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PSYCHOLOGY AND SCIENTIFIC METHODS

COMMUNAL GHOSTS AND OTHER PERILS IN SOCIAL PHILOSOPHY¹

WITH regard to the nature of the community I can not claim any special knowledge; and not being ambitious to share the fate of Socrates I make no allusions to other people's knowledge. My part in this discussion is that of devil's advocate, pleading with you against undue haste in canonizing some of the newer tendencies in social philosophy, and, if I succeed, provoking the advocates of these new doctrines to a fuller and more adequate statement of their case. Now it may prevent misunderstanding of the aim of my remarks if I recall to your attention that the devil's advocate is not retained by the Prince of Darkness, but is rather a faithful son and servant of a church that certainly does not overrate the importance of the critical spirit. Some years before the war began to turn the center of gravity of our discussions from epistemology to sociology and politics I urged the philosophic fruitfulness and importance of social theory, and I have not changed my mind in this respect. But like all other things which are valuable social philosophy has its dangers which its candid friends will not hide or minimize.

I

The first, foremost, and all-inclusive danger is that, becoming absorbed in the passionate social problems of the day, we may forget philosophy altogether and become partizan journalists, propagandists, economists, reformists or politicians—anything but philosophers. I am not lacking in respect for the competent journalist, preacher or statesman; but philosophy has its own function distinct from all these; and we who are its official custodians must beware of the danger of being solicited by sentimental sympathy to abandon the hard path of philosophy for more popular pursuits. In these days of waning faith in philosophy the latter course may seem to some not a danger but rather a change devoutly to be wished.

¹ Prepared for the discussion on the Nature of the Community at the meeting of the American Philosophical Association.

They may put it in their own terminology by saying that philosophy ought to abandon the fruitless search for an impossibly impartial truth, to abandon its aloofness from the issues which divide and absorb our fellow citizens. It would take us far afield to defend on this occasion the value of pure or theoretic philosophy. Moreover, there is in this issue as in others an element of fundamental preference and faith which arguments alone can not settle. Arguments at best point to human experiences. They can not compel faith in philosophy in those to whom its keen joys, and the zest of navigating alone the uncharted seas of being, are impossible or look thin and pale in comparison with the more voluminous comforts of being shoulder to shoulder with our fellow beings and having their approval reinforce our echoes of their sentiments. It is therefore merely an expression of legitimate and defensible—yea invincible—experience to assert that pure philosophy, the true love and fearless pursuit of fundamental truth for its own sake, is in itself one of the greatest blessings of human life, and, therefore, never to be entirely subordinated to the solution of social problems—whatever the words solution and social may mean. But while I personally believe that philosophy is in a sense more important than the solution of social problems, I think it is demonstrable (as far as experience makes anything demonstrable) that philosophy can best aid those actually engaged in the more concrete human problems by vigorously maintaining just that spirit of impartiality and aloofness so frequently and thoughtlessly condemned by those whose business it is to think. For if we are honest with ourselves and take social problems seriously (and not merely as toys) we must admit that the philosopher as such is not qualified by training or experience to directly solve the problems which baffle the economists, jurists or statesmen. Neither rationalist nor empiricist today believes in a philosopher's stone or magical first principle which will resolve all human mysteries and remove all human difficulties. The actual solution of human difficulties depends on a penetrating intuition or judgment which requires special aptitude developed by long experience and careful training, none of which is supplied by philosophy itself. Philosophy, by detaching men from current prejudice or the idols of the tribe and the forum, tends to give men a truly liberal attitude to current controversies; but that only makes the genuine philosopher humbly aware of his insufficiency for a task which the community has assigned to others.

Mankind in its painfully slow process of learning by trial and error has learned what so many too-practical philosophers are now at pains to deny, namely that there generally is a practical conflict between the interests of the moment and the more permanent in-

terests of human life, and that those engaged in fighting the issues of the day are apt to overlook the more permanent interests which give meaning and purport to these temporary conflicts. The wisest communities have therefore always set aside spiritual watchers, priests, philosophers, and pure scientists, who by keeping out of the marketplace and the actual mêlée of battle are all the better able to help their brothers. To a myopic wisdom it may seem most useless and heartless for the watcher to maintain his post while his brethren are fighting and bleeding most cruelly. But the post of watcher is not without its difficulties. The loneliness is hard, the flesh is weak and the call of sympathy most difficult to resist. Yet it is nothing less than high treason for the consecrated guardians of humanity's ancient treasures to desert in the heat of battle the post they are sworn to maintain.

At this point I can imagine the spirit of the late Theodore Roosevelt, who was wont to measure seers and philosophers like Tolstoy, if not poets like Keats, by what they had to offer to men of action in the conduct of their affairs, interrupting us: "If philosophy can not solve our present social problems, of what actual earthly good is it?" To which I should reply that, apart from the unearthly or invisible positive contributions which philosophy makes to human life by resolutely facing its own problems, it renders a supreme service by setting up a standard of a developed critical spirit without which all solutions of human problems lack the essence of liberality and are, hence, worse than useless. If a modern critical philosophy can no longer pretend to be in possession of elixirs for eternal life or panaceas for all human ills, it may still usefully function as a general antiseptic or disinfectant of intellectual life. I can conceive of nothing more helpful to a distracted world than that men should realize the logical frailties of principles such as democracy, self-determination, or law and order, as absolute rules of political action. A critical attitude to all principles may dampen the intolerant zeal of fanatical partisans and render it easier for men of different beliefs to understand each other and cooperate in a complicated world. I am sure that those more conversant with practical affairs than I am can bring many illustrations of the value of the critical spirit as a wholesome check against party saws and dazzling or blinding first principles. My main contention up to this point is to warn the social philosopher that in trying to save the world he may lose that which has been one of the most valuable contributions of philosophy to human culture, the critical spirit. To revert to our figure of philosophy as an intellectual antiseptic I should say that the philosopher should not undertake to cure the ills of humanity before he has learned to disinfect himself and his instruments.

That our most recent attempts at social philosophy have not conspicuously done so seems to me quite clear. It is in no spirit of mere fault-finding nor failure to respect authority that I take my first illustration from one who is above all qualified to speak officially for American philosophy, our president, Professor Alexander. When I read his paper on "Wrath and Ruth"² with a mental picture before me of the spirit in which a mathematician, physicist, biologist or scientific historian reads the announcement of a new discovery in his field, I find myself entirely outside of what Professor Alexander must regard as the standard of philosophic truth. I admire the fervid eloquence, but fail to find any evidence for the statement that the lesson of the war is that science and rationalism "are tokens of a wanton and degraded cult," *etc.* I can not even grant its novelty. The statement that "if philosophy has nothing to learn from the greatest event in the world's history, then so much the worse for philosophy," naturally suggests the following doubts: *Is* the last war the greatest event in history? Yea, are we now in a position to decide that point?³ Doubtless the last conflict exceeded all previous ones as regards the number of combatants, but is that the most significant philosophic test? Shall we say that the Wars of Napoleon are of greater significance than the discovery of the steam engine by Watt or of vaccination by Jenner? Again, why should a philosophy be any the worse because it has nothing to learn from the war? May we not maintain, on the contrary, that to the extent to which any philosophy found the war in conformity with its previous ideas of the capacity of human nature, that philosophy is so much the better?

The same failure to maintain a critical attitude seems to me exemplified in almost every page of Miss Follett's book on *The New State*, which the officers of our philosophical association have so generously welcomed as showing the way of the new social philosophy. I am not sure but that it may be entirely unfair to judge Miss Follett's book by philosophic standards. It is on the face of it a work of exhortation, pleading on behalf of what she regards as the solution to a practical problem. It is certainly not written in the style of the scientist or philosopher who expects every one of his statements to be critically questioned, but rather in the inspired style and absolute confidence of the prophet such as Buddah or Mohammed. But Miss Follet is fortunately with us in this discussion and can readily answer my skeptical difficulties.

² This JOURNAL, Vol. XVI., 1919, pp. 253-258.

³ A brilliant young philosopher of the school that loudly proclaims that consequences form the test of truth, begins an article on "Liberty and Reform" (this JOURNAL, XVI., p. 589) by saying that Bolshevism has "failed splendidly." Is not this rather prophecy?

On the merits of Miss Follett's claim to have found *the* solution of popular government I am not competent to pass—except that having lived long enough to see so many other solutions refuted I naturally wish to keep an open mind as to the practical outcome of this one. But as one who has dabbled somewhat in logic and scientific method I should be lacking in candor if I refrained from saying that the book appears to me strikingly deficient in cogent factual evidence or clear, convincing analyses of fundamental ideas. Thus Miss Follett assumes that political or ballot-box democracy has failed, but does not analyze the idea of failure or indicate any evidence that political democracy has failed more than our churches, our schools, our family life or our neighborhood organizations. There are doubtless many drawbacks to the ballot-box as an agency for the better life; but without any special competence in this field I can easily draw up a long list of great social achievements due to it. I think for instance that the exigencies of the ballot-box have made our political parties genuine agencies of Americanization (in the sense of teaching the various groups to cooperate). Just because every voter counts for one at the ballot-box, political parties can not afford to neglect any one, and many have asked my political cooperation who would not, because of my race or personal deficiencies, call on me for social or neighborhood purposes. Not only has Miss Follett failed to show convincingly that the balance of merits and demerits is against ballot-box democracy, but she has also failed to bring any really cogent evidence that her substitutes will work any better. Her substitutes are the organization of neighborhood groups and representation by industries. The social organization of neighborhoods may involve an element of tyranny which affrights one who knows the utter lack of personal freedom in small villages, but I can not pretend to pass any final judgment on it. How the principle of neighborhood organization really differs from the present much-berated principle of geographical representation, is not made very clear—except that Miss Follett like other reformers seems to suppose that the limitations of human nature, ignorance, jealousy, *etc.*, will not operate under her dispensation. Perhaps they will not. But how with our present imperfections can we attain her state of perfect cooperation? That representation by industries rather than by localities will have some great practical advantages seems to me *a priori* very likely, but it will also have obvious drawbacks, and I see no proof that its total effects will be much of an improvement over present conditions. No one who has had intimate knowledge of the working of our trade unions as well as of our political parties has as yet shown that bosses or oligarchic machines are any more absent in one than in the other. The analysis of human nature at the

basis of Miss Follett's proposal seems to me often to be directly contrary to observable fact. Thus when she says mere acquaintance "will inevitably lead to friendly feeling," I can merely retort that quarrels, enmities and jealousies do not always take place among total strangers; and when she says that there is no separate ego, I can only answer that while this may be true in the new psychology it is not true in a world where no two minds ever become completely at one, where we suffer alone the anguish of mortification or unrequited love, where the devout soul goes up alone to the mountain to pray, and where the pioneer mind alone catches the first glimpse of new scientific truth. Doubtless every mind is made what it is by interaction with others, but such interaction surely does not disprove the existence of the separate minds which do interact. A group is an aggregate of minds interacting in certain specific ways, as a number of people debating, cooperating in business, living in family relations, or forming a church, a state, a league of allies, or what not. But to speak, as many do nowadays, of the union or group as having a single mind is a convenient but dangerous metaphor. Apart from its questionable metaphysics, it hides the fact that what we call group action is and must often be the result not of the unanimous agreement of all the members of the group but only of a more or less limited part thereof.

II

A certain awe for the word *social* is one of the outstanding phenomena of current intellectual life. The triumphant elation and solace with which the social nature of man is announced and individualism denounced seems to presuppose the belief that previous generations were not aware of the fact that men live together. But long before the word *social* received its present vogue men reflected profoundly on the nature of family, economic, political and religious association. Plato's *Republic* and Aristotle's *Politics* bear testimony as to the vitality not only of their own but also of previous Greek thought in this field. But, though Plato draws a significant analogy between the individual and the body politic, he does not speak of a communal mind distinct from the minds of the individual philosophers. Nor is Aristotle responsible for the famous dictum, man is a social animal. He asserted, indeed, that man is a political animal, but he expressly maintained that man's highest achievements are those rare moments of real insight which are also moments of divine isolation. Nor will any one acquainted with the long history of Hebrew and Christian thought as to the nature of Church and State and the relation of the individual soul to God, be inclined to view the current glib contrast between the social and the

individual as the first and final revelation of the truth in the matter. The recent rise of the term social psychology may have lent some color to a general impression that now at last we have discovered a real social mind distinct from the individual minds of men and women. But surely no scientific psychologist who studies the behavior of men in groups makes any such claim.⁴

The doctrine of a real communal soul in the form of a Folk Ghost⁵ (*Volksgeist*) seems first to have received prominence in the romantic reaction against the French Revolution and the doctrines of the Enlightenment as to the rights and powers of reasonable man. Against the doctrine that we can make laws on the basis of reason or *a priori* principles, Savigny and his disciples urged that the laws of any community are and should be the historic product of the national ghost of its people. But while Savigny and his romanist disciples attributed a real ghost only to the State, the Germanist Beseler and his disciple Gierke extended it to other associations—though not, be it noted, to all business associations. Gierke's theory has been introduced into Anglo-American thought mainly by the brilliant work of Maitland and Figgis and is now represented here by Mr. Laski.⁶

It would take us far afield to attempt here an adequate account of the enormous literature that has grown up around the question as to whether the legal personality of associations denote something real or fictional.⁷ As the controversy has for the most part been carried on by jurists and historians and not by philosophers it is full of arguments as to the practical consequences of different theories, but naturally rather deficient in clear analysis of the philosophical principles involved. We may, indeed, eliminate most of the legal considerations by observing that legal personality is quite distinct from natural personality. There are natural persons who for some reason or other do not possess legal personality at all, *e. g.*, slaves. That does not mean that the law denies the fact that these

⁴ Wundt is sometimes referred to as an exponent of this view (Gierke, *Wesen der menschlichen Verbände*, p. 11) but he in fact maintains that no actual *Gesamtgeist* exists apart from and independent of individual minds—*System der Philosophie* (1889) pp. 592 ff. Durkheim and his disciples, also, while insisting on the tremendous importance of group life in the constitution of the individual, still maintain that society exists only in and through individual minds. *Elementary Forms of Religious Life*, pp. 17, 221, 346.

⁵ I am aware of the fact that spirit rather than ghost is the usual translation of *geist*. But I think the notion of a substantial spirit which is also a person is best represented by the word ghost.

⁶ Maitland, *Introduction to Gierke's Medieval Political Theories*; also *Collected Papers*, Vol. 3. Figgis, *Churches in the Modern State*. Laski, "The Personality of Associations," in *Harvard Law Review*, 1916.

⁷ See Saleilles, *Personalité Juridique*, p. 1; also Enneccerus, *Lehrbuch d. bürgerliches Recht*, § 96.

natural persons have organs, dimensions, feelings, *etc.* To paraphrase the words of a famous beadle, if the law did that it would indeed be an ass. On the contrary most legal systems that allow slavery recognize the natural personality of the slaves to some extent and may even protect it by diverse rules and regulations, while denying them legal personality or the right to sue in their own names. Perhaps the distinction between legal and natural personality may be seen even more clearly when we observe that some natural persons like infants and women are legal persons for certain purposes and not so for other purposes, while legal personality may be bestowed to certain funds (the fisc) and foundations to which no one has yet attributed real personality. Whether, therefore, certain groups should be regarded as legal persons, is a practical question as to whether they should be made collectively the subject of certain rights and duties, and whether their liability should be limited to the extent of the corporate or collective funds. But the fact that our legal system draws a sharp distinction between the property of the corporation and that of the individual members or owners of it, does not determine the question of the real personality of the corporation, any more than the fact that certain proceedings are brought against the ship and not its owners determines the question as to whether a ship is a person.

Let us then examine the question as to the personality of groups as a question of fact. When we take a unified nation like France or an established church like the Roman Catholic, or a society like the Jesuit Order, there seems a clear *prima facie* case for saying that not only are there Frenchmen *etc.*, but over and above these there is the spirit or ghost of France, of the Roman Church, or of the Society of Jesus, which endures while individual men come and go. Omitting the supernatural claims of the Catholic Church and viewing the matter from the naturalistic point of view it seems quite clear that this contention for real group personality may be regarded either as true or false according to the meaning we attach to the word personality. If we mean to assert that every group has distinctive group marks and that there is something uniting the different individuals so that they act differently than they would if they were not so interdependent, no one can well deny such reality, whether you call it personality or give it any other name. But if it is asserted that the French nation and the Roman Church literally have all the characteristics of those we ordinarily call persons—that the state is masculine and the church feminine, according to Bluntschli—we are dealing with the kind of a statement which is believed because it is absurd. Groups are not begot through the union of father and mother, they do not suck their mother's

milk, do not play children's games, do not spend weary hours in school, do not work for wages, strike for shorter hours, and do not suffer the trials and joys of anxious parenthood. Having no sense organs, they can not in any strict sense of the word be said to have sensations or feelings, and it is not literally true to say that they feel praise or blame, hope or disappointment, love, hunger, colds, tooth-aches, ennui, the creaking of old age, or the perplexities of a world that to the honest mind must always contain unsolved and perhaps insoluble problems.

The defenders of the real personality of groups, like Gierke and Laski, distinguish, of course, between the personality of groups and the personality of natural persons. The two kinds of personality, they admit, are different and are called by the same name only because there are real analogies between them. By stretching the term personality beyond what it ordinarily denotes, they really change its meaning or connotation, precisely as the mathematician has stretched the term number by applying it to surds or "real numbers" which are not numbers at all. This tempts us to conclude that the quarrel between those who believe in the reality of corporate personality and those who believe it is fictional is a quarrel over words. For the most distinguished adherent of the fiction theory, Jhering, has pointed out⁸ that this use of the language of identity for two different things that are in some way analogous is precisely what constitutes the nature of fiction. But though it is true that a good deal of the controversy would be eliminated if each side defined accurately the meaning it attached to the term personality, it would be a mistake to conclude that the issue is merely verbal and of no real significance. In the first place no question of this sort can be *merely* verbal, because words are most potent influences in determining thought as well as action. Theoretically we may be free to decide to use a word like personality in any sense we choose, but practically we must recognize that intellectual resolutions can not rob words of their old flavor or of the penumbra of meanings which they carry along with them in ordinary intercourse. The attempt therefore to use old popular words in new senses is always productive of intellectual confusion. Thus when we personalize a group we are apt to forget that "its" action may be simply the action of certain individuals in authority—the others, though they may be also responsible, being in fact passive or even ignorant of what has taken place. This confusion seems to me to show itself in Mr. Laski's contention that a corporation (as a mind distinct from that of its officers or members) can have the feeling of gratitude (or perhaps even the capacity to eat dinners).⁹

⁸ *Geist d. römisches Recht*, § 68.

⁹ *Harvard Law Review*, 1916, p. 483.

Apart, however, from the practical question of stretching words to include unusual meaning and thus confusing our intellectual currency, there is between the adherents of corporate personality and their opponents a fundamental philosophic issue: the extent to which the principle of unity should be hypostatized or reified (I wish the use of the word *thingified* were more common, since that which it denotes, the tendency to think of relations and operations as *things*, is one of the most common sources of philosophic error). All are agreed that groups are characterized by some kind of unity, and the fundamental issue is whether this unity shall be viewed as an entity additional to the entities unified and of the same kind, or whether it shall be viewed for what it is, as just the unifying relation. The tendency to personify groups, ships, storms, debates, and everything else is as old as human thought and is in some measure unavoidable. For we must always depend on analogies, and personal analogies give our language a vividness without which our hearers may be entirely unmoved. But modern mathematical logic has taught us to avoid the old form of the issue between nominalism and (the older) realism by recognizing the relational character of unity, or at any rate to recognize the different types of unity. When any one oracularly informs us that the whole is more than the sum of its parts, we reply that that depends upon the meaning of the word *sum*. Of the things that can in any definable sense be added the whole is just the *sum* of its parts and nothing else. There are, however, at least three recognizable types of unity. There is the physical or synthetic unity of a house or ship in which the constituting parts which existed before the whole are still recognizable. There are chemical unions in which the pre-existing parts lose their identity in the whole, but may be restored to their original state. Lastly, we have the organism or biologic unity, which we can not freely create out of preexisting parts nor break up into parts such that the whole can be reconstituted. Now diverse human associations are characterized by all these types of unity in diverse ways. To the extent that our membership in certain racial, religious, national, or language groups, is not a voluntary act, these groups have something of organic unity. But to the extent that increasing civilization increases the freedom of associations, men can and do choose their language, country, religion and the intimate associations that give social importance to race. The most intimate union in human life is that of husband and wife. By that union the character of the constituent parts is profoundly modified, but they maintain their separate identities. The union may be dissolved and in certain legal respects the parties may return to the position in which they were before forming their

union, though in other respects they can never by the same and possibly can never reconstitute the same happy family. Gierke, Figgis, and other protagonists of corporate personality are, however, too much in reaction against social contract theories to think highly of voluntary and possibly dissolvable unions. They think more highly of states and churches into which individuals are born, and in which they necessarily inhere as qualities inhere in a substance. The state or the church is the permanent reality of which individuals are the phenomenal appearances. Gierke, who has become a sort of patron saint of political pluralists, goes to the greatest extremes in this hypostatizing of the principle of unity.¹⁰ But the history of philosophy from Aristotle to Bradley has fully shown the vicious infinite regress which follows when our substance becomes an additional quality, or when our unifying reality becomes an additional thing. When two persons are united in the marriage relation the unity is not in itself an additional person, though such unity makes possible many things which could not otherwise happen.

The reaction against social-contract theories has led to absurd denial of the voluntary element which plays a part in all associations even in that of the state. History, United States history especially, shows many examples of voluntary formations of states; and recent events show that such unions may also break up and new ones be reconstituted. The unity of France or of the Catholic Church rests in the mode of thought and action which millions of Frenchmen and Catholics habitually follow. If by an impossible event they should all simultaneously lose all memory and habitual manner of responding, the French nation and the Catholic Church would cease to exist. Every group involves some definite mode of interaction between its members. The more permanent the grouping the more permanent are these modes of action. When we become conscious of these ancient modes we call them traditions. But these traditions, though embodied in many material things, books, works of art, clothes, buildings, machines, *etc.*, can not maintain their significant character apart from a continuous current of individual minds.

Professor Dicey¹¹ seems to have put his finger on the chief difficulty which, in the absence of the relational formula for which I have been contending, meets those who ask: what more does a corporation involve than individual members? He says: "Whenever men act in concert for a common purpose, they tend to create a body which, from no fiction of law but from the very nature of things, differs from the individuals of whom it is composed." But when two oxen are yoked together they not merely tend to but do create a

¹⁰ See his *Genossenschaftsrecht*, Vol. III.

¹¹ *Law and Public Opinion*, *etc.*, p. 165.

body, to wit, a team, which "from no fiction of the law but from the very nature of things differs from the individuals of whom it is composed," for a team of oxen can really do things which two oxen separately can not. But that does not prove that a new ox is thereby created. Similarly when Jones and his two brothers form the Equitable Button Co., Incorporated, they do not create an additional soul or mind. If the Equitable Button Co. prospers we speak of "its" reputation, "its" assets, liabilities, *etc.* But that does not mean that there is "the red blood of living personality" in the corporation apart from the human individuals who are its owners. The same is true when people unite to form a debating club, a dining club, a church, a railway company, a bank, or an incorporated town.

III

The question of fact as to corporate personality is independent of the legal or ethical question of corporate responsibility. But as the discussion of personality is frequently confused by consideration as to responsibility we must consider the latter topic also.

If the impecunious agent of a corporation does a wrong, justice may demand that the stockholders on whose behalf it was done or who generally profit by such acts, should be compelled to pay for the wrong out of corporate funds. This is in line with the general principle of making the master liable for the torts of the servant; but it does not prove that the corporation is a real mind separate from the minds of the individual officers and stockholders. But the question of corporate responsibility becomes more complicated and in itself more significant when we come to the responsibility of nations or states.

Who, for instance, is rightly responsible for the damage done to Belgium by Germany? Not the Kaiser alone, nor his immediate advisers, nor the members of the Reichstag who voted supplies, nor even all the citizens who supported the war. Germany as a whole is held responsible and that means that those who opposed the war as well as generations of Germans yet unborn must be made to pay. This certainly does not agree with the prevailing theory that no one should be punished except for some fault of his own. But most people believe both in individual and in collective responsibility—certainly German publicists are in no position to question the latter, since at the time of the Serbian invasion they justified the cruel sufferings imposed on innocent individual Serbians on the ground that the Serbian people must atone for the crime of the Karageorgevich dynasty.

In the presence of the obvious conflict between the principle of individual responsibility and that of collective responsibility, the phi-

osopher is tempted to decide for one or the other of these principles. But humanity continues to profess both and to disregard both whenever necessary. Thus many tens of thousands of people are killed every year by what are called accidents in our mines, railways, factories, *etc.*, and no one feels responsible. Most of these accidents could certainly have been prevented if people were willing to pay the cost of such prevention. If I tell my neighbor that the coal he uses is soaked with the blood of miners and brakemen killed in the mines and in the transportation service, he may see the truth of my contention, but he would resent my statement that by using coal he is participating in these killings and that the blood of these men is upon his head. In any case he will go on using coal; and in this respect I think the children of the world are wiser than (some of) the children of (reflective) light. For more harm may result by giving up the use of coal, railways, and factory products than now results from their use. King David refused to drink the water brought to him by his heroes from the well of Bethlehem at the price of blood. But many of us live in cities where the entire water supply is tainted with the blood of the toilers killed in building the tunnels and aqueducts. Does any morality require us to refrain from drinking it? Are not the portals of our houses sprinkled with the blood of our sons who bled to death that we may be safe? We call it a sacrifice on our part when we remember the ties which bound the dead to us. But when we ignore the ties which bind members of a community together, we are quite certain that we have no right to order people to be killed in order to prolong *our* lives.

These reflections suggest that in the face of the complicated situation before us we can not unqualifiedly accept either the principle of individual or of collective responsibility, nor absolutely deny either. In our ethics the principle of individual responsibility, that each man shall be rewarded or punished according to his own deed, has been unquestioned. But in practise it is almost universally disregarded, because inapplicable. It is impossible to isolate, in a complicated system of interaction between countless individuals, past and present, the part of the result due to any individual deed. The principle of individual responsibility postulates a world in which each individual can be the sole producer of definite results, a world where each individual can be the sole master of his acts and fate. This, I submit in all seriousness, is not the world in which we find ourselves. We find ourselves in a world where, not to speak of our involuntary physical heredity and early training, we are all in different measures benefited or harmed by the acts of others, and where no man can act or be punished without affecting untold others in diverse ways.

But while the principle of individual responsibility has remarkably little to commend it as a primary principle, it is none the less useful as a secondary one. In a world where individual fears, hopes, and ambitions are real sources of action, general carefulness and increased productivity can certainly not be promoted by disregarding entirely these individual emotions. Some rationalized system of individual rewards and punishments is, therefore, necessary to weigh the natural consequences of action in such a way as to bring about more desirable results. Nor is it difficult to resolve any collective responsibility into a complex of personal responsibility. The responsibility of the community for an undue number of railway accidents is a complex of the responsibilities of railway commissioners, governors or presidents who appoint them, voters and politicians who elect these officials, railway managers, their directors, shareholders, bankers, *etc.* The national debt of Great Britain is not the debt of his Majesty (though the treasury, the army and the navy are his), nor of the Cabinet, nor of the members of Parliament, nor even of the total present population of Great Britain. It is not the debt of a National Spirit or Ghost, but rather a complex of obligations on the part of certain officers to pay money out of certain funds to be obtained in diverse ways from a now indefinite number of Britishers past, present and future. Nor is it shocking to the general sense of mankind that future generations shall pay for our mistakes, or that they shall, without any struggle on their part, benefit by our efforts or good fortune. An absolutely strict debit and credit account between the members of a general community is neither possible nor desirable.

If collective responsibility is thus viewed not as rigidly binding principle, but as a social necessity, we can see why our elementary sense of justice is not shocked when it is claimed that a country should pay the debt which a despotic ruler contracted, and the proceeds of which he squandered. As between the members of his country and those who stand in the place of the lenders, there may be many reasons for apportioning the loss on the former. But as we are dealing with a general maxim rather than with a rigid principle difficult cases are sure to arise. Thus I think there is a great deal of justice in the refusal of the Russian Revolutionary government of 1918 to pay the debt contracted by the late Czar in 1906 in his effort to suppress the opposition which arose because he revoked the people's constitutional rights—especially as the revolutionists at the time warned the European financiers. But while the leaders of Revolutionary Russia might be within their rights in refusing to pay such a debt, they might thus wrong the Russian people by cutting off their

credit and, in consequence, necessary means of sustenance. Thus must principles lose their rigidity in the actual storms of experience.

IV

I do not wish to leave the theory of communal minds or ghosts without paying a tribute of respect for the recent impressive movement of political pluralism represented by guild socialism, the ecclesiasticism of Mr. Figgis, the syndicalism of Mr. Benoist or M. Duguit, and the plural sovereignty theory of Mr. Laski. These theories have shaken political philosophy out of its torpid or somnambulant worship of the omnipotent State as the god on earth. They are peculiarly timely in so far as they attack the theory of an omnicomponent state at a time when the state has actually shown itself to be the strongest power on earth, much stronger in its power to dispose of life and substance than church, economic union or the ties of language and race. The newer political philosophy has already rendered a great service in pressing the need for decentralizing our vast modern states, many of which have populations much larger than that of the Roman Empire at its height. Nothing can be more inimical to the human sense of power than for the individual voter to feel that after all he can accomplish very little politically since it is necessary to move millions before the action of the state can be modified. Large unified states undoubtedly tend to produce an oppressive uniformity that is profoundly inimical to the development of distinctive individuality. The spiritual need of local loyalties to offset this danger has been expressed by no one better than by Josiah Royce, whose later philosophy might be called a spiritual reflex of American federalism.

Nevertheless it seems clear that political pluralism is open to serious practical and theoretical objections. The partisans of pluralistic sovereignty ignore or minimize two dangers which human experience has shown to be very grave.

The first danger is that small groups or communities may be far more oppressive to the individual than larger ones. Men are in many ways freer in large cities than in small villages. Indeed it is precisely because of the intolerable oppression by local and guild sovereignties in medieval society that the modern national state was able to replace it. It is because the kings' courts were able to deal out what was on the whole better justice that they were gradually able to replace the local and vocational courts. The fact that our trade unions or southern states do not have absolute sovereignty in their own realms and that there is a possible appeal from their acts to the law of the land, certainly prevents them from oppressing some of their members more than they do. At any rate, the distinctive

note of modern social and political philosophy (before the romantic and Hegelian reaction) is to be found in the long struggle to free the individual by means of natural rights from the claims of groups; and while it is doubtless true that individualistic, natural-rights theories have overestimated the powers and opportunities of the individual detached from some group, it would be hazardous to claim that the whole work of modern philosophy was unnecessary.

The second danger is that if the state gives up its sovereignty over any group there will be nothing to prevent that group from oppressing the rest of the community. I notice that one of our leading periodicals that thinks we must give up the notion of popular sovereignty in the same way as we have given up the notion of the sovereignty of kings, rejects the logical consequences of this position in the face of a strike by policemen. Policemen like other individuals are entitled to just treatment by the employing state, but no community can allow policemen or any other group to paralyze its whole life. We may try to set a line dividing the internal affairs of a church or trade union from those of its activities which affect the public at large, and contend vigorously that under no circumstances should the state as the organ of the larger community meddle in the internal affairs of the smaller society. But apart from the practical impossibility of drawing in advance any such line between the actions which do and those which do not affect the public at large,¹² this attempt really breaks down the whole theory of plural sovereignty, since in the last analysis some one will have the last word as to where that line is to be drawn, and it is logically impossible where groups conflict that each shall draw the line. To prevent the inconvenience of interminable conflicts, the power to terminate them by a deciding word is given to the state as the organ of the general community. The power to have the last word in any dispute is just what sovereignty is. The wisdom of large measures of home rule or autonomy to be accorded to various local, vocational, and religious organizations, need not be questioned. But we must recognize that the community can not irrevocably part with its power to revise such grants and that it is impossible for all the parties to a dispute to have the last word. Mr. Figgis, for instance, sets up the right of the church in matters of conscience as absolute against the state. Taken literally, as applied to individuals, the absolute right of free conscience would make all human organization impossible, since past experience has shown that there is no social institution, from property and marriage to the wearing of shoes, buttons, or the cooking of one's food, against which some individual conscience has not rebelled. While the greatest freedom in this respect is desir-

¹² Every rule affecting a member of a union also affects a citizen.

able, the state can not give up its reserve rights to limit any form of conscience which it deems a nuisance. Nor is the matter much improved if, instead of individual conscience, we substitute the organized conscience of established churches. The churches in the South believed in slavery, but those in the North believed it to be iniquitous. The Mormons believe in polygamy as a divinely ordained institution, while others believe it to be adulterous. The Catholic Church believes in the use of images or icons, and another sect believes in the duty of breaking such images. If all of these are to live in the same community, somebody's right of conscience must necessarily yield. The matter is still more clear if, as in Mr. Laski's theory, we should attempt to bestow absolute sovereignty not only on churches, but also on trade unions and other groups. The evils of an absolute state are not cured by the multiplication of absolutes.

V

These fragmentary and perhaps impertinent considerations do not pretend to throw much light on the nature of the community. But I hope they may help to make our discussion more cautious and critical. But most anxious of all am I to challenge two modes of argument which seem to me particularly vicious when used in social philosophy. These are the too facile antithesis of first principles and the too facile reconciliation of incompatible alternatives.

The first mode is illustrated when we argue that political democracy, nominalism, individualism, or monism has broken down, and hence we must believe in industrial democracy, realism, collectivism or pluralism. The facts of social life are clearly too complicated to allow such broad simple principles to be directly proved, nor can either set of principles be categorically refuted. Difficulties *ad libitum* may be raised on both sides. In this connection I should like to call attention to the admirable procedure exemplified in Dean Pound's treatment of the Interests of Personality.¹³ The individual interests worked out by the individualistic philosophy of natural rights are all restated in terms of social interests, but there is no pretended refutation of the older philosophy. Indeed, though Dean Pound's method has distinct technical advantages over the older method, it does not preclude the possibility of any one working out a complete theory of public and social interests on the basis of the individual rights or interests of personality. We can draw more than one true picture of the social world, provided we do not claim that our picture is *the* true one.

The second mode of argumentation against which I wish to raise

¹³ *Harvard Law Review*, 1915.

a warning voice has not in these warlike days as yet made itself felt in our attempts at social philosophy. But it has vitiated our metaphysics and, as under the name of the organic point of view it still holds sway, we must be on our guard against it. Thus to dismiss the conflict between mechanism and purposive action, as a recent writer does, on the ground that both are false abstractions, seems to me an arrogant shirking of a real problem, which may be all the more tempting and more dangerous in social philosophy. Social problems are generally difficulties which arise because we do not know how to attain what we want without also having something which we do not want. We want, for example, complete freedom of the press, but we do not like to see wicked people poisoning the sources of public information. The solution is obviously not some banality like liberty without license or other cheap evasion of a real difficulty. The social interests in freedom and in truth are not logically contradictory, but they are in fact incompatible in a world where many things are subjects of opinion. And this incompatibility is not to be removed by dialectic manipulation of principles, but by some specific invention similar to the invention of boats, which solved the problem how to get across the river without getting wet. In the infancy of science there may have been some excuse for philosophy to be associated with the search for magical formulæ and panaceas; but now it seems time for philosophy to accept the division of labor and learn the vanity of trying to solve everybody else's problems.

A recent writer, zealous for social philosophy, and for the gratuitous assumption that the philosopher is called upon to be the leader of the community in questions of statesmanship, speaks contemptuously of "epistemologic chess."¹⁴ I am far from condoning the grievous sins of epistemology, but I think the implied condemnation of the play instinct in philosophy a much more grievous error. The history of philosophy and pure science will show, I think, that there never was a man who made a great discovery in the realm of ideas who did not keenly enjoy the play of ideas for its own sake. But in intellectual as in other play, we must follow the rules, and one of the primary rules of the intellectual game is that ideas must submit to the most rigorous criticism and to the test of fact. Therefore, to rush into social generalization without making sure of the consistency of our ideas or their adequacy to meet the ocean of complicated fact is much worse than epistemologic chess. The least that the community can expect of us is that its toil and suffering shall not be made the subject of pompous frivolity.

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¹⁴ This JOURNAL, XVI. (1919), p. 576.