

# THE JOURNAL OF PHILOSOPHY

## PSYCHOLOGY AND SCIENTIFIC METHODS

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### THE SOVEREIGNTY OF THE STATE<sup>1</sup>

HEGELIANWISE, we can not avoid the temptation that bids us make our state a unity. It is to be all-absorptive. All groups within itself are to be but the ministrants to its life; their reality is the outcome of its sovereignty, since without it they could have no existence. Their goodness is gained only through the overshadowing power of its presence. It alone, so to speak, eternally is; while they exist but to the extent to which its being implies them. The All, America, includes, "implicates" in James's phrase, its constituent states. They are one with it and of it—one and indivisible. Each has its assigned place and function in the great Whole which gives them life. This is essential; for otherwise we should have what Mr. Bradley calls "a plurality of reals"; which is to destroy the predicated unity.

Of the exaltation of such unity a long history could be written. To speak only of medieval times, it would have to tell of Dante with his *maxime unum* as the *maxime bonum*; nor dare we repaint the picture he drew of that world state which is One because its law is one and its spirit also. State must be, Gregory VII. will tell us, absorbed in Church; and so the eighth Boniface, perhaps with some lingering thought of Aquinas in his mind, will declare the heresy of dualism and straightway make claim to the lordship of the world. *Binarius numerus infamis*—so it was Aquinas wrote; and so it is that your pope must have the *plenitudo potestatis* and your emperor be *legibus solutus*. Thus will they embody all and transcend the shifting variety of an inconvenient multiplicity.

Your medieval thinker deals in worlds; with the Renaissance is born the national State. But only the perspective is altered. Still the problem is this monistic reduction. How to make of many one was surely the problem Henry VIII. confronted when he declared the realm of England to be an empire; for if it is capable of such promotion then is its king imperial, and he may work his will with

<sup>1</sup> Read at the Fourth Conference on Legal and Social Philosophy, at Columbia University, November 27, 1915.

recalcitrant chancellors who look vainly Romewards. So, too, with the Stuart. He mistakes the popular basis of the Tudor throne, and thinks a sovereignty in practise theoretical also. It is his, he urges, by a right divine. Like another Richard II. he feels that the laws are in his own breast; while non-juring Hickes will preach solemnly of the Stuart rectitude as he lays down the gospel of non-resistance.

It seems far off; yet in truth it is very near to us. It would be no inapt definition of politics in our time to term it the search for social unity. Whatever political problems we may consider upon this fundamental question, we shall always ultimately be driven back. How far, and in what way, is our society one? How far is there an interest of the Whole, a monistic interest, which transcends the interests of the Many who compose that whole? It is a fundamental question; therefore—as the “*Parmenides*” bears witness—it is amazingly subtle and difficult. We shall find, I think, that there is one best method of considering our problem. Suppose that on the one hand we adopt the monist solution, what concrete difference will that make to our political life? If we are pluralists, how does that affect our activities? What, in short, are the consequences of our attitude? It is from them we may deduce its truth.

And at the outset, let us note that we tend, in our political thinking, to adopt a sort of mystic monism as the true path of thought. We represent a State as a vast series of concentric circles, each one enveloping the other, as we move from individual to family, from family to village, from village to city, to county, thence to the all-embracing State. We talk of England, Greece, Rome, as single personal forces, transcending the men and women who compose them. We personalize, that is to say, the collective body. “*Rome*,” writes Lord Bryce, “sacrificed her domestic freedom that she might become the mistress of others.” Here is a Rome beyond her citizens, a woman terrible in the askepticism of her supreme sacrifice.

Clearly the reality of the State’s personality is a compulsion we may not resist. But the habit is common to other things also. To the American, New York has a personality no less real than that of the Republic. To the shipowner, Lloyds is not the mere sum of its individual underwriters. When we take any group of people leading a common life, to whom some kindred purpose may be ascribed, we seem to evolve from it a thing, a personality, that is beyond the personalities of its constituent parts. For us that personality is real. Slowly its reality has compelled the law, when dealing with associations, to abandon the theory of fiction. A man who looks at the battlefield of Europe will assuredly not deny that certain personalities, England, France, Germany, are real to the soldiers who die for them. A man who would remain cold to an appeal to stand by Eng-

lishmen waxes eloquent over the splendor of England; from all Englishmen he synthesizes a thing greater than they. Think of the momentous consequences of such personalizing and then ask if we dare attribute fiction to its nature. "Our fellowship," wrote Maitland, "is no fiction, no symbol, no piece of the State's machinery, but a living organism and a real person, with body and members and will of its own." If this be true, there are within the state enough of these monistic entities, club, trade-union, church, society, town, county, university, each with a group-life, a group-will, to enrich the imagination. Their significance assuredly we may not deny.

Yet, so we are told, the State itself, the society of which they form part, is mysteriously One above them. "Everywhere the One comes before the Many. All Manyness has its origin in Oneness and to Oneness it returns. Therefore all order consists in the subordination of Plurality to Unity, and never and nowhere can a purpose that is common to Many be effectual unless the One rules over the Many and directs the Many to the goal. . . . Unity is the root of all, and therefore of all social existence." Here is no mystic thought from the East, but a sober German jurist dealing with the essential political thought of the medieval world. Unity, it is clear, there finds laudation enough. And the State as the expression of that unity enjoys a similar benediction. It, too, must be one and indivisible. Trade-unionists and capitalists alike must surrender the interests of their smaller and antithetic group-persons to the larger demands of that all-embracing One, the State. Of that One it is first that you are part; only in secondary fashion do you belong to church or class or race. In the One differences become harmonized, disappear. There are no rich or poor, Protestants or Catholics, Republicans or Democrats, but all are members of the state. The greatest of ideas takes all others to itself. "All Manyness has its origin in Oneness, and to Oneness it returns."

So may be described the monistic theory of the State. It is a theory of which the importance may not be minimized in our time. That this view—largely perhaps from its evident relation to the dominant philosophy of Hegel—has triumphed not only in modern Germany, but also, in some lesser degree, in modern Europe, is the merest platitude in a world where Treitschke furnishes the theme of drawing-room conversation. A time of crisis unifies everywhere what before bore the appearance of severalty. The exclusive State makes an easy triumph.

We have to admit, so your monist philosopher tells us, that all parts of the State are woven together to make one harmonious whole. What the Absolute is to metaphysics, that is the State to political theory. The unity is logically necessary, for were there independ-

ence, one group, as Lotze argued, could never act upon another. Were there independence there would be impenetrability. Yet nothing is so evident as the supreme fact of mutual influence. Pluralism, in an ultimate sense, is therefore impossible; for it would make unintelligible any rational interpretation of society.

Certain implications of this doctrine are worth noting before we attempt any criticism of it. If it be conceded that the analogy of State and Absolute be justified, clearly just as in metaphysics we can condemn the world as a whole, or praise it as a whole, so must the State be good or bad as a totality. It can not be good or bad in its separate parts. Pessimistic or optimistic, you may be in regard to it, but melioristic you have no right to feel so far as the State is concerned. For that which distinguishes your State must be implied in its parts, however various, is in its parts, could we but see it, and an evil part is evil, be it capitalist or labor agitator, only if the State as a totality is evil. We bridge over, in fact, the distinction between right and wrong, between good and bad. It is due only to the limitations of our finite political intelligence. It is not, so to speak, in the State-in-itself. It is only the appearance below which we must penetrate if we would grasp political reality. That is why Mr. Bradley can regard his Absolute—for us the State—as the richer for every disharmony; for that seeming pain is in truth but a minister to joy.

And here clearly enough Sovereignty emerges. The State must triumph and has need of some organ whereby its end may be attained. If we anywhere preach a gospel of non-resistance it is here. We go to war. We must fight with the State whether or no we feel the justice of its cause. When in 1870 the Vatican Council defined papal infallibility Mr. Gladstone was quick to observe that Roman Catholic loyalty was endangered. Did not Sir Robert Peel oppose Catholic emancipation because that sect could not in his view unify its allegiance? Was not the *Kulturkampf* but the expression of Bismarck's conviction that your sovereign must be one and know no fellow? When M. Combes aids in the separation of Church and State, on what other grounds does he base his attack than this,—that only State-rights are real? Corporations—wormlike Hobbes called them—cause but troublesome disease. Forthwith let them disappear that the sovereignty of the State may be unique.

What for us is here of deepest significance is the claim that what the State wills has therefore moral preeminence. We pass, if I may be old-fashioned and use Rousseau's terms, from the Will of All to the General Will, and assume their identity. So that force gains a moral sanction because the *ρόεῖζήν* is thereby to be achieved. What the State ordains begins to possess for you a special moral sanction superior in authority to the claim of group or individual. You

must surrender your personality before its demands. You must fuse your will into its own. It is, may we not without paradox say, right whether it be right or wrong. It is lack of patriotism in a great war to venture criticism of it. It has the right, as in this sovereign view it has the power, to bind your will into its own. They who act as its organ of government and enforce its will can alone interpret its needs. They dictate; for the parts there is no function save silent acquiescence.

For practical politics there seems no moral rightness in such an attitude as this. We have, in fact, to deem acts right and wrong. We do point to groups within the State, or parallel to it, and urge that they are really harmful and really beneficent. We judge them in reference to themselves. We take what may be appearance as actually constituting reality. We credit, in short, human knowledge. We say that there is something in appearance. If we can not credit it, assuredly there is nothing in which belief is at all possible. Its finite character we freely admit. We can not know all things. We have to be content with a certain specialism, leaving omniscience to the Absolute.

If, as I urge, we know not all things, but some things, if we know not America and Germany, but England and France, nothing of Julius Cæsar, but much of Napoleon, then we claim the right to make judgments upon them. They stand by themselves, can be known, that is to say, independently. I do not mean that Julius Cæsar is not ultimately connected with Napoleon or that there is no relation between England and America, but simply that there is no necessary relevance between them. Applying this to politics, I mean that we do not proceed from the State to the parts of the State on the ground that the State is more fundamentally unified than its parts, but we, on the contrary, admit that the parts are as real and as self-sufficient as the whole. I do not know England before I know, say, Berkeley Square and London; from Berkeley Square and London I come to know England. But in James's phrase, "everything you can think of, however vast or inclusive, has, on the pluralistic view, a genuinely 'external' environment of some sort or amount. Things are 'with' one another in many ways, but nothing includes everything or dominates everything. The word 'and' trails along after every sentence. Something always escapes . . . the pluralistic world is thus more like a federal republic than an empire or a kingdom. However much may be collected, however much may report itself as present at any effective center of consciousness something else is self-governed and absent and unreduced to unity."

We are urging that because a group or an individual is related to some other group or individual it is not thereby forced to enter

into relations with every other part of the body politic. When a trade-union ejects one of its members for refusing to pay a political levy it is not thereby bringing itself into relations with the Mormon Church. A trade-union as such has no connection with the Mormon Church; it stands self-sufficient on its own legs. It may work with the State, but it need not do so of necessity. It may be in relations with the State, but it is one with it and not of it. The State, to use James's terms once more, is "distributive" and not "collective." There are no essential connections.

We are not taking up the position that the State has no relations with these groups. We are simply denying that the parts must be judged by the State,—the individual German, let us say, by the conduct of Germany. We have not to judge of all things in their State-context. Such a relation is a forced relation. It is charging to the account of your individual German things which are really accountable to Germany. We judge his conduct in life in reference to himself and not in reference to the State of which he is part. In the monistic theory of the State he derives his meaning from his relations; in the pluralistic theory, while his relations may be of the deepest significance, it is denied that they are the sole criterion by which a man ought to be judged. So in the pluralistic view of the State, there are, as James said of the pluralist world, "real losses and real losers," in the clashing of its parts; nor do these add mysteriously to the splendor of the whole.

How, then, it will be asked, is the will of the State to be made manifest? If the State is but one of the groups to which the individual belongs, there is no thought of unity in his allegiance. The answer to that is the sufficiently simple answer that our allegiance is not as a fact unified. In the event of a great war, for example, as a member of the State you may be called upon to fight; as a member of another group, the Quakers, you may be called upon to resist that demand. It seems clear that little is gained by talk of "over-riding demands," of saying, for instance, that the demands of the State are all-important. They are all-important only to the State. The history of societies fatally contradicts the view that in a crisis only the State will have power of compulsion. What of certain miners in South Wales? What of certain Unionists in Ulster? Of militant suffragists? Did not to them the wills of certain groups other than the State conflict with it and prove more intense in their demand? Such marginal cases will in all probability be rare, but there is no sort of guarantee that they will not occur.

Then, it will be protested, you will abolish what lawyers mean by sovereignty. You justify resistance to the State. You deny that each state must possess a legally determinate superior whose will is

certain of acceptance. But it is surely evident that no such instrument does exist. We have nowhere the assurance that any rule of conduct can be enforced. For that rule will depend for its validity upon the opinion of the members of the State, and they belong to other groups to which such rule may be obnoxious. If, for example, Parliament chose to enact that no Englishman should be a Roman Catholic, it would certainly fail to carry the statute into effect. We have, therefore, to find the true meaning of sovereignty not in the coercive power possessed by its instrument, but in the fused good-will for which it stands. Men accept its dictates either because their own will finds part expression there or because, assuming the goodness of intention which lies behind it, they are content, usually, not to resist its imposition. But then law clearly is not a command. It is simply a rule of convenience. Its goodness consists in its consequences. It has to prove itself. It does not, therefore, seem wise to argue that Parliament, for example, is omnipotent in a special sense. The power Parliament exerts is situate in it not by law, but by consent, and that consent is, as certain famous instances have shown, liable to suspension. An omnipotence that Cardinal Wiseman can overthrow in 1851, that J. H. Newman can smilingly dissolve in 1870, that constitutes in the judicial committee of the privy council a tribunal for ecclesiastical causes which clergymen of repute will regard as of no authority, and, therefore, neglect, seems to represent an abstraction of the facts. Where sovereignty prevails, where the State acts, it acts by the consent of men.

What guarantee have we, then, in the pluralist view that the will of the State will prevail? It may seem that this view gives a handle to anarchy. It does not, I believe, give any more handle to anarchy than it at present possesses. If we become inductive-minded and make our principles grow out of the facts of social life we shall admit that the sanction for the will of the State is going to depend largely on the persons who interpret it. The monarchs of the *ancien régime* were legally the sovereign power in France, but their will was not the will of the State. It did not prevail because of the supreme unwisdom of the manner in which they chose to assume that their good was also the popular good. They confused what Rousseau would have called their "private good" with the "common good" and Louis XVI. paid the penalty on the scaffold. The will of the State obtains preeminence over the wills of other groups exactly to the point where it is interpreted with sufficient wisdom to obtain general acceptance, and no further. It is a will to some extent competing with other wills, and, Darwin-wise, surviving only by its ability to cope with its environment. Should it venture into dangerous places it pays the penalty of its audacity. It finds its sovereignty by consent transformed into impotence by disagreement.

But, it may be objected, in such a view sovereignty means no more than the ability to secure assent. I can only reply to the objection by admitting it. There is no sanction for law other than the consent of the human mind. It is sheer illusion to imagine that the authority of the State has any other safeguard than the wills of its members. For the State, as I have tried to show, is simply what Mr. Graham Wallas calls a will-organization, and the essential feature of such a thing is its ultimate dependence upon the constituent wills from which the group will is made. To argue that the State is degraded by such reduction in nowise alters, so far as I can see, the fact that this is its essential nature. We have only to look at the realities of social existence to see quite clearly that the State does not enjoy any necessary preeminence for its demands. That must depend entirely upon the nature of the demand it makes. I shall find again and again that my allegiance is divided between the different groups to which I belong. It is the nature of the particular difficulty which decides my action.

Nor is this view invalidated by the consideration that the purpose of the State is larger than that of any other conceivable group, does, in fact, comprehend it. I am not at all certain that this is the case. A State may in theory exist to secure the highest life for its members. But when we come to the analysis of hard facts it becomes painfully apparent that the good actually maintained is that of a certain section, not the community as a whole. I should be prepared to argue, for instance, that in the England before the war the ideal of the trade-unions was a wider ideal than that which the State had attained, one is tempted to say, desired to attain. It is possible, again, to say of the Roman Catholic Church that its purpose is wider than that even of a conceivable world-state in the future; for the State concerns itself with the lives of men on earth, while the Roman Catholic Church concerns itself also with their future existence. And, moreover, it is not so much greatness of purpose that seems important as the capacity to secure intensity of affection. This, as I argued earlier, is surely the explanation of the attitude of those who resist the State. The purpose of their organization is not more vast, but it comes nearer home to what the individual immediately desires; so it has for him a greater momentary validity. He subordinates the will of the State to the will of his group because the latter accords with his desire or his conscience. I think that any one who reflects on the history of opposition to the State will find that this is, psychologically, the most fruitful source of its understanding.

Now I admit quite freely that I have been discussing a sovereignty far wider than that which lawyers are accustomed to recognize. When a distinguished jurist thinks that "sovereign power is that



which within its own sphere is absolute and uncontrolled," and when another equally distinguished legal thinker argues that law rests on sovereignty, I can only throw up my hands. For while, for example, in England, the sovereign power is Parliament, and, broadly speaking, only the rules laid down by it will be enforced by the courts, yet Parliamentary opinion, Parliamentary statute, are the result of a vast complex of forces towards which men and groups, within and without the State, make often enough valuable contributions. It seems to me that you can never find in a community any one will which is certain of obedience. That is why Korkunov is profoundly right when he urges that its phenomena can not be regarded as the manifestation of such unity. I can not too greatly emphasize the importance of a phrase used by John Chipman Gray. "The real rulers of a society," he says in a striking sentence, "are undiscoverable." But with the real rulers must go sovereignty; and if you can not find them it too must be beyond the reach of human insight. When you come to think of it, the sovereignty of legal theory is far too simple to admit of acceptance. The sovereign is the person in the State who can get his will accepted, who so dominates over his fellows as to blend their wills with his. Clearly there is nothing absolute and unqualified about it. It is a matter of degree and not of kind that the State should find for its decrees more usual acceptance than those of any other association. It is not because of the force that lies behind its will, but because men know that the group could not endure if every disagreement meant a secession, that they agree to accept its will as made manifest for the most part in its law. Here, at any rate, we clear the air of fictions. We do not bestow upon our State attributes it does not possess. We hold it entitled to ask from its members that which conduces to the achievement of its purpose not because it has the force to exact their consent, but because what it asks will in the event prove conducive to that end. Further than this we can not go.

There are, in this view, things the State can not demand from its members. It could not, for instance, demand from one of them that he assassinate a perfectly blameless man; for so to demand is to violate for both men the whole purpose for which the State exists. It would have, on the other hand, a clear right to ask from each member such contribution as he can afford to a system of national education, because the modern State has decided that the more educated are its members the more are they likely to fulfil its end. What I mean by "right" is something the pragmatist will understand. It is something the individual ought to concede because experience has proved it to be good. So when the State demands from one of its members toleration for the religious belief of another as a right each should enjoy, it means that the consequences of toleration are more coin-

cident with the end of the State than the consequences of religious persecution. Our rights are teleological. They have to prove themselves. That is why, I confess, one of the main comforts I derive from the study of Aristotle is the conviction that he attempted to delineate a pragmatist theory of the State. He gave to his rights the rich validation of experience; and surely a right that has no consequences is too empty to admit of worth.

The view of the State I am endeavoring to depict may perhaps be best understood by reference to a chemical analogy. The chemist draws a picture of his molecule—it is a number of atoms grouped together by certain links of attraction each possesses for the other. And when a molecule of, say, hydrogen meets a molecule of oxygen something new results. What is there may be merely hydrogen plus oxygen; but you must treat it as something different from either. So I would urge that you must place your individual at the center of things. You must regard him as linked to a variety of associations to which his personality attracts him. You must on this view admit that the State is only one of the associations to which he happens to belong, and give it exactly that preeminence—and no more—to which on the particular occasion of conflict, its possibly superior moral claim will entitle it. In my view it does not attempt to take that preeminence by force; it wins it by consent. It proves to its members by what it performs that it possesses a claim inherently greater than, say, their Church or trade-union. It is no dry *a priori* justification which compels their allegiance, but the solidity of its moral achievement. So, I shall fight for England because I can genuinely accept the rightness of its cause; not because when the call comes I must unheedingly and, therefore, unintelligently obey it.

Surely, too, that State will be the stronger which thus binds to itself its members by the strength of a moral purpose validated. When, for example, your miners in South Wales go on strike, rather than attempt their compulsion by Munitions Acts to obey that for which they feel no sympathy, and thus produce that feeling of balked disposition of which Mr. Graham Wallas has written so wisely, you seek means of finding common ground between their group and yours, you will have done better. Is there not a tremendous danger in modern times that people will believe the legal sovereignty of a State to be identical with its moral sovereignty? Right is a dangerous word—for it is political no less than ethical, and in the hands of a skilful statesman the meaning may be insensibly fused. So it will be preached eventually that where a State, from this theoretic conception of Oneness, has a legal right, it has also a moral right which passes so easily into a moral obligation. Government, then, stands above the moral code applied to humbler individuals. It is almost

unconsciously exalted into tyranny. It gains the power to crush out all that conflicts with its own will, no matter what the ethical implication of that will. I can then well understand why to an historian like Treitschke power can be the end of all things. For then power is moral and becomes more profoundly moral as it grows in extent. Is there the slightest historical justification for such a conclusion?

The thing of which I feel afraid, if the State be admitted limitless power, Professor Dewey has expressed felicitously in a single phrase, so that I may be pardoned if I make use of him to point my moral. "It has been instructed" [he is speaking of the German State] "by a long line of philosophers that it is the business of ideal right to gather might to itself in order that it may cease to be merely ideal." Nor is what he urges true of Germany alone. When you hear in Great Britain of unamiable retired colonels on half-pay writing from the comfortable seclusion of a London club that the working-classes must be compelled to do certain things because the existence of the State is threatened, the voice may be the voice of an English colonel, but verily! the spirit of a certain retired German cavalry officer creeps into that voice. The State may ask the workers for their aid; but the condition must assuredly be, that when it fights, their good, no less than its own, is bound up with victory. It seems to me, frankly, that when many of us use the term "State" at the present time we are performing a mental operation of which the content is essentially different. The State is not the same thing, for instance, to the Kaiser and to Herr Karl Liebknecht. When the former asks for the support of Germans that the State may not perish, he has in mind a thing almost antithetic to what it means for Herr Liebknecht. Is anything gained by ignoring this difference, and urging that this State, so fundamentally different to both men, is to have for both an equally valid claim? Assuredly, as the event proves, that can not be the case.

I have tried to show that the monistic theory of the State, making it sovereign and, therefore, absolute, runs counter to some of the deepest convictions we can possess. I have urged that it will ask from us sacrifices it is against our consciences to give. It may of course be said that such a sacrifice has in it a discipline it is well for men to undergo. But when men begin, at the cost of suffering, to surrender their convictions with a monotonous regularity they will end by surrendering them without a pang. May we not here apply that stinging aphorism of Coleridge—"He loves Christianity better than truth, will love his sect or Church better than Christianity, and end by loving himself best of all?"

In the realm of philosophy, the last forty years have seen the consistent disruption of absolutisms. In the sphere of politics they are assuredly but the expression of what our rulers are fain to believe

from half-instinctive desire. The history of recorded experience seems to show that this kind of dogma is the stumbling-block in the way of all progress. The State has sovereign rights; and those who manipulate it will too often cause it to be used for the protection of existing rights. The two get identified; the dead hand of effete ancestralism falls with a resounding thud on the living hopes of to-day. I said earlier that such absolutism bridges over the distinction between right and wrong. Is it not clearly so? Is it not claimed in Germany that an act is justified when State necessity compels it, and that without reference to the accepted criteria of moral action? In the South African war were there not statesmen who, because they condemned it, were adjudged morally degenerate? Is there not in the United States a tendency to approximate criticism of the constitution to original sin? Please observe that I am only asking questions.

How ever are we to get any worth out of historical experience if such absolutism is to be held valid? Every state then becomes exalted above the moral law. Spain was right in its attack on the Netherlands, and the Netherlands wrong in resisting the attack. Great Britain was right absolutely in the American war of Independence. Truly there is point in Mr. Chesterton's remark that only logic drives men mad.

Such difficulties as this the pluralistic theory of the state seems to me to remove. As a theory it is what Professor Dewey calls "consistently experimentalist," in form and content. It denies the rightness of force. It dissolves—what the facts themselves dissolve—the inherent claim of the State to obedience. It insists that the State, like every other association, shall prove itself by what it achieves. It sets group competing against group in a ceaseless striving of progressive expansion. What it is and what it becomes it then is and becomes by virtue only of its moral programme. It denies that the pursuit of evil can be made good by the character of the performer. It makes claim of the member of the State that he undertake ceaseless examination of its moral foundations. It does not try to work out with tedious elaboration the respective spheres of State or group or individual. It leaves that to the test of the event. It predicates no certainty because history, I think fortunately, does not repeat itself. It recognizes the validity of all wills to exist, and argues no more than that in their conflict men should give their allegiance to that which is possessed of superior moral purpose. It is in fact an individualistic theory of the State—no pluralistic attitude can avoid that. But it is individualistic only in so far as it asks of man that he should be a social being. In the monist theory of the State there seems no guarantee that man will have any being at all. His personality, for him the most real of all things, is sacrificed to an idol

which the merest knowledge of history would prove to have feet of clay.

I am well enough aware that in any such voluntarism as this room is left for a hint of anarchy. To discredit the State seems like enough to dethroning it. And when the voice of the State is viewed as the deliberate expression of public opinion it seems like the destruction of the one uniquely democratic basis we have thus far attained. But the objection, like the play queen in "Hamlet," protests too much. It assumes the homogeneity of public opinion, and of that homogeneity not even the most stout-hearted of us could adduce the proof. Nor is its absence defect. On the contrary, it seems to me that it is essentially a sign that real thought is present. A community that can not agree is already a community capable of advance. And if public opinion is not homogeneous where and how is it constituted? How will it prevail? I have already raised these questions. I have urged that the proof is not general, but particular, lies in each special occasion as it arises. And that is to postulate a State far from uniquely sovereign, since on occasion it will not prevail as on occasion it may not be right.

I imagine the absolute Hobbes, who has seen internal dissension tear a great kingdom in pieces, hold up hands of horror at such division of power. Maybe I who write in a time when the State enjoys its beautification can sympathize but too little with that prince of monistic thinkers. And the reason is simple enough. It is from the selection of variations, not from the preservation of uniformities, that progress is born. We do not want to make our State a cattle-yard in which only the shepherd shall know one beast from another. Rather we may hope to bring from the souls of men and women their richest fruition. If they have intelligence we shall ask its application to our problems. If they have courage we shall ask the aid of its compelling will. We shall make the basis of our State consent to disagreement. Therein shall we ensure its deepest harmony. H. J. LASKI.

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## SOCIETIES

### THE FIFTEENTH ANNUAL MEETING OF THE AMERICAN PHILOSOPHICAL ASSOCIATION

THE fifteenth annual meeting of the American Philosophical Association was held in Philadelphia on December 28-30, 1915, at the University of Pennsylvania. The meeting promised ill at the outset, partly on account of the small number of those in attendance,