

THE READER.

19 MARCH, 1864.

commodities that will pass hence to serve our neighbours. Their example, too, with the same reason, will likewise stir our merchants; and this I conceive to be a clear demonstration of my third argument in proof of my opinion."

The two other greatest speeches of the first volume are one on Supply in the second parliament of Charles's reign, in which Eliot showed, by precedents from the time of the Plantagenets that Parliament was not only entitled to refuse supplies before the grievances of the country had been redressed, but that it had actually done so on several occasions. This speech excited against him the bitter hostility of the king and court, and, combined with his other great speech against Buckingham, led to his being sent to the Tower for the first time, from which he was, however, speedily released on the demand of Parliament. The second volume of Mr. Forster's work is almost wholly occupied with the all-important proceedings of Charles's third parliament, in which Eliot was virtually leader of the constitutional party, and which ended in his incarceration in the Tower, from which he was released only by death.

UTILITARIANISM.

Utilitarianism Explained and Exemplified. (Longman & Co.)

Laws of Nature the Foundation of Morals. By David Rowland. (Murray.)

WE hope that the sin of ingratitude is not incurred in confessing that we cannot include among our numerous obligations to Mr. John Stuart Mill the lumbering polysyllable which stands at the head of this article, and which he informs us was brought into use by him. We do not know of any other single word, however, which expresses the doctrine that Virtue is the handmaid of Enjoyment, or, to put it in a form less liable to misconception, that morality is sufficiently explained by showing it to be a system of laws necessary for the general happiness. This definition, we presume, would be accepted by the distinguished exponent of the doctrine whose work has called forth both volumes at present under our notice, as well as by the most ardent opponents of that doctrine. We leave the name, therefore, and turn to the thing.

In speaking of both volumes under our notice as protests against Mr. Mill's book on Utilitarianism, we are directly describing the first alone. The second, though the smallest in bulk, is widest in scope, and is the continuation of a volume on "those principles in human nature which are the causes of moral evil," which was published before the papers on Utilitarianism began to appear in *Fraser's Magazine*. Still, we are doing no injustice to both books as describing them as the echo which an original thinker awakens in dissentient minds. We have been surprised at the absence of a stronger reaction of this kind. Mr. Mill's latest work, and from some points of view—for it alone of his valuable writings enters on what Kant calls "the realm of ends"—his most important, has appeared to us one peculiarly open to attack. Unlike its predecessors, it presents views concerning which there is more to be said by those who reject the author's conclusion than the simple statement that they also reject his premisses. And the professed aim of the first-mentioned writer, and implied subject-matter of the second, led us to hope that this counter-statement, in some respects so obvious, had found an utterer. We cannot say, however, that either volume has supplied us with what we hoped to find. The first contains the strangest series of *ignoratio elenchi* with which it has been our fortune to meet in the field of controversy which supplies that fallacy with so fruitful a soil; the second, in as far as it is shaped by opposition to a particular scheme, betrays a considerable misconception as to what that scheme is. Nor do we perceive that the author's object—to show the moral laws as implied in the constitution of society—could be distinguished from the Utilitarian theory, or indeed, looking on it as a statement of fact, from any other. He has read the books most

worth reading on the subject, and the volume contains many passages of much value concerning it; but it must be confessed that these are all quotations. Under these circumstances we venture to enlarge the limits imposed upon the critic. We propose to review the subject which the authors treat rather than their views upon it; and, in entering on a brief notice of such parts of each volume as seem to us appropriate to the subject, we do not profess to dwell upon them in any proportion to the degree in which they are characteristic of the writers.

In the first place they agree in one of the many fallacies about the doctrine to which Mr. Mill has referred. "We would answer" (i.e., to Mr. Mill), says the first writer, "that the doctrine of Utility is a godless doctrine, inasmuch as it is not grounded on any sanction of God, and as it stands on man's experience, and not on any received wisdom of God" (p. 60). "The Stoic and Epicurean systems," says the other (where, by Epicurean, he means to include Utilitarian), "separate broadly into Divine and human" (p. 2); and, in numerous other passages of the book, he assumes that, if the laws of morals are, as Mr. Mill pronounces them, made known to us through the results of experience and not by an immediate perception, man is the author of morality. Those who believe that the ultimate tendency of Utilitarianism, after man's nature should have been thoroughly leavened by it, would be to destroy morality, are those who most regret irrelevant imputations such as these. This particular one admits of every possible answer. We shall find, as a matter of fact, that the most severe assertors of the ultimate nature of the moral law may treat the idea of God as the mere centre of our system, with reference to which the rest should be arranged, but which may, or may not, be occupied by any true being, while, on the other hand, an assumption concerning His character may make the corner-stone of the doctrine of Utility—we need only mention Kant and Paley to justify our assertion. Nor is there any need to refer to experience to establish the truth that every possible view of the object of a particular law is compatible with every possible view of the authority by whom that law is imposed. Take, for example, what is a fair analogy for the moral law on the Utilitarian hypothesis—the English law of election. Here is a certain regulation enforced by certain penalties—what is its object? Is there anything inherently desirable in the fact of a member of Parliament being chosen within the twenty-four hours, or may this be a mere measure of utility, and obedience to it *no end in itself, but a means to an end*? The objector who should step in at this stage of the argument and remark that we were taking very little account of the authority of the legislature, would interrupt us with an objection little more to the purpose than he who introduces the epithet "godless" into a discussion concerning the nature of morals. "The utilitarian hypothesis," says the author of "Laws of Nature," &c. (p. 78), "treats the law as conventional; and, as resulting from observation, there must, by the force of the hypothesis, have been a time when the law did not exist." Does he suppose that Mr. Mill or any one else would deny the first theft—which, of course, must have preceded any induction on the tendency of theft—to be a wrong action? Did it only become wrong when men perceived why it was wrong? If so, we must speak of Newton as the author of the law of gravitation, and Harvey as the benefactor to whom we owe the circulation of the blood. Whether or not the moral law is an end in itself, or only a means to the general happiness, the fact of its being such a means is one which no one ascribes to any decision of Man.

But, if one author exemplifies the fallacy of trying to raise a principle above its own level, that of deducing from it consequences which lie far below its range of operation is strangely exemplified in the other. The author of "Utilitarianism"—who is also the

author of several other works chiefly occupied, apparently, with the subject of taxation—has very strong and ardent views on this and other political matters which it would be out of place to discuss here, and apologizes in a very modest preface for their introduction into a discussion where they seem irrelevant. He goes on, rather inconsistently, however, to suppose it "unnecessary to point out the connexion between the abstract reasoning and its application to important current events" to thoughtful readers—among whom we cannot be ranked. He may, as Mr. Mill has done, select certain *principles* of legislation as illustrations of the working of Utilitarianism; but to suppose that any connexion can be established between the discussion, What is the foundation of morals? and the discussion, Is a particular change for the good of the community? shows a strange confusion of mind. It is digging down to the roots of the tree in order to get at the branches. The paths of the Utilitarian and his opponents unite as they enter on the region of Jurisprudence. They may differ about the means of furthering the general happiness, but they all agree that they are now on a territory where, in the general happiness, they have their sole aim. Nobody would answer our author's arguments for a remoulding of the system of taxation with any suggestion that the present scheme had an inherent fitness which no observations from experience could shake. And, this being the case, they are out of place in a discussion on the foundation of Ethics.

There are many other instances in which both authors have strangely misconceived Mr. Mill and the system of which he is the exponent. But, passing these by, we hasten to give these writers their revenge, and, instead of dwelling any longer on the arguments actually found in their writings, we proceed roughly to sketch those which we hoped to find.

The first point at which the shaft of our ideal anti-Utilitarian should be directed is what we cannot but regard as the fluctuating and uncertain statement of the issue between himself and his opponents. In what is intended as the definition of Utilitarianism, he tells us that it "holds that actions are right in proportion as they tend to promote happiness, wrong as they tend to produce the reverse of happiness" (p. 9). And, in the next page, he tells us, as an equivalent proposition, that "pleasure and freedom from pain are the only things desirable as ends," considering the latter phrase as a mere re-statement of the former in different language. Yet, in making it, he has crossed the boundary which separates the two camps. The first is a proposition which, in the sense which he ascribes to the word "happiness," no thoughtful person would deny; the second, one which half the thinking world, we hope, would recognise as incompatible with their deepest convictions. The atmosphere is warm in proportion as it causes the thermometer to rise, cold in proportion as it causes it to fall; but does the atmosphere exist for the sake of the thermometer, or the thermometer for the sake of the atmosphere? The confusion of an index and a final cause extends through the whole book. He never once addresses those thinkers, the only ones, we should imagine, worthy of serious argument, who would entirely concede to him that results, on a sufficiently large scale, were an infallible test of morality, but emphatically denied that they stood to it in the relation of ends to means.

Still, it is evident that he himself is prepared to abide by the second of his definitions; and, keeping this in view, we pass on to our capital indictment against him—that, having resolved morality into happiness, plus the means requisite for producing it, he proceeds to resolve happiness into numerous elements, of which morality is one. For what is the principle of Utility? It is the principle that virtue is good as a means to the general happiness, "not the agent's own happiness, but that of all concerned" (p. 24). I am tempted to tell a lie in a case where detection

THE READER.

19 MARCH, 1864.

is impossible; why must I refrain? My own happiness would be increased by the delusion produced, the general happiness would certainly be injured by a practice of lying; but why am I bound to consult the general happiness? We are convinced that no unprejudiced reader of the elaborate answer would discern in it anything but a roundabout way of saying "Because you ought." Virtue, we began by saying, is the means to a certain end—happiness. But whose happiness?—not yours or mine, that may be in no wise helped by it. The general happiness. But what makes that an end to me? My duty. Then you have not explained my duty to much purpose.

It is by no means so uncommon a confusion as it would appear from the transparent nature of the fallacy, when stated in terms, to put happiness as a motive before virtue, really leaving virtue as an element of happiness. But we are surprised at finding an instance of it in the work of a master of Logic. Mr. Mill's book is—we speak it with full consciousness of the apparent temerity of the statement—an expansion of this identical proposition. He says: "Virtue is sufficiently explained by discovering that it is the only way of being happy." We reply: "But we prefer virtue to happiness in the not rare cases where they are separated." "That is, you prefer one kind of happiness to another," is his rejoinder. "Knowing the happiness of consulting the general welfare to be superior to the happiness of riches, for instance, you rightly prefer the former." We reply: "If you like to accept as your definition of happiness that which is an end, of course you can prove there is no end but happiness. But to what purpose? What do you explain thereby? What sane doctrine do you exclude? Nay, more, we venture to ask you if your thrift is not merely of names, if you are not really giving one name to two things." Most men would feel that the taste of a peach, the sound of Beethoven's music, the sight of Raphael's pictures, nay, the society of the most incomparable of mankind, is separated from the end attained by the martyr at the stake by something widely different from gradations of preferability. Mr. Mill, if we have understood him, would say that they are separated as the cube is separated from the line; that no possible multiplication of one dimension of enjoyment could bring it to equal the other; that the satisfaction given by the society of the best and most delightful of mankind would not cancel the dissatisfaction given by telling a lie. Without inquiring whether there is more than a difference of words between him and us, is there not certainly a difference of mere words? And is it worth while writing books to teach us not to think differently, but to name differently?

We have left a very minute space for the third point, which we hoped to have seen attacked in the volumes which have suggested these remarks; yet it appears to us from some points of view the most important. In the concluding and most valuable portion of his book, Mr. Mill shows, with all the force and point which appear to us to have deserted him in his contact with abstract truth, that political science advances or is checked solely as its aim has been recognised as the principle of general utility. Take, for instance, the subject of punishment, which has lately occupied so much attention. Conceive for a moment the unanswerable arguments which might be put forth for and against any system of legal punishment, as long as it was debated on the principles of abstract justice, and imagine our penal code in abeyance till we had settled whether it was just to punish a man who had never had a chance of knowing right from wrong, or whether the object of deterring his neighbours in the same situation did or did not render our treatment of the criminal as just notwithstanding, since it was to be enforced on all alike. Till our utilitarian comes in to help us, there is no end to the discussion. But, when once he has pointed out to us that one course must be better for the mass of mankind, and

therefore indirectly better for the criminal himself, than the other, we are in the way of progress. We are in contact with facts; we investigate, we try two systems, by no inward conviction, which cannot, but by statements of fact, which can, be proved to the satisfaction of our opponents; and action becomes possible. So Mr. Mill's major proposition is proved—"Utility is the aim of Positive Law." But, to arrive from this at his conclusion—viz., that justice is (not is tested by; we have already discussed that confusion) nothing but a regard for the general interest—we must obtain a minor, on which he does not seem to have allowed for an issue being joined, "Positive Law bears some definite proportion to morality." In opposition to which, we assert that they are not only not conterminous, but not concentric regions; that the law does not only decline to punish all wrong actions, but it declines to punish actions in proportion as they are wrong. This, we presume, Mr. Mill would not in terms deny. But he, and still more a certain school of which he is the ablest exponent, totally omit all consideration of it in their arguments. In tracing the progress of political science to the adoption of the standard of utility, they think that they thereby prove something about the standard of utility, not seeing that it is possible to transfer the unknown quantity they are investigating to the other side of the equation, and show that the discovery in question is simply—the natural and inevitable limits of Positive Law.

NOTICES.

The Book of Days. A Miscellany of Popular Antiquities in connection with the Calendar: including Anecdote, Biography, and History, Curiosities of Literature, and Oddities of Human Life and Character. Edited by R. Chambers. Two Volumes. (W. and R. Chambers.)—It would be curious to consider what amount of useful knowledge dies with every well-educated man, especially if he happens to belong professionally to literature—the gleams of light he could have thrown on unfrequented corners of history, or on oddities of custom or of individual life; the certitude he could have given to certain anecdotes, and the data with which he could have furnished us for ascertaining certain changes of habits, expressions, and predilections, local and national. Biographies and "ana," when a Boswell happens to be the compiler, will preserve much that is desirable in connexion with the Johnsons and the Thackerays of our day; but who is to edit the accumulated notes, or conserve for us the acquired knowledge and the unwritten wisdom of our less prominent men? And, much more especially, how are we to utilize the unheeded intellectual waste, not only of this or of that man, but of the whole current time, so that we may be able to convey to our children the familiar form and fireside pressure of things, and put them in possession of the family sayings and traditions of our generation? To all this there lies before us an admirable answer in the shape of "The Book of Days." In it are gathered all conceivable fragments, so that nothing is wasted or lost. Nay, more: those fragments are so stored that, whenever we choose, we may enter and find spread for us a feast of never-ending variety. There are antiquities and folk-lore, curiosities of animal life and of literature, phenomena connected with the seasons and archaeological illustrations of the progress of civilization, anecdotes of almost every kind, and biographies which range from Jane McRea and Mrs. Bloomer up to the lives of kings and heroes and the legends of saints and martyrs. And, in pictorial illustrations, we have portraits, inscriptions, reproductions of curious prints of habits and costumes, sketches of historic spots, houses, and even furniture—"The Mermaid" and "The Spotted Boy," "The Cross of St. Cuthbert" and "The Whistle Drinking-Cup," the portraits of "Grace Darling" and of "Belted Will," the booths of Bartholomew Fair and the tomb of William Rufus, the stool of Jenny Geddes, and the war banner of the Douglas. Nor has the bill of fare been forgotten. Without it, indeed, according to modern notions, in vain may the feast be spread; but, with an index carefully prepared of upwards of ten thousand curious and interesting subjects, we have only to set ourselves quietly down and consult our individual tastes.

The provision, in this respect, is most complete; and "The Book of Days" would have been almost worthless had it been otherwise. The producer of all these good things has already "done the state some service," and his name has been long interwoven with the literary activities of his time. We cannot, therefore, regard the completion of Robert Chambers's "Book of Days" otherwise than as a great triumph to himself and a benefit to us. We had marked several curious stories for extract; but, as the following, about Thomas Campbell, the poet, bears a certain reference to current events, and renders at last poetical justice to his own poetical, and, as he thought, his country's political blunders, we prefer it for transcription. "For a few years previous to 1821," says the "Book of Days," "a Danish littérateur, named Feldborg, resided in Britain—chiefly in Scotland, where he brought out a book of considerable merit, entitled 'Denmark Delincated.' He was good-natured, clever, and entertaining, and much a favourite with Wilson, Lockhart, and other illuminati of the north. It appears that he had also made the acquaintance of Campbell, who, on giving him a copy of his poems containing the ode on the 'Battle of the Baltic,' thought proper to address him in the following lines (heretofore, as we believe, inedited):—

Think me not, Danish Stranger, a hard-hearted pagan,
If you find, midst my war-songs, one called "Copenhagen."
For I thought when your state join'd the Emperor Paul,
We'd a right to play with you the devil and all.
But the next time our fleet went your city to batter,
That attack, I allow, was a scandalous matter.
And I gave it my curse, and I wrote on 't a satire.
To bepraise such an action of sin, shame, and sorrow,
I'll be— if I would be the laureate to-morrow.
There is not (take my word) a true Englishman glories
In that deed—twas a deed of our merciless Tories.
When we hate though they rule us, and, I can assure ye,
They had swung for it if England had sat as their jury.
But a truce to remembrances blackened with pain,
Here's a health to yourself, and your country, dear Dane.
As our nations are kindred in language and kind,
May the ties of our blood be the ties of our mind.
And perdition on him who our peace would unbind!
May we struggle not who shall in fight be the foremost,
But the boldest in sense—in humanity warmest;
May you leave us with something like love for our nation,
Though we're still curs'd by Castlereagh's administration;
But, whatever you think, or wherever you ramble,
Think there's one who has loved you in England.

—TOM CAMPBELL.

London, 29, Foley Place,
Great Portland Street, July 11, 1822.

At a public dinner, in those days when England and France were at mortal enmity, Campbell proposed the health of Napoleon Bonaparte, Emperor of the French. The company was astounded, and, on the poet being asked why he could give such a toast, he replied, "Because he once shot a bookseller!" Of such choice bits is the "Book of Days" composed, and many readers will see the propriety of having such a treasure within easy reach.

Henry VIII. An Historical Sketch, as affecting the Reformation in England. By Charles Hastings Collette. (Allen & Co. Pp. 249.)—MR. HASTINGS COLLETTE works out, with a lawyer-like clearness and precision, the theory of Henry the Eighth propounded by Froude in his famous history. Day and date and document he cites with an exactitude and a tireless persistency which, however disagreeable to Catholics, must be allowed their full historic weight. Did our author confine himself to this there would be little to complain of; but he allows himself now and then, in his character of Protestant champion, to use language in reference to Henry's contemporaries scarcely consistent with that judicial quiet of mind which ought to characterize every historical inquirer. All his facts, however, are honestly stated, and his deductions therefrom are made in a careful spirit. His conclusion is this:—that, whatever motives we may assign to Henry, it is to him we owe our liberties. "Under the wise providence of God, Henry was the pioneer, the chosen instrument to break the galling yoke of the Papacy, under which this country had suffered and groined for many years; and the path was thus made clear for the glorious Reformation which followed, and for which God be praised!" The substance of the book, it is but fair to state, had been written before Mr. Hastings Collette had had the advantage of reading "Mr. Froude's admirable History of England;" and the one book is, in a remarkable degree, confirmation of the other. The Bull issued by Paul III. against Henry is translated in full, and appended to the volume.

The Progress of Being. Six Lectures on the True Progress of Man. By the Rev. David Thomas, D.D., Stockwell, editor of the *Homilist*, author of the "Crisis of Being." (Jackson, Walford, and Hodder. Pp. 122.)—THE author dedicates very touchingly his lectures to his children. They have now reached the third edition, from which we naturally infer that they have supplied a want. The lectures were originally "delivered to his own congregation on Sabbath evenings, and