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view to the wonder, beauty, and order of the visible universe, by bringing him to feel the potential greatness and nobility of man, and at the same time the limitations and dependence attendant on his finitude, the religious school can lay the foundation of a true religious life. Surely the highest powers of the human soul meet in that transcendent mood where science and ethics and philosophy, music, art, and poetry fuse to form the developed religious consciousness. And this developed religious consciousness, as I have tried to show, must be the main bulwark of humanity against the forces that threaten the disruption of society, for the supreme fact of the religious sense is spiritual unity. The practical difficulties in the way of the cultivation of this sense are indisputably great; but for that very reason it behooves us steadfastly to look away from the letter, steadfastly to fix our attention on the spirit.

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LAW AND NATURE IN GREEK ETHICS.

IN a well-known passage of the "Ethics," Aristotle says that "things fair and things just are liable to such variation and fluctuation that they are believed to exist by law only and not by nature." * Although much has been written, and well written, on this distinction, it still seems possible to throw a little fresh light upon it. It is easier now than it used to be to trace the thread of historical continuity in Greek thought, and to understand what the doctrines of Greek philosophers really meant to the men who taught them and heard them. And we can do this by looking at our problem in the twofold light of earlier speculation and contemporary culture.

I. To understand what the Greeks of the fifth century B.C. meant by *φύσις*,—a word very inadequately rendered by

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* *Eth. Nic. A, 1094 b, 14,* τὰ δὲ καλὰ καὶ τὰ δίκαια . . . πολλὴν ἔχει διαφορὰν καὶ πλάνην, ὥστε δοκεῖν νόμῳ μόνον εἶναι, φύσει δὲ μή.

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"nature,"—we must cast a glance backwards upon those cosmological inquiries which had just reached their highest point in the Atomic Theory of Leukippos and Demokritos. I have shown elsewhere * that the cosmologists from the Milesian School onwards had given the name φύσις to that primary substance which they were all in search of. It meant to them the most real thing, that which must underlie the world with all its manifold appearances and changes. To put the matter simply, science began with the child's question, "What is the world made of?" The answers that were given to this question covered the whole range from the Water of Thales to the "Seeds" of Anaxagoras or the Atoms of Leukippos. But the question was always the same, and every answer to it was a new account of the φύσις of things, or, as we should say, of the element or elements to which things can be reduced and of which they are composed.

This primary element was, of course, corporeal like the world itself. The time had not yet come when the bond of the world could be sought in an ideal unity. Even the Pythagorean "numbers" were spatial, and space was not clearly distinguished from body before the rise of the Atomic Theory. Now the fact that ultimate reality and the world of common experience were both regarded as corporeal had serious consequences. Both were of the same kind, and therefore comparison was inevitable. In proportion as the idea of φύσις was more thoroughly worked out, it naturally tended to become something more and more remote from common experience, and thus to make that experience seem by comparison more and more unreal and illusory. The Water of Thales was, indeed, something we know, and we could see without too much effort how everything else might be solidified or vaporized water. But now Parmenides has shown once for all that, if we are going to take the reality of φύσις seriously, we are bound to deny of it all motion, change, and variety. "It *is*," and that means that it always was and always will be,—or

* "Early Greek Philosophy," pp. 10 sqq. I still hold firmly that we have no right to ascribe the term ἀρχή to the cosmologists.

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rather that time is a fiction,—that It is absolutely continuous, homogeneous, and motionless. This makes the breach between the world we seem to know and the world as it is for thought complete. The "real" of Parmenides is in fact an extended and corporeal "Thing in itself," which not only fails to explain the every-day world, but banishes it to the realm of the unreal. The Atomic Theory sought, indeed, to make the "real" yield an explanation of the world by multiplying the One of Parmenides into innumerable atoms, but this only served to bring out more clearly than ever the disparity between φύσις and our every-day experience.

II. This explains why the ethical problem, when once it was raised, took the form of a search for φύσις, for an underlying and permanent reality, in the vast mass of traditional morality embodied in the uses and observances which varied so strangely from city to city, to say nothing of the bewildering maze of "barbarian" institutions. These presented a problem precisely analogous to the problem of the manifold world around us, with its endless diversity and its never-ceasing war of opposites. And so the question soon resolved itself into a search for the φύσις or underlying reality of all the complex social arrangements and institutions we know. Is there anything in human life that corresponds to the One of the Eleatics or to Atoms and the Void?

Now, just as cosmological speculation had been forced to deny the reality of the every-day world because it sought for ultimate reality in something corporeal, so the new ethical speculation was soon forced to deny the validity of ordinary morality, and for just the same reason, because the underlying principle it sought was of one kind with the facts it was meant to explain. If we look for ethical reality in some code of rules which are "really" binding, instead of seeking it in that which gives binding force to the moral codes which already exist, we are bound to regard the latter as invalid and arbitrary. And further, just in proportion as we carry out the search logically, the poorer will be the content of our "real" code of morals. For in truth, however much we may disguise the fact, such a code is reached by abstraction. Just

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as nothing was left by the Eleatics and the Atomists but extension and body, so nothing is left by the later "sophists" but brute force and the good pleasure of the individual. Morality, too, becomes an affair of Atoms and the Void.

III. The word which was used to denote the existing code of morality in any given state was *νόμος*, a word which originally meant "use," but covers also what we call "law." When the oracle of Apollo advised men to worship the gods, *νόμῳ πόλεως*, it is as if it had said "after the use of Sarum." Now we find that this word is used in a metaphorical sense by Demokritos to express the unreal character of our every-day knowledge of the world, and nothing can show more clearly the close parallelism between the ethical and cosmological speculation of the time. In making his famous distinction between "true-born" and "bastard" knowledge,* Demokritos used these words,—

"By use there is sweet and by use there is bitter; by use there is hot, by use there is cold, by use there is colour. But in sooth there are Atoms and the Void." †

Why should what we call the "secondary qualities of matter" be assigned to the province of Use? The answer to this question will give us the key to the whole theory of Law and Nature.

It is evident that the great outburst of legislative activity which marked the preceding age had done not a little to foster moral scepticism. Just as the beginnings of applied natural science had brought men face to face with the problem of the world, so did practical legislation raise the problem of ethics. It had been possible to regard the customary laws of older times as something fundamental, or even divine. Their authority was questioned just as little as the reality of the every-day world. The kings might give "crooked dooms" (*σκολιαὶ θέμιστες*), but the existence of the "dooms" themselves,

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* That this is the true meaning of the *γνησίη* and *σκοτίη γνώμη* was first pointed out by Natorp (*Archiv.*, i., p. 355).

† Sext. *Math.* vii., 135, *Νόμῳ γλυκὺ καὶ νόμῳ πικρόν νόμῳ θερμόν, νόμῳ ψυχρόν, νόμῳ χροιή· ἐτεῇ δὲ ἄτομα καὶ κενόν.*

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and the fact that they came from Zeus, was not doubted for a moment. All the old "taboos" and all the old rites were as real and unquestionable as the succession of seed-time and harvest or the rise of Ram, Bull, or Twins at the appointed season. Indeed, the regularity and constancy of human affairs was far more clearly apprehended than the even course of nature. Man lived in a charmed circle of law and custom, but the world around him still seemed lawless. So much was this so, indeed, that, when the regular course of natural phenomena began to be observed, no better word could be found for it than *δίκη*. Anaximander spoke of the encroachment of one element on another as "injustice," and, according to Herakleitos, it is the Erinyes, "the avenging handmaids of Dikē," who keep the sun from "overstepping" his measures.*

But a code of laws framed by a known lawgiver, a Zaleukos or a Charondas, a Lycurgus or a Solon, could not be accepted in this way as part of the everlasting order of things. It was clearly "made," and, therefore, from the point of view of *φύσις*, artificial and arbitrary. It seemed as if it might just as well have been made otherwise, or not made at all. A generation which had seen laws in the making could hardly help asking whether all morality had not been "made" in the same way.

That this really was the point of view from which the ethical problem was regarded is shown by the use of the word *θέσις* in much the same sense as *νόμος*. This word may mean either the giving of laws or the adoption of laws so given,† and it thus contains the germ, not only of the theory of an original legislator, but also of that known as the Social Contract.

The growing knowledge of the diversity of customs and institutions in the world, both Hellenic and barbarian, must have strengthened men's suspicion of the arbitrariness of all moral judgments. Herodotus is full of this feeling. The strongest proof he can give of the madness of King Cambyses is

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* "Early Greek Philosophy," pp. 51, 73, 147.

† According as it is referred to the active, *νόμους θεῖναι* or the middle, *νόμους θέσθαι*.

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that he laughed at the rites and customs of other nations as if those of his own were a bit less artificial. "If we were to set before all men a choice, and bid them pick out the best uses from all the uses there are, each people, after examining them all, would choose those of their own nation." So "it is not likely that any one but a madman would laugh at such things," and Pindar is right in saying that "use is king of all."

IV. We find, then, a close parallelism between the cosmological and the ethical problem of the fifth century B.C. The world of every-day experience was seen to be unreal in comparison with the ultimate φύσις of things however that might be explained, and the ordinary codes of morals were felt to be unreal in comparison with a similar abstract ideal of right. In both cases the error, or rather the inadequacy, of the views held came from the same source. The underlying reality of the world and that of conduct were sought *in pari materia.* The reality of the corporeal world was supposed to be a still more real body, and the reality of conduct was supposed to be a still more valid rule of life. Such is the real meaning and origin of an opposition which was natural and inevitable in the beginnings of philosophy, but which is surely an anachronism now. And yet it still lives on, and it is the same type of mind which would reduce the world to the interaction of vibrations and society to a compromise of "natural rights."

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