whole vote, not a strip of paper merely, but your whole influence. A minority is powerless while it conforms to the majority; it is not even a minority then; but it is irresistible when it clogs by its whole weight. If the alternative is to keep all just men in prison, or give up war and slavery, the State will not hesitate which to choose. If a thousand men were not to pay their tax bills this year, that would not be a violent and bloody measure, as it would be to pay them, and enable the State to commit violence and shed innocent blood. This is, in fact, the definition of a peaceable revolution, if any such is possible. If the tax-gatherer, or any other public officer, asks me, as one has done, “But what shall I do?” my answer is, “If you really wish to do anything, resign your office.” When the subject has refused allegiance, and the officer has resigned from office, then the revolution is accomplished. But even suppose blood shed when the conscience is wounded? Through this wound a man’s real manhood and immortality flow out, and he bleeds to an everlasting death. I see this blood flowing now.

I have contemplated the imprisonment of the offender, rather than the seizure of his goods—though both will serve the same purpose—because they who assert the purest right, and consequently are most dangerous to a corrupt State, commonly have not spent much time in accumulating property. To such the State renders comparatively small service, and a slight tax is wont to appear exorbitant, particularly if they are obliged to earn it by special labor with their hands. If there were one who lived wholly without the use of money, the State itself would hesitate to demand it of him. But the rich man—not to make any invidious comparison—is always sold to the institution which makes him rich. Absolutely speaking, the more money, the less virtue; for money comes between a man and his objects, and obtains them for him; it was certainly no great virtue to obtain it. It puts to rest many questions which he would otherwise be taxed to answer; while the only new question which it puts is the hard but superfluous one, how to spend it. Thus his moral ground is taken from under his feet. The opportunities of living are diminished in proportion as that are called the “means” are increased. The best thing a man can do for his culture when he is rich is to endeavor to carry out those schemes which he entertained when he was poor. Christ answered the Herodians according to their condition. “Show me the tribute-money,” said he—and one took a penny out of his pocket—if you use money which has the image of Caesar on it, and which he has made current and valuable, that is, if you are men of the State, and gladly enjoy the advantages of Caesar’s government, then pay him back some of his own when he demands it. “Render therefore to Caesar that which is Caesar’s and to God

those things which are God's"—leaving them no wiser than before as to which was which; for they did not wish to know.

When I converse with the freest of my neighbors, I perceive that, whatever they may say about the magnitude and seriousness of the question, and their regard for the public tranquility, the long and the short of the matter is, that they cannot spare the protection of the existing government, and they dread the consequences to their property and families of disobedience to it. For my own part, I should not like to think that I ever rely on the protection of the State. But, if I deny the authority of the State when it presents its tax bill, it will soon take and waste all my property, and so harass me and my children without end. This is hard. This makes it impossible for a man to live honestly, and at the same time comfortably, in outward respects. It will not be worth the while to accumulate property; that would be sure to go again. You must hire or squat somewhere, and raise but a small crop, and eat that soon. You must live within yourself, and depend upon yourself always tucked up and ready for a start, and not have many affairs. A man may grow rich in Turkey even, if he will be in all respects a good subject of the Turkish government. Confucius said: "If a state is governed by the principles of reason, poverty and misery are subjects of shame; if a state is not governed by the principles of reason, riches and honors are subjects of shame." No: until I want the protection of Massachusetts to be extended to me in some distant Southern port, where my liberty is endangered, or until I am bent solely on building up an estate at home by peaceful enterprise, I can afford to refuse allegiance to Massachusetts, and her right to my property and life. It costs me less in every sense to incur the penalty of disobedience to the State than it would to obey. I should feel as if I were worth less in that case.

Some years ago, the State met me in behalf of the Church, and commanded me to pay a certain sum toward the support of a clergyman whose preaching my father attended, but never I myself. "Pay," it said, "or be locked up in the jail." I declined to pay. But, unfortunately, another man saw fit to pay it. I did not see why the schoolmaster should be taxed to support the priest, and not the priest the schoolmaster; for I was not the State's schoolmaster, but I supported myself by voluntary subscription. I did not see why the lyceum should not present its tax bill, and have the State to back its demand, as well as the Church. However, as the request of the selectmen, I condescended to make some such statement as this in writing: "Know all men by these presents, that I, Henry Thoreau, do not wish to be regarded as a member of any society which I have not joined." This I gave to the town clerk; and he has it. The State, having thus learned that I did not wish to be regarded as a member of that church, has never made a like demand on me since; though it said that it must adhere to its original presumption that time. If I had known how to name them, I should then have signed off in detail from all the societies which I never signed on to; but I did not know where to find such a complete list.

I have paid no poll tax for six years. I was put into a jail once on this account, for one night; and, as I stood considering the walls of solid stone, two or three feet thick, the door of wood and iron, a foot thick, and the iron grating which strained the light, I could not help being struck with the foolishness of that institution which treated me as if I were mere flesh and blood and bones, to be locked up. I wondered that it should have concluded at length that this was the best use it could put me to, and had never thought to avail itself of my services in some way. I saw that, if there was a wall of stone between me and my townsmen, there was a still more difficult one to climb or break through before they could get to be as free as I was. I did not for a moment feel confined, and the walls seemed a great waste of stone and mortar. I felt as if I alone of all my townsmen had paid my tax. They plainly did not know how to treat me, but behaved like

persons who are underbred. In every threat and in every compliment there was a blunder; for they thought that my chief desire was to stand the other side of that stone wall. I could not but smile to see how industriously they locked the door on my meditations, which followed them out again without let or hindrance, and they were really all that was dangerous. As they could not reach me, they had resolved to punish my body; just as boys, if they cannot come at some person against whom they have a spite, will abuse his dog. I saw that the State was half-witted, that it was timid as a lone woman with her silver spoons, and that it did not know its friends from its foes, and I lost all my remaining respect for it, and pitied it.

Thus the state never intentionally confronts a man's sense, intellectual or moral, but only his body, his senses. It is not armed with superior with or honesty, but with superior physical strength. I was not born to be forced. I will breathe after my own fashion. Let us see who is the strongest. What force has a multitude? They only can force me who obey a higher law than I. They force me to become like themselves. I do not hear of men being forced to live this way or that by masses of men. What sort of life were that to live? When I meet a government which says to me, "Your money our your life," why should I be in haste to give it my money? It may be in a great strait, and not know what to do: I cannot help that. It must help itself; do as I do. It is not worth the while to snivel about it. I am not responsible for the successful working of the machinery of society. I am not the son of the engineer. I perceive that, when an acorn and a chestnut fall side by side, the one does not remain inert to make way for the other, but both obey their own laws, and spring and grow and flourish as best they can, till one, perchance, overshadows and destroys the other. If a plant cannot live according to nature, it dies; and so a man.

The night in prison was novel and interesting enough. The prisoners in their shirtsleeves were enjoying a chat and the evening air in the doorway, when I entered. But the jailer said, "Come, boys, it is time to lock up"; and so they dispersed, and I heard the sound of their steps returning into the hollow apartments. My room-mate was introduced to me by the jailer as "a first-rate fellow and clever man." When the door was locked, he showed me where to hang my hat, and how he managed matters there. The rooms were whitewashed once a month; and this one, at least, was the whitest, most simply furnished, and probably neatest apartment in town. He naturally wanted to know where I came from, and what brought me there; and, when I had told him, I asked him in my turn how he came there, presuming him to be an honest an, of course; and as the world goes, I believe he was. "Why," said he, "they accuse me of burning a barn; but I never did it." As near as I could discover, he had probably gone to bed in a barn when drunk, and smoked his pipe there; and so a barn was burnt. He had the reputation of being a clever man, had been there some three months waiting for his trial to come on, and would have to wait as much longer; but he was quite domesticated and contented, since he got his board for nothing, and thought that he was well treated.

He occupied one window, and I the other; and I saw that if one stayed there long, his principal business would be to look out the window. I had soon read all the tracts that were left there, and examined where former prisoners had broken out, and where a grate had been sawed off, and heard the history of the various occupants of that room; for I found that even there was a history and a gossip which never circulated beyond the walls of the jail. Probably this is the only house in the town where verses are composed, which are afterward printed in a circular form, but not published. I was shown quite a long list of young men who had been detected in an attempt to escape, who avenged themselves by singing them.

I pumped my fellow-prisoner as dry as I could, for fear I should never see him again; but at length he showed me which was my bed, and left me to blow out the lamp.

It was like traveling into a far country, such as I had never expected to behold, to lie there for one night. It seemed to me that I never had heard the town clock strike before, not the evening sounds of the village; for we slept with the windows open, which were inside the grating. It was to see my native village in the light of the Middle Ages, and our Concord was turned into a Rhine stream, and visions of knights and castles passed before me. They were the voices of old burghers that I heard in the streets. I was an involuntary spectator and auditor of whatever was done and said in the kitchen of the adjacent village inn—a wholly new and rare experience to me. It was a closer view of my native town. I was fairly inside of it. I never had seen its institutions before. This is one of its peculiar institutions; for it is a shire town. I began to comprehend what its inhabitants were about.

In the morning, our breakfasts were put through the hole in the door, in small oblong-square tin pans, made to fit, and holding a pint of chocolate, with brown bread, and an iron spoon. When they called for the vessels again, I was green enough to return what bread I had left, but my comrade seized it, and said that I should lay that up for lunch or dinner. Soon after he was let out to work at haying in a neighboring field, whither he went every day, and would not be back till noon; so he bade me good day, saying that he doubted if he should see me again.

When I came out of prison—for some one interfered, and paid that tax—I did not perceive that great changes had taken place on the common, such as he observed who went in a youth and emerged a gray-headed man; and yet a change had come to my eyes come over the scene—the town, and State, and country, greater than any that mere time could effect. I saw yet more distinctly the State in which I lived. I saw to what extent the people among whom I lived could be trusted as good neighbors and friends; that their friendship was for summer weather only; that they did not greatly propose to do right; that they were a distinct race from me by their prejudices and superstitions, as the Chinamen and Malays are that in their sacrifices to humanity they ran no risks, not even to their property; that after all they were not so noble but they treated the thief as he had treated them, and hoped, by a certain outward observance and a few prayers, and by walking in a particular straight through useless path from time to time, to save their souls. This may be to judge my neighbors harshly; for I believe that many of them are not aware that they have such an institution as the jail in their village.

It was formerly the custom in our village, when a poor debtor came out of jail, for his acquaintances to salute him, looking through their fingers, which were crossed to represent the jail window, “How do ye do?” My neighbors did not thus salute me, but first looked at me, and then at one another, as if I had returned from a long journey. I was put into jail as I was going to the shoemaker’s to get a shoe which was mender. When I was let out the next morning, I proceeded to finish my errand, and, having put on my mended show, joined a huckleberry party, who were impatient to put themselves under my conduct; and in half an hour—for the horse was soon tackled—was in the midst of a huckleberry field, on one of our highest hills, two miles off, and then the State was nowhere to be seen.

This is the whole history of “My Prisons.”

I have never declined paying the highway tax, because I am as desirous of being a good neighbor as I am of being a bad subject; and as for supporting schools, I am doing my part to educate my fellow countrymen now. It is for no particular item in the tax bill that I refuse to pay it. I simply wish to refuse allegiance to the State, to withdraw and stand aloof from it effectually. I do not care to trace the course of my dollar, if I could, till it buys a man a musket to shoot one

with—the dollar is innocent—but I am concerned to trace the effects of my allegiance. In fact, I quietly declare war with the State, after my fashion, though I will still make use and get what advantages of her I can, as is usual in such cases.

If others pay the tax which is demanded of me, from a sympathy with the State, they do but what they have already done in their own case, or rather they abet injustice to a greater extent than the State requires. If they pay the tax from a mistaken interest in the individual taxed, to save his property, or prevent his going to jail, it is because they have not considered wisely how far they let their private feelings interfere with the public good.

This, then is my position at present. But one cannot be too much on his guard in such a case, lest his actions be biased by obstinacy or an undue regard for the opinions of men. Let him see that he does only what belongs to himself and to the hour.

I think sometimes, Why, this people mean well, they are only ignorant; they would do better if they knew how: why give your neighbors this pain to treat you as they are not inclined to? But I think again, This is no reason why I should do as they do, or permit others to suffer much greater pain of a different kind. Again, I sometimes say to myself, When many millions of men, without heat, without ill will, without personal feelings of any kind, demand of you a few shillings only, without the possibility, such is their constitution, of retracting or altering their present demand, and without the possibility, on your side, of appeal to any other millions, why expose yourself to this overwhelming brute force? You do not resist cold and hunger, the winds and the waves, thus obstinately; you quietly submit to a thousand similar necessities. You do not put your head into the fire. But just in proportion as I regard this as not wholly a brute force, but partly a human force, and consider that I have relations to those millions as to so many millions of men, and not of mere brute or inanimate things, I see that appeal is possible, first and instantaneously, from them to the Maker of them, and, secondly, from them to themselves. But if I put my head deliberately into the fire, there is no appeal to fire or to the Maker for fire, and I have only myself to blame. If I could convince myself that I have any right to be satisfied with men as they are, and to treat them accordingly, and not according, in some respects, to my requisitions and expectations of what they and I ought to be, then, like a good Mussulman and fatalist, I should endeavor to be satisfied with things as they are, and say it is the will of God. And, above all, there is this difference between resisting this and a purely brute or natural force, that I can resist this with some effect; but I cannot expect, like Orpheus, to change the nature of the rocks and trees and beasts.

I do not wish to quarrel with any man or nation. I do not wish to split hairs, to make fine distinctions, or set myself up as better than my neighbors. I seek rather, I may say, even an excuse for conforming to the laws of the land. I am but too ready to conform to them. Indeed, I have reason to suspect myself on this head; and each year, as the tax-gatherer comes round, I find myself disposed to review the acts and position of the general and State governments, and the spirit of the people to discover a pretext for conformity.

“We must affect our country as our parents, and if at any time we alienate our love or industry from doing it honor, We must respect effects and teach the soul Matter of conscience and religion, And not desire of rule or benefit.”

I believe that the State will soon be able to take all my work of this sort out of my hands, and then I shall be no better patriot than my fellow-countrymen. Seen from a lower point of view, the Constitution, with all its faults, is very good; the law and the courts are very respectable;

even this State and this American government are, in many respects, very admirable, and rare things, to be thankful for, such as a great many have described them; seen from a higher still, and the highest, who shall say what they are, or that they are worth looking at or thinking of at all?

However, the government does not concern me much, and I shall bestow the fewest possible thoughts on it. It is not many moments that I live under a government, even in this world. If a man is thought-free, fancy-free, imagination-free, that which is not never for a long time appearing to be to him, unwise rulers or reformers cannot fatally interrupt him.

I know that most men think differently from myself; but those whose lives are by profession devoted to the study of these or kindred subjects content me as little as any. Statesmen and legislators, standing so completely within the institution, never distinctly and nakedly behold it. They speak of moving society, but have no resting-place without it. They may be men of a certain experience and discrimination, and have no doubt invented ingenious and even useful systems, for which we sincerely thank them; but all their wit and usefulness lie within certain not very wide limits. They are wont to forget that the world is not governed by policy and expediency. Webster never goes behind government, and so cannot speak with authority about it. His words are wisdom to those legislators who contemplate no essential reform in the existing government; but for thinkers, and those who legislate for all time, he never once glances at the subject. I know of those whose serene and wise speculations on this theme would soon reveal the limits of his mind's range and hospitality. Yet, compared with the cheap professions of most reformers, and the still cheaper wisdom and eloquence of politicians in general, his are almost the only sensible and valuable words, and we thank Heaven for him. Comparatively, he is always strong, original, and, above all, practical. Still, his quality is not wisdom, but prudence. The lawyer's truth is not Truth, but consistency or a consistent expediency. Truth is always in harmony with herself, and is not concerned chiefly to reveal the justice that may consist with wrong-doing. He well deserves to be called, as he has been called, the Defender of the Constitution. There are really no blows to be given him but defensive ones. He is not a leader, but a follower. His leaders are the men of '87. "I have never made an effort," he says, "and never propose to make an effort; I have never countenanced an effort, and never mean to countenance an effort, to disturb the arrangement as originally made, by which various States came into the Union." Still thinking of the sanction which the Constitution gives to slavery, he says, "Because it was part of the original compact—let it stand." Notwithstanding his special acuteness and ability, he is unable to take a fact out of its merely political relations, and behold it as it lies absolutely to be disposed of by the intellect—what, for instance, it behooves a man to do here in America today with regard to slavery—but ventures, or is driven, to make some such desperate answer to the following, while professing to speak absolutely, and as a private man— from which what new and singular of social duties might be inferred? "The manner," says he, "in which the governments of the States where slavery exists are to regulate it is for their own consideration, under the responsibility to their constituents, to the general laws of propriety, humanity, and justice, and to God. Associations formed elsewhere, springing from a feeling of humanity, or any other cause, have nothing whatever to do with it. They have never received any encouragement from me and they never will.

They who know of no purer sources of truth, who have traced up its stream no higher, stand, and wisely stand, by the Bible and the Constitution, and drink at it there with reverence and humanity; but they who behold where it comes trickling into this lake or that pool, gird up their loins once more, and continue their pilgrimage toward its fountainhead.

No man with a genius for legislation has appeared in America. They are rare in the history of the world. There are orators, politicians, and eloquent men, by the thousand; but the speaker has not yet opened his mouth to speak who is capable of settling the much-vexed questions of the day. We love eloquence for its own sake, and not for any truth which it may utter, or any heroism it may inspire. Our legislators have not yet learned the comparative value of free trade and of freed, of union, and of rectitude, to a nation. They have no genius or talent for comparatively humble questions of taxation and finance, commerce and manufactures and agriculture. If we were left solely to the wordy wit of legislators in Congress for our guidance, uncorrected by the reasonable experience and the effectual complaints of the people, America would not long retain her rank among the nations. For eighteen hundred years, though perchance I have no right to say it, the New Testament has been written; yet where is the legislator who has wisdom and practical talent enough to avail himself of the light which it sheds on the science of legislation.

The authority of government, even such as I am willing to submit to—for I will cheerfully obey those who know and can do better than I, and in many things even those who neither know nor can do so well—is still an impure one: to be strictly just, it must have the sanction and consent of the governed. It can have no pure right over my person and property but what I concede to it. The progress from an absolute to a limited monarchy, from a limited monarchy to a democracy, is a progress toward a true respect for the individual. Even the Chinese philosopher was wise enough to regard the individual as the basis of the empire. Is a democracy, such as we know it, the last improvement possible in government? Is it not possible to take a step further towards recognizing and organizing the rights of man? There will never be a really free and enlightened State until the State comes to recognize the individual as a higher and independent power, from which all its own power and authority are derived, and treats him accordingly. I please myself with imagining a State at last which can afford to be just to all men, and to treat the individual with respect as a neighbor; which even would not think it inconsistent with its own repose if a few were to live aloof from it, not meddling with it, nor embraced by it, who fulfilled all the duties of neighbors and fellow men. A State which bore this kind of fruit, and suffered it to drop off as fast as it ripened, would prepare the way for a still more perfect and glorious State, which I have also imagined, but not yet anywhere seen.

What is Fascism, 1932

-Benito Mussolini & Giovanni Gentile

Fascism, the more it considers and observes the future and the development of humanity quite apart from political considerations of the moment, believes neither in the possibility nor the utility of perpetual peace. It thus repudiates the doctrine of Pacifism -- born of a renunciation of the struggle and an act of cowardice in the face of sacrifice. War alone brings up to its highest tension all human energy and puts the stamp of nobility upon the peoples who have courage to meet it. All other trials are substitutes, which never really put men into the position where they have to make the great decision -- the alternative of life or death....

...The Fascist accepts life and loves it, knowing nothing of and despising suicide: he rather conceives of life as duty and struggle and conquest, but above all for others -- those who are at hand and those who are far distant, contemporaries, and those who will come after...

...Fascism [is] the complete opposite of...Marxian Socialism, the materialist conception of history of human civilization can be explained simply through the conflict of interests among the various social groups and by the change and development in the means and instruments of production.... Fascism, now and always, believes in holiness and in heroism; that is to say, in actions influenced by no economic motive, direct or indirect. And if the economic conception of history be denied, according to which theory men are no more than puppets, carried to and fro by the waves of chance, while the real directing forces are quite out of their control, it follows that the existence of an unchangeable and unchanging class-war is also denied - the natural progeny of the economic conception of history. And above all Fascism denies that class-war can be the preponderant force in the transformation of society....

After Socialism, Fascism combats the whole complex system of democratic ideology, and repudiates it, whether in its theoretical premises or in its practical application. Fascism denies that the majority, by the simple fact that it is a majority, can direct human society; it denies that numbers alone can govern by means of a periodical consultation, and it affirms the immutable, beneficial, and fruitful inequality of mankind, which can never be permanently leveled through the mere operation of a mechanical process such as universal suffrage....

...Fascism denies, in democracy, the absurd conventional untruth of political equality dressed out in the garb of collective irresponsibility, and the myth of "happiness" and indefinite progress....

...Given that the nineteenth century was the century of Socialism, of Liberalism, and of Democracy, it does not necessarily follow that the twentieth century must also be a century of Socialism, Liberalism and Democracy: political doctrines pass, but humanity remains, and it may rather be expected that this will be a century of authority...a century of Fascism. For if the nineteenth century was a century of individualism it may be expected that this will be the century of collectivism and hence the century of the State....

The foundation of Fascism is the conception of the State, its character, its duty, and its aim. Fascism conceives of the State as an absolute, in comparison with which all individuals or groups are relative, only to be conceived of in their relation to the State. The conception of the Liberal State is not that of a directing force, guiding the play and development, both material and spiritual, of a collective body, but merely a force limited to the function of recording results: on the other hand, the Fascist State is itself conscious and has itself a will and a personality -- thus it may be called the "ethic" State....

...The Fascist State organizes the nation, but leaves a sufficient margin of liberty to the individual; the latter is deprived of all useless and possibly harmful freedom, but retains what is essential; the deciding power in this question cannot be the individual, but the State alone....

...For Fascism, the growth of empire, that is to say the expansion of the nation, is an essential manifestation of vitality, and its opposite a sign of decadence. Peoples which are rising, or rising again after a period of decadence, are always imperialist; and renunciation is a sign of decay and of death. Fascism is the doctrine best adapted to represent the tendencies and the aspirations of a people, like the people of Italy, who are rising again after many centuries of abasement and foreign servitude. But empire demands discipline, the coordination of all forces and a deeply felt

sense of duty and sacrifice: this fact explains many aspects of the practical working of the regime, the character of many forces in the State, and the necessarily severe measures which must be taken against those who would oppose this spontaneous and inevitable movement of Italy in the twentieth century, and would oppose it by recalling the outworn ideology of the nineteenth century - repudiated wheresoever there has been the courage to undertake great experiments of social and political transformation; for never before has the nation stood more in need of authority, of direction and order. If every age has its own characteristic doctrine, there are a thousand signs which point to Fascism as the characteristic doctrine of our time. For if a doctrine must be a living thing, this is proved by the fact that Fascism has created a living faith; and that this faith is very powerful in the minds of men is demonstrated by those who have suffered and died for it.

Liberty

Excerpt From *On Liberty*

-John Stuart Mill (1806-1873):

Chapter I Introductory

THE subject of this Essay is not the so-called Liberty of the Will, so unfortunately opposed to the misnamed doctrine of Philosophical Necessity; but Civil, or Social Liberty: the nature and limits of the power which can be legitimately exercised by society over the individual. A question seldom stated, and hardly ever discussed, in general terms, but which profoundly influences the practical controversies of the age by its latent presence, and is likely soon to make itself recognized as the vital question of the future. It is so far from being new, that, in a certain sense, it has divided mankind, almost from the remotest ages, but in the stage of progress into which the more civilized portions of the species have now entered, it presents itself under new conditions, and requires a different and more fundamental treatment.

The struggle between Liberty and Authority is the most conspicuous feature in the portions of history with which we are earliest familiar, particularly in that of Greece, Rome, and England. But in old times this contest was between subjects, or some classes of subjects, and the government. By liberty, was meant protection against the tyranny of the political rulers. The rulers were conceived (except in some of the popular governments of Greece) as in a necessarily antagonistic position to the people whom they ruled. They consisted of a governing One, or a governing tribe or caste, who derived their authority from inheritance or conquest; who, at all events, did not hold it at the pleasure of the governed, and whose supremacy men did not venture, perhaps did not desire, to contest, whatever precautions might be taken against its oppressive exercise. Their power was regarded as necessary, but also as highly dangerous; as a weapon which they would attempt to use against their subjects, no less than against external enemies. To prevent the weaker members of the community from being preyed upon by innumerable vultures, it was needful that there should be an animal of prey stronger than the rest, commissioned to keep them down. But as the king of the vultures would be no less bent upon preying upon the flock than any of the minor harpies, it was indispensable to be in a perpetual attitude of defence against his beak and claws. The aim, therefore, of patriots, was to set limits to the power which the ruler should be suffered to exercise over the community; and this limitation was what they meant by liberty. It was attempted in two ways. First, by obtaining a recognition

of certain immunities, called political liberties or rights, which it was to be regarded as a breach of duty in the ruler to infringe, and which, if he did infringe, specific resistance, or general rebellion, was held to be justifiable. A second, and generally a later expedient, was the establishment of constitutional checks; by which the consent of the community, or of a body of some sort supposed to represent its interests, was made a necessary condition to some of the more important acts of the governing power. To the first of these modes of limitation, the ruling power, in most European countries, was compelled, more or less, to submit. It was not so with the second; and to attain this, or when already in some degree possessed, to attain it more completely, became everywhere the principal object of the lovers of liberty. And so long as mankind were content to combat one enemy by another, and to be ruled by a master, on condition of being guaranteed more or less efficaciously against his tyranny, they did not carry their aspirations beyond this point.

A time, however, came in the progress of human affairs, when men ceased to think it a necessity of nature that their governors should be an independent power, opposed in interest to themselves. It appeared to them much better that the various magistrates of the State should be their tenants or delegates, revocable at their pleasure. In that way alone, it seemed, could they have complete security that the powers of government would never be abused to their disadvantage. By degrees, this new demand for elective and temporary rulers became the prominent object of the exertions of the popular party, wherever any such party existed; and superseded, to a considerable extent, the previous efforts to limit the power of rulers. As the struggle proceeded for making the ruling power emanate from the periodical choice of the ruled, some persons began to think that too much importance had been attached to the limitation of the power itself. That (it might seem) was a resource against rulers whose interests were habitually opposed to those of the people. What was now wanted was, that the rulers should be identified with the people; that their interest and will should be the interest and will of the nation. The nation did not need to be protected against its own will. There was no fear of its tyrannizing over itself. Let the rulers be effectually responsible to it, promptly removable by it, and it could afford to trust them with power of which it could itself dictate the use to be made. Their power was but the nation's own power, concentrated, and in a form convenient for exercise. This mode of thought, or rather perhaps of feeling, was common among the last generation of European liberalism, in the Continental section of which, it still apparently predominates. Those who admit any limit to what a government may do, except in the case of such governments as they think ought not to exist, stand out as brilliant exceptions among the political thinkers of the Continent. A similar tone of sentiment might by this time have been prevalent in our own country, if the circumstances which for a time encouraged it had continued unaltered.

But, in political and philosophical theories, as well as in persons, success discloses faults and infirmities which failure might have concealed from observation. The notion, that the people have no need to limit their power over themselves, might seem axiomatic, when popular government was a thing only dreamed about, or read of as having existed at some distant period of the past. Neither was that notion necessarily disturbed by such temporary aberrations as those of the French Revolution, the worst of which were the work of an usurping few, and which, in any case, belonged, not to the permanent working of popular institutions, but to a sudden and convulsive outbreak against monarchical and aristocratic despotism. In time, however, a democratic republic came to occupy a large portion of the earth's surface, and made itself felt as one of the most powerful members of the community of nations; and elective and responsible government became subject to the observations and criticisms which wait upon a great existing

fact. It was now perceived that such phrases as "self-government," and "the power of the people over themselves," do not express the true state of the case. The "people" who exercise the power, are not always the same people with those over whom it is exercised, and the "self-government" spoken of, is not the government of each by himself, but of each by all the rest. The will of the people, moreover, practically means, the will of the most numerous or the most active part of the people; the majority, or those who succeed in making themselves accepted as the majority; the people, consequently, may desire to oppress a part of their number; and precautions are as much needed against this, as against any other abuse of power. The limitation, therefore, of the power of government over individuals, loses none of its importance when the holders of power are regularly accountable to the community, that is, to the strongest party therein. This view of things, recommending itself equally to the intelligence of thinkers and to the inclination of those important classes in European society to whose real or supposed interests democracy is adverse, has had no difficulty in establishing itself; and in political speculations "the tyranny of the majority" is now generally included among the evils against which society requires to be on its guard.

Like other tyrannies, the tyranny of the majority was at first, and is still vulgarly, held in dread, chiefly as operating through the acts of the public authorities. But reflecting persons perceived that when society is itself the tyrant --society collectively, over the separate individuals who compose it--its means of tyrannizing are not restricted to the acts which it may do by the hands of its political functionaries. Society can and does execute its own mandates: and if it issues wrong mandates instead of right, or any mandates at all in things with which it ought not to meddle, it practises a social tyranny more formidable than many kinds of political oppression, since, though not usually upheld by such extreme penalties, it leaves fewer means of escape, penetrating much more deeply into the details of life, and enslaving the soul itself. Protection, therefore, against the tyranny of the magistrate is not enough; there needs protection also against the tyranny of the prevailing opinion and feeling; against the tendency of society to impose, by other means than civil penalties, its own ideas and practices as rules of conduct on those who dissent from them; to fetter the development, and, if possible, prevent the formation, of any individuality not in harmony with its ways, and compel all characters to fashion themselves upon the model of its own. There is a limit to the legitimate interference of collective opinion with individual independence; and to find that limit, and maintain it against encroachment, is as indispensable to a good condition of human affairs, as protection against political despotism.

But though this proposition is not likely to be contested in general terms, the practical question, where to place the limit--how to make the fitting adjustment between individual independence and social control--is a subject on which nearly everything remains to be done. All that makes existence valuable to any one, depends on the enforcement of restraints upon the actions of other people. Some rules of conduct, therefore, must be imposed, by law in the first place, and by opinion on many things which are not fit subjects for the operation of law. What these rules should be, is the principal question in human affairs; but if we except a few of the most obvious cases, it is one of those which least progress has been made in resolving. No two ages, and scarcely any two countries, have decided it alike; and the decision of one age or country is a wonder to another. Yet the people of any given age and country no more suspect any difficulty in it, than if it were a subject on which mankind had always been agreed. The rules which obtain among themselves appear to them self-evident and self-justifying. This all but universal illusion is one of the examples of the magical influence of custom, which is not only, as the proverb says a second nature, but is continually mistaken for the first. The effect of custom, in preventing any

misgiving respecting the rules of conduct which mankind impose on one another, is all the more complete because the subject is one on which it is not generally considered necessary that reasons should be given, either by one person to others, or by each to himself. People are accustomed to believe and have been encouraged in the belief by some who aspire to the character of philosophers, that their feelings, on subjects of this nature, are better than reasons, and render reasons unnecessary. The practical principle which guides them to their opinions on the regulation of human conduct, is the feeling in each person's mind that everybody should be required to act as he, and those with whom he sympathizes, would like them to act. No one, indeed, acknowledges to himself that his standard of judgment is his own liking; but an opinion on a point of conduct, not supported by reasons, can only count as one person's preference; and if the reasons, when given, are a mere appeal to a similar preference felt by other people, it is still only many people's liking instead of one. To an ordinary man, however, his own preference, thus supported, is not only a perfectly satisfactory reason, but the only one he generally has for any of his notions of morality, taste, or propriety, which are not expressly written in his religious creed; and his chief guide in the interpretation even of that. Men's opinions, accordingly, on what is laudable or blamable, are affected by all the multifarious causes which influence their wishes in regard to the conduct of others, and which are as numerous as those which determine their wishes on any other subject. Sometimes their reason--at other times their prejudices or superstitions: often their social affections, not seldom their antisocial ones, their envy or jealousy, their arrogance or contemptuousness: but most commonly, their desires or fears for themselves--their legitimate or illegitimate self-interest. Wherever there is an ascendant class, a large portion of the morality of the country emanates from its class interests, and its feelings of class superiority. The morality between Spartans and Helots, between planters and negroes, between princes and subjects, between nobles and roturiers, between men and women, has been for the most part the creation of these class interests and feelings: and the sentiments thus generated, react in turn upon the moral feelings of the members of the ascendant class, in their relations among themselves. Where, on the other hand, a class, formerly ascendant, has lost its ascendancy, or where its ascendancy is unpopular, the prevailing moral sentiments frequently bear the impress of an impatient dislike of superiority. Another grand determining principle of the rules of conduct, both in act and forbearance which have been enforced by law or opinion, has been the servility of mankind towards the supposed preferences or aversions of their temporal masters, or of their gods. This servility though essentially selfish, is not hypocrisy; it gives rise to perfectly genuine sentiments of abhorrence; it made men burn magicians and heretics. Among so many baser influences, the general and obvious interests of society have of course had a share, and a large one, in the direction of the moral sentiments: less, however, as a matter of reason, and on their own account, than as a consequence of the sympathies and antipathies which grew out of them: and sympathies and antipathies which had little or nothing to do with the interests of society, have made themselves felt in the establishment of moralities with quite as great force.

The likings and dislikings of society, or of some powerful portion of it, are thus the main thing which has practically determined the rules laid down for general observance, under the penalties of law or opinion. And in general, those who have been in advance of society in thought and feeling, have left this condition of things unassailed in principle, however they may have come into conflict with it in some of its details. They have occupied themselves rather in inquiring what things society ought to like or dislike, than in questioning whether its likings or dislikings should be a law to individuals. They preferred endeavouring to alter the feelings of mankind on

the particular points on which they were themselves heretical, rather than make common cause in defence of freedom, with heretics generally. The only case in which the higher ground has been taken on principle and maintained with consistency, by any but an individual here and there, is that of religious belief: a case instructive in many ways, and not least so as forming a most striking instance of the fallibility of what is called the moral sense: for the odium theologicum, in a sincere bigot, is one of the most unequivocal cases of moral feeling. Those who first broke the yoke of what called itself the Universal Church, were in general as little willing to permit difference of religious opinion as that church itself. But when the heat of the conflict was over, without giving a complete victory to any party, and each church or sect was reduced to limit its hopes to retaining possession of the ground it already occupied; minorities, seeing that they had no chance of becoming majorities, were under the necessity of pleading to those whom they could not convert, for permission to differ. It is accordingly on this battle-field, almost solely, that the rights of the individual against society have been asserted on broad grounds of principle, and the claim of society to exercise authority over dissentients openly controverted. The great writers to whom the world owes what religious liberty it possesses, have mostly asserted freedom of conscience as an indefeasible right, and denied absolutely that a human being is accountable to others for his religious belief. Yet so natural to mankind is intolerance in whatever they really care about, that religious freedom has hardly anywhere been practically realized, except where religious indifference, which dislikes to have its peace disturbed by theological quarrels, has added its weight to the scale. In the minds of almost all religious persons, even in the most tolerant countries, the duty of toleration is admitted with tacit reserves. One person will bear with dissent in matters of church government, but not of dogma; another can tolerate everybody, short of a Papist or an Unitarian; another, every one who believes in revealed religion; a few extend their charity a little further, but stop at the belief in a God and in a future state. Wherever the sentiment of the majority is still genuine and intense, it is found to have abated little of its claim to be obeyed.

In England, from the peculiar circumstances of our political history, though the yoke of opinion is perhaps heavier, that of law is lighter, than in most other countries of Europe; and there is considerable jealousy of direct interference, by the legislative or the executive power with private conduct; not so much from any just regard for the independence of the individual, as from the still subsisting habit of looking on the government as representing an opposite interest to the public. The majority have not yet learnt to feel the power of the government their power, or its opinions their opinions. When they do so, individual liberty will probably be as much exposed to invasion from the government, as it already is from public opinion. But, as yet, there is a considerable amount of feeling ready to be called forth against any attempt of the law to control individuals in things in which they have not hitherto been accustomed to be controlled by it; and this with very little discrimination as to whether the matter is, or is not, within the legitimate sphere of legal control; insomuch that the feeling, highly salutary on the whole, is perhaps quite as often misplaced as well grounded in the particular instances of its application.

There is, in fact, no recognized principle by which the propriety or impropriety of government interference is customarily tested. People decide according to their personal preferences. Some, whenever they see any good to be done, or evil to be remedied, would willingly instigate the government to undertake the business; while others prefer to bear almost any amount of social evil, rather than add one to the departments of human interests amenable to governmental control. And men range themselves on one or the other side in any particular case, according to this general direction of their sentiments; or according to the degree of interest which they feel in

the particular thing which it is proposed that the government should do; or according to the belief they entertain that the government would, or would not, do it in the manner they prefer; but very rarely on account of any opinion to which they consistently adhere, as to what things are fit to be done by a government. And it seems to me that, in consequence of this absence of rule or principle, one side is at present as often wrong as the other; the interference of government is, with about equal frequency, improperly invoked and improperly condemned.

The object of this Essay is to assert one very simple principle, as entitled to govern absolutely the dealings of society with the individual in the way of compulsion and control, whether the means used be physical force in the form of legal penalties, or the moral coercion of public opinion. That principle is, that the sole end for which mankind are warranted, individually or collectively in interfering with the liberty of action of any of their number, is self-protection. That the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others. His own good, either physical or moral, is not a sufficient warrant. He cannot rightfully be compelled to do or forbear because it will be better for him to do so, because it will make him happier, because, in the opinions of others, to do so would be wise, or even right. These are good reasons for remonstrating with him, or reasoning with him, or persuading him, or entreating him, but not for compelling him, or visiting him with any evil, in case he do otherwise. To justify that, the conduct from which it is desired to deter him must be calculated to produce evil to some one else. The only part of the conduct of any one, for which he is amenable to society, is that which concerns others. In the part which merely concerns himself, his independence is, of right, absolute. Over himself, over his own body and mind, the individual is sovereign.

It is, perhaps, hardly necessary to say that this doctrine is meant to apply only to human beings in the maturity of their faculties. We are not speaking of children, or of young persons below the age which the law may fix as that of manhood or womanhood. Those who are still in a state to require being taken care of by others, must be protected against their own actions as well as against external injury. For the same reason, we may leave out of consideration those backward states of society in which the race itself may be considered as in its nonage. The early difficulties in the way of spontaneous progress are so great, that there is seldom any choice of means for overcoming them; and a ruler full of the spirit of improvement is warranted in the use of any expedients that will attain an end, perhaps otherwise unattainable. Despotism is a legitimate mode of government in dealing with barbarians, provided the end be their improvement, and the means justified by actually effecting that end. Liberty, as a principle, has no application to any state of things anterior to the time when mankind have become capable of being improved by free and equal discussion. Until then, there is nothing for them but implicit obedience to an Akbar or a Charlemagne, if they are so fortunate as to find one. But as soon as mankind have attained the capacity of being guided to their own improvement by conviction or persuasion (a period long since reached in all nations with whom we need here concern ourselves), compulsion, either in the direct form or in that of pains and penalties for non-compliance, is no longer admissible as a means to their own good, and justifiable only for the security of others.

It is proper to state that I forego any advantage which could be derived to my argument from the idea of abstract right as a thing independent of utility. I regard utility as the ultimate appeal on all ethical questions; but it must be utility in the largest sense, grounded on the permanent interests of man as a progressive being. Those interests, I contend, authorize the subjection of individual spontaneity to external control, only in respect to those actions of each, which concern the interest of other people. If any one does an act hurtful to others, there is a *prima facie* case for

punishing him, by law, or, where legal penalties are not safely applicable, by general disapprobation. There are also many positive acts for the benefit of others, which he may rightfully be compelled to perform; such as, to give evidence in a court of justice; to bear his fair share in the common defense, or in any other joint work necessary to the interest of the society of which he enjoys the protection; and to perform certain acts of individual beneficence, such as saving a fellow-creature's life, or interposing to protect the defenseless against ill-usage, things which whenever it is obviously a man's duty to do, he may rightfully be made responsible to society for not doing. A person may cause evil to others not only by his actions but by his inaction, and in neither case he is justly accountable to them for the injury. The latter case, it is true, requires a much more cautious exercise of compulsion than the former. To make any one answerable for doing evil to others, is the rule; to make him answerable for not preventing evil, is, comparatively speaking, the exception. Yet there are many cases clear enough and grave enough to justify that exception. In all things which regard the external relations of the individual, he is de jure amenable to those whose interests are concerned, and if need be, to society as their protector. There are often good reasons for not holding him to the responsibility; but these reasons must arise from the special expediencies of the case: either because it is a kind of case in which he is on the whole likely to act better, when left to his own discretion, than when controlled in any way in which society have it in their power to control him; or because the attempt to exercise control would produce other evils, greater than those which it would prevent. When such reasons as these preclude the enforcement of responsibility, the conscience of the agent himself should step into the vacant judgment-seat, and protect those interests of others which have no external protection; judging himself all the more rigidly, because the case does not admit of his being made accountable to the judgment of his fellow creatures.

But there is a sphere of action in which society, as distinguished from the individual, has, if any, only an indirect interest; comprehending all that portion of a person's life and conduct which affects only himself, or, if it also affects others, only with their free, voluntary, and undeceived consent and participation. When I say only himself, I mean directly, and in the first instance: for whatever affects himself, may affect others through himself; and the objection which may be grounded on this contingency, will receive consideration in the sequel. This, then, is the appropriate region of human liberty. It comprises, first, the inward domain of consciousness; demanding liberty of conscience, in the most comprehensive sense; liberty of thought and feeling; absolute freedom of opinion and sentiment on all subjects, practical or speculative, scientific, moral, or theological. The liberty of expressing and publishing opinions may seem to fall under a different principle, since it belongs to that part of the conduct of an individual which concerns other people; but, being almost of as much importance as the liberty of thought itself, and resting in great part on the same reasons, is practically inseparable from it. Secondly, the principle requires liberty of tastes and pursuits; of framing the plan of our life to suit our own character; of doing as we like, subject to such consequences as may follow; without impediment from our fellow-creatures, so long as what we do does not harm them even though they should think our conduct foolish, perverse, or wrong. Thirdly, from this liberty of each individual, follows the liberty, within the same limits, of combination among individuals; freedom to unite, for any purpose not involving harm to others: the persons combining being supposed to be of full age, and not forced or deceived.

No society in which these liberties are not, on the whole, respected, is free, whatever may be its form of government; and none is completely free in which they do not exist absolute and unqualified. The only freedom which deserves the name, is that of pursuing our own good in our

own way, so long as we do not attempt to deprive others of theirs, or impede their efforts to obtain it. Each is the proper guardian of his own health, whether bodily, or mental or spiritual. Mankind are greater gainers by suffering each other to live as seems good to themselves, than by compelling each to live as seems good to the rest.

Though this doctrine is anything but new, and, to some persons, may have the air of a truism, there is no doctrine which stands more directly opposed to the general tendency of existing opinion and practice. Society has expended fully as much effort in the attempt (according to its lights) to compel people to conform to its notions of personal, as of social excellence. The ancient commonwealths thought themselves entitled to practice, and the ancient philosophers countenanced, the regulation of every part of private conduct by public authority, on the ground that the State had a deep interest in the whole bodily and mental discipline of every one of its citizens, a mode of thinking which may have been admissible in small republics surrounded by powerful enemies, in constant peril of being subverted by foreign attack or internal commotion, and to which even a short interval of relaxed energy and self-command might so easily be fatal, that they could not afford to wait for the salutary permanent effects of freedom. In the modern world, the greater size of political communities, and above all, the separation between the spiritual and temporal authority (which placed the direction of men's consciences in other hands than those which controlled their worldly affairs), prevented so great an interference by law in the details of private life; but the engines of moral repression have been wielded more strenuously against divergence from the reigning opinion in self-regarding, than even in social matters; religion, the most powerful of the elements which have entered into the formation of moral feeling, having almost always been governed either by the ambition of a hierarchy, seeking control over every department of human conduct, or by the spirit of Puritanism. And some of those modern reformers who have placed themselves in strongest opposition to the religions of the past, have been noway behind either churches or sects in their assertion of the right of spiritual domination: M. Comte, in particular, whose social system, as unfolded in his *Traite de Politique Positive*, aims at establishing (though by moral more than by legal appliances) a despotism of society over the individual, surpassing anything contemplated in the political ideal of the most rigid disciplinarian among the ancient philosophers.

Apart from the peculiar tenets of individual thinkers, there is also in the world at large an increasing inclination to stretch unduly the powers of society over the individual, both by the force of opinion and even by that of legislation: and as the tendency of all the changes taking place in the world is to strengthen society, and diminish the power of the individual, this encroachment is not one of the evils which tend spontaneously to disappear, but, on the contrary, to grow more and more formidable. The disposition of mankind, whether as rulers or as fellow-citizens, to impose their own opinions and inclinations as a rule of conduct on others, is so energetically supported by some of the best and by some of the worst feelings incident to human nature, that it is hardly ever kept under restraint by anything but want of power; and as the power is not declining, but growing, unless a strong barrier of moral conviction can be raised against the mischief, we must expect, in the present circumstances of the world, to see it increase.

It will be convenient for the argument, if, instead of at once entering upon the general thesis, we confine ourselves in the first instance to a single branch of it, on which the principle here stated is, if not fully, yet to a certain point, recognized by the current opinions. This one branch is the Liberty of Thought: from which it is impossible to separate the cognate liberty of speaking and of writing. Although these liberties, to some considerable amount, form part of the political morality of all countries which profess religious toleration and free institutions, the grounds, both

philosophical and practical, on which they rest, are perhaps not so familiar to the general mind, nor so thoroughly appreciated by many even of the leaders of opinion, as might have been expected. Those grounds, when rightly understood, are of much wider application than to only one division of the subject, and a thorough consideration of this part of the question will be found the best introduction to the remainder. Those to whom nothing which I am about to say will be new, may therefore, I hope, excuse me, if on a subject which for now three centuries has been so often discussed, I venture on one discussion more.