The Origin of our Knowledge of Right and Wrong

Franz Brentano
First published in 1889 and appearing in English in 1969, this title had an extraordinary influence in the field of philosophy. It provided the basis for the theory of value as this was developed by Meinong, Husserl and Scheler. In addition, the doctrine of intentionality that is presented here is central to contemporary philosophy of mind.
The Origin of our Knowledge of Right and Wrong

Franz Brentano

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Preface to the English Edition

The first edition of Franz Brentano’s *Vom Ursprung sittlicher Erkenntnis* was published in 1889 by Duncker & Humblot in Leipzig. This was translated by Cecil Hague and published in 1902 by Archibald Constable & Co., Ltd., in London. A second edition, edited by Oskar Kraus, was published by Felix Meiner in Leipzig in 1921. This edition contained as Appendices nine supplementary essays from Brentano’s *Nachlass*, as well as an Introduction and explanatory notes by Kraus. A third revised edition, edited by Kraus, was published by Felix Meiner in 1934.

The present translation is a translation of Kraus’s third edition. It differs from Kraus’s edition in the following respects. It includes everything that Brentano had included in his first edition (Kraus had omitted the essay, “Miklosich on Subjectless Propositions,” since this was included in the second edition of Brentano’s *Psychologie vom empirischen Standpunkt*, published by Felix Meiner in 1925). Some of Kraus’s notes and parts of the Introduction have been abbreviated, some of the notes have been omitted, and references have been brought up to date. I have added a few brief notes; these have my initials.

Two works that had not appeared when Kraus wrote his Introduction may be brought to the reader’s attention. One is Brentano’s *Grundlegung und Aufbau der Ethik* (Bern: A. Francke, 1952), edited by Professor Franziska Mayer-Hillebrand of Innsbruck. This book was prepared from Brentano’s notes for his lectures on Practical Philosophy, given at the University of Vienna from 1876 to 1894. It is now being translated into English by Elizabeth Schneewind. The other is Kraus’s own *Die Werttheorien: Geschichte und Kritik* (Brünn: Richard M.Rohrer, 1937). This is a most useful and informative discussion of the history of the theory of value up to the 1930’s, seen from the point of view of the book that is here translated.

The present translation, which is completely new, was prepared by Elizabeth Schneewind and myself. To avoid confusion, we have retained the title that Cecil Hague used for his translation of the first edition. We wish to thank Miss Linda L. McAlister for a number of helpful suggestions and criticisms.

RODERICK M.CHISHOLM

*Brown University*
Author’s Preface

This lecture, which I now bring before a larger public, was given before the Vienna Law Society on January 23, 1889. At that time it was entitled “On the Natural Sanction for Law and Morality [Von der natürlichen Sanktion für recht und sittlich]”. I have changed the title in order to make more clear just what the actual content of the lecture is. But otherwise I have made almost no changes at all. I have added numerous notes and appended one essay that had been previously published—namely, “Miklosich on Subjectless Propositions”. Its bearing upon what may seem to be a very different subject matter will become evident in what follows.

The occasion of the lecture was an invitation from Baron von Hye, President of the Vienna Law Society. He asked me to present my own views on the subject that Ihering had discussed before the same society a few years earlier in a lecture entitled “On the Origin of the Sense of Justice [Über die Entstehung des Rechtsgefühls]” One should not infer, however, that the lecture is an incidental work prepared only for that particular occasion. I have tried to set forth the results of many years of reflection, which should be looked upon as a product of everything that I have published up to now.

What I have presented here is a part of a “Descriptive Psychology” which I hope to be able to publish in its entirety in the near future. This work will develop some of the views that were set forth in my Psychology from an Empirical Standpoint and will differ in fundamental respects from everything that has previously been said upon the subject. My readers will then be able to see, I hope, that I have not been idle during the long period of my literary retirement.

Professional philosophers will see at once that there is much that is new in the present lecture. The rapidity with which I pass from one topic to another may conceal from the layman the sunken reefs that had to be circumnavigated. I have tried to be concise and therefore to keep in mind the counsel of Leibniz: pay little attention to refutation and much to demonstration. The notes I have added may give the reader some idea of the devious routes that others have taken and of what has kept them from finding a way out of the labyrinth. If these notes were to do justice to the subject, they would have to be multiplied a hundredfold. Perhaps the reader will find what I have to say so obvious that he feels no debt to me at all. If this is so, it is all that I could ask. Indeed, I would look upon it as the crowning point of all my efforts.

I have attempted to determine the principles of our knowledge of ethics upon the basis of new analyses and in a way quite different from what has been done before. Other writers have also held that the feelings play an essential role in this knowledge. But unlike them I have broken radically and completely with the subjective view of ethics. I would make an exception only in the case of Herbart. But he became lost in the sphere of aesthetic feeling, and while remaining an irreconcilable enemy of contradiction in theoretical philosophy, he tolerated it in practical philosophy and assumed that our highest and universally valid ideas might there come into conflict with each other. Still his view is in certain respects very closely related to mine. And so, too, are other celebrated attempts to find a basis for ethics.

Some of the points made in the lecture are given a more precise statement in the notes; it would have been tedious to have developed them in the lecture itself. The notes also
contain replies to objections, anticipated as well as actual. I hope that some will be interested in the historical contributions, particularly in the discussions of Descartes. I trace his theory of the evident back to its sources. And I point out two highly significant thoughts, one of which has been misunderstood and the other hardly noticed at all; neither has received the appreciation it deserves. I am referring, first, to his basic classification of psychological phenomena, and, secondly, to his view about the relation between joy and love and between hatred and sadness.

I have entered into a polemical debate with several contemporary investigators, all of whom are highly esteemed, no less by myself than by others. The sharpest remarks are directed towards those who have previously attacked my views and have thus compelled me to defend myself. I hope that they do not feel I am violating their own rights when I thus attempt, so far as I am able, to speak in behalf of the truth that we all serve. I have often spoken frankly, but I can assure my opponents, in all sincerity, of my wish that they will do the same.

FRANZ BRENTANO
THE LECTURE
The Origin of Our Knowledge of Right and Wrong

The invitation to lecture which the Vienna Law Society extended to me was one that I could hardly refuse, for it gave expression in strong terms to a conviction which, unfortunately, seems to be on the point of disappearing. Proposals for a reform of legal studies have recently been heard (they are even said to have come from university circles) which can only spring from the belief that it is quite possible entirely to sever the roots of jurisprudence without the organism itself undergoing any injury at all. I am referring to the fact that the roots of jurisprudence are deeply implanted in practical philosophy and in the history of our country.

I must confess that, so far as history is concerned, I find these proposals completely incomprehensible. And so far as philosophy is concerned, I can find only this excuse: the men who occupy the chairs of our legal faculty have received a completely false impression of philosophy as a result of the confusions and incoherencies of the past few decades. No personal reproach is intended. But what if members of the medical faculty were to propose that their course of obligatory studies should be cut off entirely from zoology, physics, and chemistry?

In his *Vita a se ipso lineata*, Leibniz tells us this: “I found my previous studies of history and philosophy made it far easier for me to learn jurisprudence.” In his *Specimen difficultatis injure*, deploring the prejudices of the jurists of his time, he exclaims: “If only those who devote themselves to the study of law could overcome their contempt of philosophy and see that without philosophy most of their questions would constitute a labyrinth without an exit!” What would he say now of these reform movements which can only set us back?

2 The esteemed president of your society, who has preserved a vigorous and wide-ranging sense for the real scientific needs of his profession, made clear to me what it was that he would like to have me speak about. The question of the existence of a natural law, he said, was of special interest to the members of the society. And he himself was eager to learn my own opinion about the views that Ihering presented here some years ago.1

I consented gladly and have taken as my subject the natural sanction for law and morality. And I shall attempt to make clear the sole sense in which I believe that there is a natural law.

3 The word “natural” may be used in two quite different ways:

(1) It may refer to what is “given by nature” or “innate”, as distinguished from what has been acquired by experience or derived from the course of history.

(2) Or the word “natural” may refer to those rules which can be known to be correct and binding, in and for themselves, and in virtue of their own nature; rules that are “natural” in this sense contrast with the arbitrary dictates which those in power may happen to lay down.

Ihering rejects the concept of a natural law in each of these two senses.2 I agree with him completely with respect to the first. And I disagree with him, just as completely, with respect to the second.

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2 For the first point, see the *Allgem. Juristenzeitung*, Seventh Year, p. 122ff., and Ihering’s *Zweck im Recht*, Vol. II, p. 109ff. For the second point, see the *Allgem. Juristenzeitung*, Seventh Year, p. 171, and *Zweck im Recht*, Vol. II, pp. 118–23. In the latter work, Ihering denies that there is any absolutely valid ethical rule (pp. 118, 122ff.) and he contests any “psychological” treatment of ethics which would represent ethics “as the twin sister of logic”.

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I am thoroughly at one with Ihering when he says, following the example of John Locke, that there are no innate moral principles.

And like Ihering, I do not believe either in the baroque *jus naturae*, that law *quod natura ipsa omnia animalia docuit*, or in the *jus gentium*, that law which, as the Roman jurists taught, is supposed to be recognized as a natural law of reason by the universal agreement of all peoples.

One does not need to go very deeply into zoology and physiology to see that the animal world provides us with no criterion for setting up ethical standards. (In saying this, however, we do not need to go as far as Rokitansky who says that protoplasm, because of its aggressive character, is an unjust and evil principle!)

The doctrine that there is a common code of law for all nations may have been credible in the ancient world, but it is no longer so. Now that we know something about anthropology and the customs of more barbaric peoples, we realize that these laws are simply a product of the culture that is common to more advanced nations and that they are not a product of nature at all.

On this point, then, I am in complete agreement with Ihering. And I can agree in principle with his assertion that there have been times when there was no knowledge of right and wrong and no ethical feelings, or at any rate no ethical standard that was generally recognized.

Indeed, these conditions persisted even after the larger societies formed themselves into states. Ihering, in support of this view, points to the lack of moral thought among the gods and goddesses of Greek mythology and argues that one may draw inferences from the lives of these gods and goddesses to the lives of the people who formed the myths. We may note, incidentally, that Aristotle had appealed to just this type of consideration in the *Politics*. Ihering is certainly correct in maintaining that the earliest systems of law and of punishment were set up without the influence of anything like moral feelings or a sense of justice. No moral or legal precepts are “natural” in the sense of being implanted in us innately by nature itself. Ihering’s views on this point have our complete approval.

But now we must face the second question, which is far more important: Is there such a thing as a moral truth taught by nature itself and independent of ecclesiastical, political, and every other kind of social authority? Is there a moral law that is natural in the sense of being universally and incontestably valid—valid for men at all places and all times, indeed valid for any being that thinks and feels—and are we capable of knowing that there is such a law? This is the point at which I take issue with Ihering. He would answer the question negatively. My own answer is emphatically affirmative. I hope that the present inquiry into the natural sanction for law and morality will make clear which of us is right.

We cannot answer the present question merely by looking back to what we said about the former question—whatever Ihering himself may think to the contrary. There are such things as innate prejudices. These are natural in the former sense, but they have no natural sanction; whether true or false, they possess no validity in themselves. On the other hand, there are many propositions which we come to know in a natural way and which are incontestably certain and universally valid for all thinking beings, and these propositions are anything but innate. An example is the Pythagorean theorem. (Had this theorem been innate, its happy discoverer would never have offered his hecatomb to the god.)

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It should be clear from what I have said how the term “sanction” is to be taken, when I speak of a natural sanction. We will do well, however, to consider the term in somewhat more detail, so that we may rule out a certain other inadequate conception.

“To sanction” is “to fix, establish, or make fast.” Now a law may be fixed or established in two quite different senses.

(1) It may be fixed or established merely in the sense of becoming a law, as when it is ratified by the highest legislative authority.

(2) Or it may be fixed or established in the sense of being made more effective, as when it is combined with a system of rewards and punishments.

When the writers of antiquity spoke of sanctions, they took the term in the latter sense. Thus Cicero says of the leges Prociae:

“Neque quicquam praeter sanctionem attulerunt novi.” And Ulpian says, similarly: “Interdum in sanctionibus adjicitur, ut, qui ibi aliquid commisit, capite puniatur.” In modern times, however, the term “sanction” is more likely to be taken in the first of these two senses. A law is said to be “sanctioned” when it has been laid down and made valid by the highest authorities.

Quite obviously, the second sense of “sanction” presupposes the first. For if a law is not sanctioned in the first sense, it is not a law at all. The same thing will be true if there is a natural sanction for law and morality.

And now we can easily see how philosophers have tended to overlook the essential character required of a natural sanction for morality.

Some suppose that we have discovered a natural sanction for a given type of conduct if we can show how it happens that the individual feels compelled to act that way. It may be, for example, that when we first render services to others we do so in the hope that we will receive similar services in return. We thus form the habit of performing such services and then we find that we are motivated to do so even when we have no thought of recompense. Some would say that we have here the natural sanction for the duty to love one’s neighbours.

But any such view is entirely wrong. A feeling of compulsion may well be a force that drives us to action, but it is not a sanction that confers validity. After all, the inclination to vice develops in a similar way and this, too, becomes a compulsion which may exercise unlimited power. Or the miser may develop a passion which will lead him to undergo all kinds of sacrifices and to commit the most extreme of cruelties merely in order that he may amass his riches. But his passion hardly constitutes a sanction for his conduct.

[Editor’s note: Since Brentano was speaking to a group of jurists and lawyers, he made use of the familiar legal term “sanction” to demonstrate his point. The comparison he had in mind was simply this: The laws of the state are valid, not because of the sanctions of punishment, but because they have been ratified by the highest legislative authority. Similarly, the rules of ethics are valid and binding, not because of any blind emotional impulse (section 8), or of motives stemming from hope and fear (section 9), or of any considerations pertaining to the will of a higher power or authority (section 10), but simply because of something akin to an intrinsic correctness.]
There are those who think that motives stemming from hope and fear constitute a natural sanction for certain types of conduct. Thus we may take an interest in the general good merely because we know that people in more powerful positions will look with favour upon certain types of action and with disfavour upon others. If this sort of thing is a natural sanction, then so, too, are the lowest forms of flattery and cowardice. But virtue proves itself most truly when neither threats nor promises can divert her from the path that she has set upon.

Others speak of the way in which man as a social being may be brought up and educated by others. Again and again he hears the command “You ought!” It lies in the nature of things that certain types of action will continually be demanded of him. He thus tends to associate these types of action with the thought, “This is something that I ought to do.” He then may come to regard the command as having its source in the society in which he lives, or in some ill-defined being more exalted than any particular person. It has been said that to look upon one’s duty in this way is to be subject to the sanction of conscience.

On such a view, the natural sanction for law and morality will be this conviction that moral commands have their source in some more powerful will. The conviction arises naturally enough, but it contains nothing that deserves to be called a sanction. A man who finds himself at the mercy of a tyrant or a gang of thieves knows that he is subject to commands that come from more powerful wills than his own. But whether or not he obeys, the commands do not impart to any act a sanction like that of conscience. If he does obey, he does so through fear and not because he believes the command to be one that is right. An act does not have a natural sanction merely because it is thought to be commanded by someone. Of any command that is issued by an external will one may always ask: Is it justified or is it unjustified? And the question is not to be answered by looking for some still higher power which has issued a command enjoining obedience to the first command. If we are to obey the first command only if such obedience is demanded by a second command, then we should obey the second command only if such obedience is demanded by a third command, and so on ad infinitum.

A natural sanction for law and morality, then, cannot be found in the thought of a command of an external will, any more than it can be found in a feeling of compulsion or in the hope for reward or in the fear of retaliation.

But there are commands or imperatives of an essentially different sort. For we may speak of the commands or imperatives of logic—commands and imperatives that pertain to judgement and inference. And here there is no question of any “will”. These commands or imperatives do not have to do with the “will” of logic itself, since obviously it has none, or with the will of any logician to whom we may have sworn our allegiance. The laws of logic are rules of judging which are naturally valid. We are bound

9 Here, too, John Stuart Mill may be cited, among others. He referred to the motives of hope and fear as external sanctions, and to the feelings of compulsion described earlier as internal sanctions. See Chapter 3 of Utilitarianism.

10 See the discussion in James Mill’s Fragment on Mackintosh, published in John Stuart Mill’s edition (1869) of James Mill’s Analysis of the Phenomena of the Human Mind (Chapter 23, pp. 309–21). See also Crete’s ingenious essay, “On the Origin and Nature of Ethical Sentiment”, published by A. Bain as the first essay in Fragments on Ethical Subjects by the late George Grote F.R.S., being a Selection from his Posthumous Papers London 1876.
to conform to them, because such conformity ensures certainty in our judgements; if we fail to conform, our judgements become liable to error. In other words, thought processes that conform to these rules are naturally superior to those that do not. And so, too, in ethics. What we have in ethics are not the commands of an external will, but a natural superiority upon which the rules of morality are based. This is what Kant insisted upon, as did most of the great thinkers before him. But there are still many philosophers — unfortunately, even among those of the empirical school to which I myself belong — who do not correctly understand or appreciate this fact.

12 What is this characteristic superiority which gives morality its natural sanction? There are those who have looked upon it as being, so to speak, external, for they have taken it to be the superiority of a beautiful appearance. The Greeks said that noble and virtuous conduct is τὸ χαλον, or beautiful, and they described the complete man of honour as being καλοχαλον. These ancient thinkers, however, did not mean to set up an aesthetic criterion of what is moral and what is not. Unfortunately this cannot be said of certain modern thinkers. Thus in England, David Hume spoke of a moral sense of beauty which enables us to decide what is moral and what is not.11 And in Germany Herbart has more recently argued that ethics is a branch of aesthetics.12

I certainly do not deny that the appearance of virtue is more agreeable than that of moral perversity. But the essential superiority of what is moral does not consist in this fact. A will that is moral is intrinsically superior or preferable to one that is immoral — in just the way in which evident judgements and correct inferences are intrinsically superior to prejudice and to fallacious reasoning. It cannot be denied that there is something ugly and small about prejudice and fallacious reasoning. It is not especially agreeable to contemplate people who are prone to these things. But this hardly means that the laws of logic are rules of aesthetics, or that logic is itself a branch of aesthetics.13 The essential superiority that concerns us does not consist in any aesthetic appearance; it is, rather, a certain intrinsic correctness which, however, may also have a certain superiority in appearance. Similarly, it is a certain intrinsic correctness which makes one act of will superior to another and which therefore makes the difference between what is moral and what is not.

Belief in this intrinsic superiority or preferability is an ethical motive. Knowledge of it is the correct ethical motive and the sanction which gives permanence and validity to the moral law.

13 The accusation that I have misrepresented Herbart’s views is best answered by reference to the comparison I have made between ethics and logic. The logical criterion, I have said, involves the inner evidence of thought processes that conform to rules; it does not consist of the judgements of taste that we make when we contemplate such processes and compare them with those that do not conform to rules. If the logical criterion were to consist of such judgements, then it could be described as external. And it is just in this sense that Herbart’s criterion in ethics may be said to be external — even though Herbartians may insist that the judgements of taste we form spontaneously upon contemplation of certain acts of will reveal the intrinsic superiority of those acts.
13 But how do we attain such knowledge? Here we find a difficulty which philosophers have sought in vain to resolve. Even Kant felt that no one prior to him had found the proper way of untangling the knot. He thought that he himself had found it in the Categorical Imperative. Actually, however, the Categorical Imperative is like the sword drawn by Alexander to cut the Gordian knot. It is a palpable fiction and is not what is needed to set the matter right.\textsuperscript{14}

14 To understand the true source of our ethical knowledge, we must consider the results of recent investigations in the area of descriptive psychology. The limited time that I have requires me to be very brief in setting forth my own views. I am afraid, therefore, that my statement will not be as complete as it ought to be. But it is just here that I would like to ask for your special attention in order that we may not lose sight of what is essential to a proper understanding of our problem.

15 The will is that which is said to be moral or immoral. In many cases what we will is only a means to some further end. In such cases, we also will the end and, in a certain sense, we will it more than we do the means. The end itself may, in turn, be a means to some further end. In any far-reaching plan, there will be a whole series of ends, each end subordinate to the one to which it is itself a means. But there must always be some end which is desired above all the others and for itself alone. If there were no such strict and ultimate end, there would be no incentive in pursuing the rest of the plan. We would be in the absurd position of aiming without having anything to aim at.

16 We may employ various means in order to bring about a particular end. Some of them will be correct and others not. They will be correct when they are really suitable for bringing about the end.

We may also have a variety of ultimate ends. A common mistake in the eighteenth century, much less prevalent today, was to believe that everyone seeks the same end—namely, the greatest possible pleasure for himself.\textsuperscript{15} We have only to think of those martyrs who submitted to the most excruciating of tortures for the sake of their convictions, very often without having any hope of recompense in a life hereafter. No one who is familiar with the facts supposes that these people were really trying to maximize their own pleasure (no one, at least, who has any sense of the intensity of pleasure and of pain).

This, therefore, is certain: there is a variety of ultimate ends. We must choose among them. And since the ultimate end that we adopt is the determining principle for everything else, the choice of ultimate ends is the most important choice of all. What ought I to strive after? Which end is correct and which one incorrect? As Aristotle said, this is the fundamental question of ethics.\textsuperscript{16}

17 What end is the correct one? What end ought we to choose? Once the ultimate end has been determined and we are choosing merely among possible means, then the proper reply is: Choose those means that will actually bring about the end. But where the choice is among

\textsuperscript{14} [This note, “On Kant’s Categorical Imperative”, may be found on page 49f.]

\textsuperscript{15} Compare John Stuart Mill, \textit{System of Deductive and Inductive Logic}, Book IV, Chapter 4, Section 6 (toward the end) and Book VI, Chapter 2, Section 4, and elsewhere: for example, in \textit{Utilitarianism}, \textit{Essays on Religion}, and \textit{Augusts Comte and Positivism}, Part II.

\textsuperscript{16} Comparison with the first chapter of the \textit{Nicomachaean Ethics} shows that Ihering’s “basic idea”—viz., that “every legal maxim has its origin in some goal” (Der Zweck im Recht, Vol. I, p. vi)—is as old as ethics itself.
begins itself, then one might say: Choose an end that can reasonably be thought of as being attainable. But this answer is hardly enough. For many things that can be attained are to be avoided rather than sought after. Choose the best among the ends that are attainable: this is the only adequate answer.\(^{17}\)

But the answer is obscure. What do we mean by “the best”? What do we call “good”? And how do we find out that a given thing is good or that one thing is better than another?

To answer these questions, we must inquire into the origin of our concept of the good. This concept, like all our others, has its origin in certain intuitive presentations.\(^{18}\)

Some of our intuitive presentations have *physical* content. These belief in the conclusion. So do the concepts of *impossibility* and *necessity*. (We acquire these by making what are called “apodictic” present us with sense qualities that are spatially determined in a characteristic way. They constitute the source of our concepts of colour, sound, space, and the like. But the concept of the good does not have its origin here. The concept of the good has been associated quite properly with the concept of the true. It is easy to see that both concepts have their origin in certain intuitive presentations having psychological content.\(^{18}\)

The common feature of everything psychological, often referred to, unfortunately, by the misleading term “consciousness”, consists in a relation that we bear to an object. The relation has been called *intentional*; it is a relation to something which may not be ac

\(^{17}\) When the prospect of success is doubtful, we may have to choose between two courses: the one offering a greater good but less probability of success and the other offering a lesser good but a greater probability of success. In such cases, we must take account of the respective probabilities. If A is three times better than B, but B has ten times more chances of being realized than does A, then the man of practical wisdom will prefer to strive after B. For if such a course were always pursued under such circumstances, and if there were a sufficient number of cases, then, given the law of large numbers, the greater good would be realized on the whole. And therefore such a procedure would conform to the principle that I have expressed: Choose the best among the ends that are attainable. The point of this observation will become clearer in what follows. [Editor’s note: Compare the short essay on Benjamin Franklin in the Appendix.]

\(^{18}\) This truth was known to Aristotle (see, for example, *De Anima*, Book III, Chapter 8). It was also recognized by medieval thinkers, but they expressed it somewhat ineptly, in the dictum: *nihil est in intellects, quod non prius fuerit in sensu*. The concepts of *willing* and *inferring* are not drawn from *sense* perception. If we were to call them sense concepts, we would have to take the term “sense” so generally that we could no longer make any distinction between what is sensible and what is not. But these concepts do have their origin in certain concrete intuitions that have a psychological content. This is how we acquire the concept of *end* or *purpose*. The concept of *cause* has a similar origin (we note, for example, a causal relation between our belief in a set of premises and our judgements—those judgements which affirm or deny, not merely assertorically, but also apodictically). And similarly for many other concepts which some modern philosophers, failing to discover their true source, have tried to interpret as being *a priori* categories. (I am aware that Sigwart and others influenced by him have called into question the distinction between assertoric and apodictic, but this is not the place to discuss such psychological errors. See the discussion of Sigwart, in Note 27, “On the Evident”, on page 76ff.)

\(^{2}\) [Editor’s note: Brentano was later to drop this use of “content (*Inhalt*)” in favour of “objects (*Objekte*)”].
tual but which is presented as an object. There is no hearing unless something is heard, no believing unless something is believed; there is no hoping unless something is hoped for, no striving unless something is striven for; one cannot be pleased unless there is something that one is pleased about; and so on, for all the other psychological phenomena.†

Those intuitive presentations that have physical content may be distinguished in a variety of ways. By reference to the basic distinctions among sense qualities (what Helmholtz refers to as distinctions of modality), we may determine the number of different senses. And those intuitive presentations that have psychological content may also be distinguished in a variety of ways. By reference to the basic distinctions among intentional relations, we may determine the number of basic psychological categories.⁰

We may thus distinguish three fundamental classes of psychological phenomena. It was Descartes who first made this distinction; we find a complete and accurate statement in the Meditations. But what he said was not sufficiently attended to and it was soon forgotten. In more recent times, Descartes’ method of classification was independently rediscovered, and we may now look upon it as something that has been established.²²

The first fundamental class, Descartes’ ideae, is that of ideas in the broadest sense of this term, or, as we may also call them, presentations [Vorstellungen]. This includes the concrete intuitive presentations that are given to us through the senses along with those concepts that are not properly called sensible.

The second fundamental class, Descartes’ judicia, is that of judgement. Before Descartes’ time, judgements and presentations were grouped together as constituting a single fundamental class. The same error has been made in more recent times; people have supposed that judging is essentially a matter of combining or relating presentations. But this is a gross misconception of the nature of judgement. On the one hand, we may combine and relate presentations at will—as we do when we think of a green tree, or a golden mountain, or a father of a hundred children, or a friend of science—but if we have only combined and related, we have made no judgement. (To be sure, every judgement is based upon some presentation or other and so, too, is every desire.) And on the other hand, we may make a judgement without thereby combining ideas or relating them as subject and predicate. Thus consider the judgement “There is a God”, as distinguished, say, from “God is just”.

¹⁹ A suggestion of this view may be found in Aristotle; see especially Metaphysics, Book V, Chapter 15, 1021 a 29. The expression “intentional”, like many other terms for our more important concepts, comes from the scholastics.

† [Editor’s note: But one should not take Brentano to be saying that psychological attitudes and their objects are correlative entities both of which must exist; for the objects of psychological attitudes need not exist. See Brentano’s Psychology from an Empirical Standpoint, Vol. II, Appendix I.]

²⁰ For a more adequate discussion, see my Psychology from an Empirical Standpoint, Book II, Chapter 6 (in Vol. II); compare also Book II, Chapter 1, Section 5 (Vol. I). Except for certain points of detail, I believe that what I say there about the classification of psychological phenomena is substantially correct. [Editor’s note: These points of detail are discussed in the Supplementary Essays to be found in Volume Two of Brentano’s Psychology.]

²¹ [This note, “On Descartes’ Classification of Psychological Phenomena”, may be found on page 5 off.]

²² [This note, “In Defense of a Theory of Judgement”, may be found on page 54ff.]
What is distinctive about judgement? It is this: In addition to there being an idea or presentation of a certain object, there is a second intentional relation which is directed upon that object. The relation is one of either affirmation or denial—either acceptance or rejection. If a man says “God”, he gives expression to the idea of God. But if he says “There is a God”, then he gives expression to his belief in God.

I must not linger here. But I can assure you that if there is any point that is now beyond doubt, it is this. Miklosich has given us a philological confirmation of the results of this psychological analysis.

The third fundamental class consists of the emotions in the widest sense of this term. These include, not only the simplest forms of inclination and disinclination which may arise from the mere thought of an object, but also the joy or sorrow that is grounded in the beliefs that we have, as well as the highly complicated phenomena that are involved in ends and means. Aristotle had included these under his term. Descartes said that this class includes the voluntates sive affectus. Where the second class involves an intentional relation of either affirmation or denial (either acceptance or rejection), the third class involves an intentional relation of love or hate, or (as we may also put it) inclination or disinclination, being pleased or being displeased. This relation is in the simplest forms of inclination and disinclination, in victorious joy and despairing sorrow, in hope and fear, and in every act of will. The French ask “Plaît-il?” The Germans say, in their announcements of death, “Es hat Gott gefallen.” And one writes “Placet” as the verbal confirmation of a decisive decree of the will.

Comparison of these three classes of phenomena reveals that the last two exhibit a certain analogy that is not shared by the first. The last two but not the first involve an opposition of intentional relation. In the case of judgement there is the opposition between affirmation or acceptance, on the one hand, and denial or rejection, on the other. In the case of the emotions there is the opposition between love and hate or, as we may also put it, inclination and disinclination, between being pleased and being displeased. But in the case of mere presentation—in the mere having of an idea—there is no such opposition. Of course, I may think of things which are opposites—for example, black and white—but there are not two opposing ways of thinking about it.

Ordinarily one does not use the expressions “joy” and “sorrow”, or “pleasure” and “displeasure”, unless the feeling has reached a certain degree of intensity. We may make use of this pre-scientific distinction, despite the fact that it offers us no sharp boundary-line, provided we place no such limitation upon the expressions “being pleased [gefallen]” and “being displeased [misfallen]”.

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23 [This note, “On Existential and Negative Judgements”, may be found on page 5 9ff.]
24 In his valuable little book The Passions of the Soul [in the Philosophical Works of Descartes, trans. E.S.Haldane and G.R.T.Ross, Vol. I] Descartes comes very close to saying that love is always a matter of “being pleased” and hatred a matter of “being displeased”. Thus he writes in Part Two, Article 139: “...when the things which they [love and hate] persuade us to love are truly good, and those which [they] persuade us to hate are truly evil, love is incomparably better than hate: it can never be too great, and it never fails to produce joy.” And this accords with what he says a little later (Article 140): “Hate, on the contrary, can never be so small that it is not injurious, and it is never without sorrow.”
This fact has an important consequence. Psychological acts that belong to the first class cannot be said to be either correct or incorrect. But in the case of the acts that belong to the second class, one of the two opposing modes of relation—affirmation and denial—is correct and the other is incorrect, as logic has taught since ancient times. Naturally, the same thing is true of the third class. Of the two opposing types of feeling—loving and hating, inclination and disinclination, being pleased and being displeased—in every instance one of them is correct and the other incorrect. 

And now we have found what we have been looking for. We have arrived at the source of our concepts of the good and the bad, along with that of our concepts of the true and the false. We call a thing true when the affirmation relating to it is correct. We call a thing good when the love relating to it is correct. In the broadest sense of the term, the good is that which is worthy of love, that which can be loved with a love that is correct.

Among the things that please us, we may distinguish between those that are pleasing in themselves and those that are pleasing in virtue of something else. In the latter case, the thing is pleasing in virtue of what it brings about or preserves or makes probable. Hence we must distinguish between primary and secondary goods—between what is good in itself and what is good in virtue of something else. The useful is a clear example of the latter type of good.

Taking the term “good” in its narrow sense, we may equate the good with the good in itself. It is only the good in itself that can stand side by side with the true. For whatever is true is true in itself, even though it may be known in virtue of something else. Henceforth, when I speak of the good I shall be referring to the good in itself (unless I explicitly say otherwise).

So much, then, for the concept of the good.

And now we arrive at an even more important question: How are we to know that a thing is good? Should we say that whatever is loved or is capable of being loved is something that is worthy of love and therefore good? Obviously this would not be right, and it is almost impossible to comprehend how it could be that some have fallen into such an error. One person loves what another hates. And, in accordance with a well-known psychological law already touched upon in this lecture, it often happens as a result of habit that what is at first desired merely as a means to something else comes to be desired for itself alone. Thus the miser is reduced to heaping up riches irrationally and even to sacrificing himself in order to acquire them. And so we may say that the fact that a thing is loved is no indication that it is worthy of being loved—just as we may say that the fact that something is affirmed or accepted is no indication that it is true.

Indeed, of these two statements, the former is the more obvious. It is hardly possible for a man to accept or affirm something and at the same time hold it to be false. But it may frequently happen that one loves something that one admits to be unworthy of such love:

* [Editor’s note: Brentano was later to modify this view. According to his later view, the emotions differ from judgement in that “not correct”, in the sphere of the emotions, does not imply “incorrect”, and “not incorrect” does not imply “correct”. See his posthumous Die Lehre vom richtigen Urteil (Bern: Francke Verlag, 1956), ed. F. Mayer-Hillebrand, p. 175ff. R.M.C.]
25 [This note, “On the Concepts of Truth and Existence”, may be found on page 73ff.]
26 [This note, “On the Unity of the Concept of the Good”, may be found on page 75ff.]
“Video meliora proboque, Deteriora sequor.”

How then, are we to know that a thing is good?

26 The matter may now seem very puzzling, but there is a simple solution.

To prepare the answer, let us consider once again the analogy that holds between the good and the true.

The fact that we affirm something does not mean that it is true, for we often judge quite blindly. Many of the prejudices that we acquired in our infancy may take on the appearance of indubitable principles. And all men have by nature an impulse to trust certain other judgements that are equally blind—for example, those judgements that are based upon so-called external perception and those that are based upon memories of the recent past. What is affirmed in this way may often be true, but it is just as likely to be false. For these judgements involve nothing that manifests correctness.

But they may be contrasted with certain other judgements which are “insightful” or “evident”. The law of contradiction is one example. Other examples are provided by so-called inner perception, which tells me that I am now having such-and-such sound or colour sensations, or that I am now thinking or willing this or that.

What, then, is the essential distinction between these lower and higher forms of judgement? Is it a distinction with respect to degree of conviction or is it something else? It does not pertain to degree of conviction. Many of those blind, instinctive assumptions that arise out of habit are completely uninfected by doubt. Some of them are so firmly rooted that we cannot get rid of them even after we have seen that they have no logical justification. But they are formed under the influence of obscure impulses; they do not have the clarity that is characteristic of the higher form of judgement. If one were to ask, “Why do you really believe that?”, it would be impossible to find any rational grounds. Now if one were to raise the same question in connection with a judgement that is immediately evident, here, too, it would be impossible to refer to any grounds. But in this case the clarity of the judgement is such as to enable us to see that the question has no point; indeed, the question would be completely ridiculous. Everyone experiences the difference between these two classes of judgement. As in the case of every other concept, the ultimate explication consists only in a reference to this experience.

27 In its essentials, all this is universally recognized. Only a few have contested it, and then with great inconsistency. Less notice has been taken of the analogous distinction between the higher and lower types of activity in the emotional sphere, in the sphere of inclination and disinclination.

The feelings of inclination and disinclination often resemble blind judgement in being only instinctive or habitual. This is so in the case of the pleasure the miser takes in hoarding money as well as in those powerful feelings of pleasure and displeasure that men and animals alike connect with the appearance of certain sensuous qualities.*

27 [This note, “On the Evident”, may be found on pages 76ff.]

* [Editor’s note: A detailed statement of Brentano’s view about the relations between the emotions and their sensuous side-effects (Redundanzen), may be found in his Untersuchungen zur Sinnespsychologie (Leipzig: Duncker & Humblot, 1907), pp. 119–25. Compare also Brentano’s Vom sinnlichen und noetischen Bewusstsein (Leipzig: Felix Meiner, 1928), pp. 16–17, 80–1, 138–9; this latter work is sometimes referred to as “Psychology Vol. III.”]
Moreover, different species and even different individuals are often affected in contrary ways; this is obvious, of course, in connection with matters of taste.

Many philosophers, and among them very significant thinkers, have taken into account only that mode of pleasure that is peculiar to the lower types of activity within the sphere of the emotions. They have entirely overlooked the fact that there is a higher mode of being pleased or displeased. Thus in almost every word David Hume betrays the fact that he has no idea at all of this higher class.\textsuperscript{28} We can see how widespread this oversight has been when we realize that none of the words of ordinary language are intended to be adequate to the distinction.\textsuperscript{29} But the fact is undeniable. We may elucidate it by a few examples.

As I have said, it is natural for us to take pleasure in certain tastes and to feel an antipathy toward others. In both cases, our feelings are purely instinctive. But it is also natural for us to take pleasure in the clarity of insight and to feel displeased by error or ignorance. “All men”, Aristotle says in the beautiful introductory words to the \textit{Metaphysics}, “naturally desire knowledge”.\textsuperscript{30} This desire is an example which will serve our purpose. It is a pleasure of the highest form; it is thus the analogue of something being evident in the sphere of judgement. It is a pleasure that is common to all the members of our species. Imagine now another species quite different from ourselves; not only do its members have preferences with respect to sense qualities which are quite different from ours; unlike us, they also despise insight and love error for its own sake. So far as the feelings about sense qualities are concerned, we might say that these things are a matter of taste, and “\textit{De gustibus non est disputandum}”. But this is not what we would say of the love of error and the hatred of insight. We would say that such love and hatred are basically perverse and that the members of the species in question hate what is indubitably and intrinsically good and love what is undubitably and intrinsically bad. Why do we answer differently in the two cases when the feeling of compulsion is equally strong? The answer is simple. In the former case the feeling of

\textsuperscript{28} [This note, “Ethical Subjectivism”, may be found on pages 84ff.]
\textsuperscript{29} In saying that our ordinary language does not contain any expressions that are suitable to those emotional activities which are experienced as being correct, I do not mean to deny that there are certain expressions which would lend themselves quite well to the purpose and which, indeed, almost seem to have been made for it. Thus there are the expressions “gut gefallen” (“to please well”) and “schlecht gefallen” (“to please ill”), as distinct from the simpler “gefallen” (“to please”) and “misfallen” (“to displease”). We might wish to restrict the use of the former pair of expressions and make technical terms of them, but we would find almost no trace of such a restriction in ordinary language. One would not want to say that the good pleases him ill (das Gute gefällt ihm schlecht) or that the bad pleases him well (das Schlechte gefällt ihm gut). But we do say that a thing may “taste good” to one man and “taste bad” to another. And we do not hesitate to say “feels good” in the case of the lowest instinctive pleasures. The term “perception” (“Wahrnehmung”) has degenerated in very much the same way. Though it is applicable in the strict sense only to cases of knowledge, it has come to be applied also, in connection with so-called “external perception”, to cases of blind and essentially erroneous belief. It would not be a useful technical term unless we could institute a basic reform in our ordinary terminology and drastically limit its sphere of applicability.

\textsuperscript{30} \textit{Metaphysics}, Book I, Chapter 1, 93oa 22.
compulsion is merely instinctive. But in the latter case the natural feeling of pleasure is a higher love that is experienced as being correct. When we ourselves experience such a love we notice not only that its object is loved and capable of being loved, and that its privation or contrary hated and capable of being hated, but also that the one is worthy of love and the other worthy of hate, and therefore that the one is good and the other bad.

Let us consider another example. Just as we prefer insight to error, so, too, generally speaking, we prefer joy to sadness—unless it be joy in what is bad. Were there beings who preferred things the other way around, we would take their attitudes to be perverse, and rightly so. For here, too, our love and hatred are experienced as being correct.

A third example may be found in those very feelings that are correct and are experienced as being correct. The correctness and higher character of these feelings—like the correctness and evidence of certain judgements—is itself to be counted as something that is good. And love of the bad is something that is itself bad.

In order not to leave unmentioned the corresponding experiences in the sphere of ideas or presentations, we should note that every act of thought—that is to say, every instance of having an idea or presentation—is something that is good in itself. And the good within us is increased with every extension of our thought, regardless of what good or harm may result therefrom.

31 To avoid misunderstanding, I add the following to what has only been sketched in the text. For an emotive act to be purely good in itself it must be such that (1) it is correct and (2) it is an instance of being pleased and not one of being displeased. If either condition is lacking, then the act is in some respect intrinsically bad in itself. Pleasure in the misfortunes of others (Schadenfreude) is bad because it fails to meet the first condition; the pain that we take in the sight of injustice is bad because it fails to meet the second. If both conditions are lacking, then the emotive act is still worse. This accords with the principle of summation which is taken up later in the lecture. The principle tells us that if a feeling is good, then if the feeling is increased, the goodness of the act is also increased. Similarly, if an act is purely bad, or even if it is bad only in some respects, then the badness of the act increases with the intensity of the feeling. If the act is a mixed one, then good and bad increase or diminish in direct proportion to one another. The plus which belongs to one side or the other becomes greater with an increase in the intensity of the act, and smaller with a decrease in the intensity of the act. Hence under certain circumstances a predominance of good in the act can be described as a very great good, even if the act is not purely good. And conversely, what is predominantly bad may be described as something that is itself very bad even if there is an admixture of the good. Compare note 37 below [pages 90ff.].

32 It can happen that a given thing may both please and displease us, at one and the same time. Thus what may displease us in itself may yet please us as a means to something else, and conversely. And it may happen that, though we are instinctively repelled by a certain thing, we love it at the same time with a higher type of love. Thus we may have an instinctive repugnance toward a sensation which, all the same, is a welcome enrichment to the world of our ideas—every act of thought being something which as such is good in itself. Aristotle remarked: “It sometimes occurs that desires enter into conflict with each other. This happens when reason (λόγος;) and the lower desires (ἐπιθυμία) are opposed.” (De Anima, Book III, Chapter 10, 433b 5–12). And again: “Sometimes the lower desires gain a victory over the higher, sometimes the higher over the lower. Just as one celestial sphere draws along another [according to ancient astronomy], so one desire carries the other off with it when the individual loses firm control over himself.” (De Anima, Book III, Chapter II, 434a 12–14.)
Our knowledge of what is truly and indubitably good arises from the type of experience we have been discussing, where a love is experienced as being correct— in all those cases where we are capable of such knowledge.\footnote{Love and hate may be directed upon entire classes as well as upon single individuals, as Aristotle had noted. We are angry, he said, only with the particular thief who has robbed us, or with the particular sycophant who has deceived us in our innocence, but we hate thieves and sycophants in general \textit{(Rhetoric, Book II, Chapter 4, 1382a)}. Acts of love and hate which are thus based upon some general concept are also frequently experienced as being correct. And then, along with the experience of the given act of love or hate, the goodness or badness of the entire class becomes obvious at a single stroke, so to speak, and without any induction from particular cases. This is the way, for example, that we attain to the general knowledge that insight as such is good. Since we have here the apprehension of a general truth without the induction from particular cases that is required to establish other empirical propositions, some philosophers have been tempted to look upon the universal judgement as a synthetic \textit{a priori} form of immediate knowledge. The temptation is easy to understand. But it overlooks the fact that the apprehension of such a general truth is preceded by an emotion that is experienced as being correct. Herbart has a remarkable doctrine to the effect that one is suddenly elevated to a knowledge of general ethical principles; I suspect that he noticed something of this unique process but without becoming entirely clear about it. \cite{see Appendix I, “Ethical Principles as A Priori”; compare also Brentano’s \textit{Psychologie vom empirischen Standpunkt}, Vol. II, Appendix VII.]

We should note, however, that there is no guarantee that every good thing will arouse in us an emotion that is experienced as being correct. When this does not occur, our criterion fails, in which case the good is absent so far as our knowledge and practical purposes are concerned.\footnote{It is easy to see how important this fact could be for a theodicy. One might fear, however, that it threatens to undermine ethics, if not to demolish it altogether. But such a fear is unfounded: see note 44 below.}

28 But there are many things, and not just a single thing, that we recognize in this manner to be good. Hence we are left with the questions: Among the things that are good, and more particularly among those goods that are attainable, which ones are better than others? And which of them is the highest practical good? We must be able to answer this latter question if we are to learn what the end is that we ought to strive after.

29 And so we should ask first: When is one thing \textit{better} than another and known by us to be better? And what is meant by “the better”?

Although the answer is at hand, there is one possible error that we must exclude. Since the good is that which is worthy of being loved for its own sake, one might take the better to be that which is worthy of a \textit{greater} love for its own sake. But is this really so? What is supposed to be meant by “a greater love”? Is it a spatial magnitude? This could hardly be. Inclination and disinclination—being pleased and displeased—are not measured in feet and inches. Perhaps someone will say that the intensity of the feeling of pleasure is what he has in mind when he speaks of “a greater love”. In this case the better would be what pleases more intensely. But this is ridiculous. It would imply that for each instance of rejoicing only a certain amount of joy is appropriate. But surely it can never be reprehensible to feel the greatest joy possible in what is good, to enjoy it, as we say, with all one’s heart. Descartes observed that the act of love when it is directed upon what is really good can never be too intense.\footnote{See the passage quoted in note [page 17].} And he was obviously right. Otherwise think of the care we should have to exercise in view of the limitations of our mental strength! Every time we might wish to rejoice over something good,
we would have to take an anxious survey over all the other things we know to be good in order to make sure that our joy does not exceed the proper proportions. And what if one believes in a God, understanding thereby the infinite good and ideal of all ideals? The degree of our love for God can only be of a certain finite intensity even if we love him with all our soul and all our strength. Hence we would be compelled to love any other good with an infinitely small degree of intensity, and since this is not possible, we would be obliged not to love it at all.

And this is clearly absurd. Nonetheless it is true that the better is that which it is correct to love more; it is that in which one correctly takes more pleasure. But the “more” has nothing to do with comparative intensity. It refers to a peculiar type of phenomenon to be found within the sphere of the emotions—namely, to the phenomenon of preferring. Acts of preference—emotive acts that relate and compare—are familiar to us all. There is nothing similar in the sphere of ideas or presentations. The sphere of judgement does include acts of relating and comparing; these are exemplified, not in simple, subjectless judgements, but in predicative judgements. But the analogy to preference is only slight. We come somewhat closer to preference when we consider what is involved in making a decision with respect to the dialectically proposed question: “Is this true or is it false?” In this case, there is certainly a kind of preference. But it is always a matter of preferring something true to something false; it is never a matter of preferring something “more true” to something “less true”. Everything that is true is equally true; but not everything that is good is equally good. When we call one good “better” than another, we mean that the one good is preferable to the other. In other words, it is correct to prefer the one good, for its own sake, to the other. Using language somewhat more broadly, we also permit ourselves to say that what is good is “better” than what is bad, or “better” than what is purely indifferent. We may even say that one bad thing is “better” than another—in which case, we are permitting ourselves to call the one thing “better” without implying thereby that it is good.

Very briefly, then, this is the way we explicate the concept of the better.

And now to the question: How do we come to know that one thing is better than another?

Given that we have an elementary knowledge of what is good and of what is bad, analogy would suggest that we derive our insights about better from acts of preferring that are experienced as being correct. Preference is like the simple act of love or inclination in being sometimes of a lower type and thus merely compulsive, and sometimes of a higher type; in the latter case, preference, like the evident judgement, is distinguished as being correct. Some would say, perhaps justifiably, that when preference is thus seen to be correct, certain analytic judgements about preference are the source of the knowledge that is involved. If this is so, then the acts of preference themselves would
not be the empirical source of our knowledge about preferability. Rather, we would appeal to what we already know about the nature of preferability in order to be able to see that certain acts of preference are correct.\(^{36}\)

The most prominent cases of this kind are (1) those in which we prefer something that is good and known to be good to something that is bad and known to be bad. And then there are (2) those cases in which we prefer the existence of something that is known to be good to its non-existence, and in which we prefer the non-existence of something that is known to be bad to its existence.

This second category includes a number of different types of case. There is the case in which we prefer, in itself, something that is purely good to that same good in combination with something that is bad. There is the case in which we prefer, in itself, a combination of what is good and what is bad to that same bad without the admixture of anything that is good. And there are the cases where, given a whole that is good, we prefer the whole to a part, and where, given a whole that is bad, we prefer a part to the whole. Aristotle called attention to the fact that the total sum of what is good is always better than the particular parts that make it up. Summation is also involved when we consider lengths of time. A feeling of joy that lasts for an hour is better than a similar feeling of joy that is extinguished after only a moment. Epicurus denies this when he tries to console us for being mortal, but the consequences of his view are manifestly absurd. If he were right, an hour’s torture would be no worse than that of a moment. And it would follow from these two things together that a life full of joy with but a single moment of pain would be in no way preferable to a brief life full of pain with but a single moment of joy. But no reasonable person could accept this, and Epicurus himself also explicitly asserts the contrary.

(3) The third category is closely related to the second. We may prefer one good to another if the second good, though not itself a part of the first, is similar in every respect to some part of the first. If by adding one good to another we obtain a sum which is better than its parts, then so, too, when we add to the first good a good that is similar in every

\(^{36}\) The following seems to me to be evident even simply on the basis of analysis of the concept of preferring, (1) To the extent that a thing is good, it should be weighed in the balance as a positive factor. (2) To the extent that a thing is bad, it should be weighed in the balance as a negative factor. And therefore (3) when the outcome is a function just of the greater preponderance, as in those cases discussed in the lecture, we determine which thing is preferable, partly by immediate insight into what is good and what is bad and partly by doing a sum in which the good and the bad are given opposite signs. In such cases, therefore, we can find out which things are better without the need of any act of preference that is experienced as being correct; we need only to experience the relevant acts of love and hate, inclination and disinclination, as being correct. And this is why I have said above that we need not derive our knowledge of preferability from the fact that our acts of preference are experienced as being correct. We may make use of what we know about the nature of preferability and can thereby see that certain acts of preference are correct. But in saying this, I do not mean to deny that acts of preference, like the simpler acts of love and hate, may be experienced by us as being correct. [Editor’s note: Brentano was later to modify the views set forth in this note. He saw that, in order to find out that one thing is preferable to another, it is necessary not only to experience certain acts of love and hate and to appeal to analytic judgements about the nature of preference; one must also experience certain acts of preference. See Anton Marty’s sketch of Brentano’s life and work in Marty’s \textit{Gesammelte Schriften}, Volume I, Section I (Halle: Max Niemeyer, 1916), pp. 97–103.]
respect to the second good. And analogously for what is bad. If on one occasion we see a beautiful painting in its entirety and if on another we see it in a similar way but only in part, then the first experience is intrinsically better than the second. Or compare two different acts of thought: on one occasion we merely think of a certain thing that is good and on another occasion we think about it, just as fully, and we also love it as well. The sum of psychical acts—the thinking and the loving together—is better than the thinking alone. Cases exhibiting differences in degree also belong to this third class, and they are especially worthy of mention. If one good, say an experience of joy, is in every respect like another except for being more intense than the other, then the preference that is given to the one that is more intense is experienced as being correct; the more intense one is the better. And conversely, the more intense of two evils, the more intensive pain, for example, is the worse. The degree of intensity corresponds to the distance from the zero point, and the distance of the greater degree of intensity from the zero point may be thought of as a sum comprising the distance of the weaker degree of intensity from the zero point taken together with the difference between the stronger and weaker degrees of intensity. And so (even though the point has been disputed) we are really concerned with a kind of summation here.

Some may find the three cases I have set forth so obvious and trivial that they wonder why I have spent any time with them. I agree that they are obvious, for we are dealing here with the foundations of our subject. It would be worse if I had to say that they were trivial, since they are just about the only cases I can mention. There are simply no criteria for most of the other cases of correct preference.

Let us consider an example. Every insight, we have said, is something that is good in itself. Every act of high-minded love is also something that is good in itself. There is no doubt whatever about either of these things. But which of the two is intrinsically better—the insight or the act of love? There are, of course, people who are quite ready to issue a verdict on this point. Some have even said that any given instance of highminded love is intrinsically better than all scientific insights combined. But I would say, not merely that this is questionable, but that it is altogether absurd. For any given act of love, valuable as it may be, is only a finite good. But every act of insight is also a finite good. If I keep adding this finite quantity to itself and continue long enough, sooner or later its sum will exceed any given finite quantity of good. Plato and Aristotle, on the other hand, were inclined to say that any given act of knowledge is superior, as such, to any particular act of virtue. But this view, too, is quite unjustified. I mention it only because the existence of opposing views on this question confirms that no criterion is available to us here. As is so often the case in the sphere of the psychological, measurement in the strict sense of the term is impossible.

We must say of intrinsic preferability what we said of simple goods—if we have no experience of the correctness that is involved, then, so far as our knowledge and practical concerns may go, it is non-existent.

37 [This note, “Two unique cases of preferability”, may be found on page 90ff.]

* [Editor’s note: The question whether insight is to be preferred to blind, instinctive pleasure is a different question. In a letter to me (November 1, 1913), Brentano said that, if we have the general concepts of pleasure and knowledge, then a preference that is experienced as being correct would dictate that it would be better to forego the pleasure than to forego the knowledge. In a similar vein, Aristotle and Mill said that no one would exchange the life of a human being for that of one of the lower animals, even if the latter choice were to ensure a lifetime of animal pleasure.]

38 Compare my Psychology from an Empirical Standpoint, Book II, Chapter 4 (Vol. I).
33 There are some who hold, in opposition to what experience makes evident to us, that pleasure is the only thing good in itself, that pleasure is the good. If this view were true, then, as Bentham urged, it would have the following advantage: since all goods would be homogeneous, we would be able to compare them quantitatively and thus determine their relative values. Thus of any two pleasures, the more intensive would be better than the less intensive; a good of any given intensity would be equal in value to two goods each of which has half that intensity; and so everything would be clear and simple.

But only a moment’s reflection is needed to shatter such illusory hopes. Is it really possible to find out whether one pleasure is twice as great as another? Gauss, who certainly knew something about measurement, has denied that this is possible. A foot is divisible into twelve inches; but an intense joy is not divisible in the same sense into twelve less intensive joys. Consider how ridiculous it would be if someone said that the amount of pleasure he has in smoking a good cigar is such that, if it were multiplied by 127, or say by 1,077, it would be precisely equal to the amount of pleasure he has in listening to a symphony of Beethoven or in viewing one of Raphael’s madonnas! This is enough, I think, to suggest the further difficulties involved in trying to compare the intensity of pleasure with that of pain.

39 See Bentham’s Principles of Legislation, Chapter 3, Section 1 (toward the end); Chapter 6, Section 2 (toward the end); and Chapters 8 and 9; in Theory of Legislation, trans. R.Hildreth (from the French trans, by E.Dumont); London, Trübner & Co., 1864.

40 See S.Rudolph Wagner, Der Kampf um die Seele, vom Standpunkt der Wissenschaft (Schreiben an Herrn Leibarzt Dr. Beneke in Oldenburg, Göttingen, 1857, p. 9411.): “Gauss said that the author [of a certain work on psychology] spoke of the absence of precise measurements in the case of psychological phenomena. Gauss himself said it would help considerably if there were even imprecise ones; for then we could at least make a beginning, but in fact we cannot. He felt that so far as psychological phenomena are concerned the conditio sine qua non of a mathematical treatment is absent; we do not know whether or to what extent an intensive quantity may be translated into an extensive one. To have such knowledge would be the first condition, and there are still others. On this occasion Gauss also spoke of the incorrectness of the usual definition of quantity as an ens which is capable of being increased or diminished; one should say instead that it is an ens which is capable of being divided into equal parts....”

41 Even if Fechner’s psychophysical law were firmly established—actually, it has given rise to increasing doubt and opposition—it could be used only to measure the intensity of the content of certain sensuous presentations; it could not be used to measure the strength of emotions such as joy and sorrow. Some have tried to measure degree of feeling by reference to those involuntary movements and other externally visible changes that accompany the emotions. This is like trying to establish the exact day of the month by studying the weather. We can learn far more from our direct inner consciousness, however incomplete its testimony may be. At least we would be drawing from the spring itself; but in the other case, we are dealing with water that has been made impure by a great variety of external influences. It is in this connection that we should understand the precept to be found in every system of morality: “Take thought first for oneself”; “γνῶθι σαυτόν”; “Kehre vor der eigenen Türe! [Sweep your own doormat].” The obligation to look first toward the welfare of wife, child, and country is generally recognized. The maxim, “Take no thought for the morrow”, in the only sense in which it really offers wise counsel, follows from the same precept. But it does not mean that my future happiness should be of less value to me than the happiness of the present moment.

These considerations also indicate that there is no justification for the communistic doctrines which some have tried to deduce, much too rashly, from the lofty principles of universal brotherhood.
34 And so we see that experience gives us only very limited knowledge about those things that are better in themselves than others.

I can well understand how anyone who reflects on these matters for the first time may fear that the limitations of this knowledge will make for extraordinary difficulties in practice. But if we proceed with care and make the most efficient use of that knowledge that we do have, we will find, fortunately, that even the most glaring of these limitations turn out in practice to be harmless.

35 Our observations about the different cases of preference that are experienced as being correct have this important consequence: the sphere of the highest practical good is the whole area that is affected by our rational activities insofar as anything good can be brought about within it. Thus one must consider not only oneself, but also one’s family, the city, the state, every living thing upon the earth, and one must consider not only the immediate present but also the distant future. All this follows from the principle of the summation of good. To further the good throughout this great whole so far as possible—this is clearly the correct end in life, and all our actions should be centred around it. It is the one supreme imperative upon which all the others depend. It is thus a duty to give of oneself and even on occasion to sacrifice oneself. Any given good, whether in ourselves or in others, is to be loved in proportion to its value and it is to be loved equally wherever it may be found. Envy, jealousy, and malice are ruled out.

36 All narrower goods are to be subordinated to the good of this very broad realm. And so, on the basis of utilitarian considerations, we may now bring some clarity into the area that was previously obscure; for we are now in a position to say something more positive about the standard that ought to be applicable to any particular choice. Even if there is no way of comparing the intrinsic value of acts of insight, say, with acts of high-minded love, it is clear, at least, that neither type of act is to be entirely neglected for the sake of the other. If one person had complete knowledge but felt no exalted love, and another felt the love but did not have the knowledge, neither would be able to put his gifts to the service of the larger collective good. From this point of view, it is clear that we should try to realize and harmonize all our noblest capacities.

42 [This note, “On the charge of excessive rigorism”, may be found on page 92ff.]
43 [But the commandment to love one’s neighbour as oneself does not mean that we are to extend to all others the same active concern we have for ourselves. Instead of promoting the general good, following such a maxim would be prejudicial to it. The possibilities we have for promoting our own good are vastly different from the possibilities that we have for promoting the good of others. Similarly, we can help, or harm, some people much more than others. If there are people on Mars, we ought to wish them well, but it is not our duty to work for their good in the way in which we ought to work for ourselves and our fellow men upon the earth.]

44 [Editor’s note: Since the time of Kant, the term “utilitarian” has had an unfortunate connotation in Germany. The realm of value toward which, according to Brentano, we should endeavour to make ourselves as useful as possible is not restricted, of course, to pleasure or to oneself.] Errors in the prevailing moral codes must be looked upon in a similar way (this point is to be touched upon in the lecture). But there are limits, and it is necessary to give heed to the sublime saying, “We owe greater obedience to God than to man”. We may be more disturbed, however, by the fact that it is often impossible to measure the remote consequences of our actions. But this type of uncertainty need not discourage us, if we really do love what is best on the whole. Of those possible consequences which are equally
Now that we have been able to see how so many duties toward the highest practical good arise, let us turn to the source of our legal duties. One indispensable condition for bringing about the highest practical good is that we so live that a division of labour will be possible. It is morally necessary, therefore, that man live in society. From this it follows that each person should be to a certain extent restricted in his activities; otherwise he will bring more harm than good to those around him. These restrictions can be made definite only by positive legislation (though much can be accomplished merely by the simple exercises of good sense), and they need the security and support of public authority.

And just as our natural insight requires and sanctions the existence of a positive law, it may also make particular demands which must be fulfilled if the legal order is to bestow upon us its full store of blessings.

Thus truth, which bears the highest crown, may sanction or refuse to sanction the products of positive legislation. It is from this sanction that they derive their true binding force. The old sage of Ephesus observed, in one of his Sibyl-like utterances that are so full of meaning: “All human laws are nourished from the one divine law.”

In addition to those laws that set limits on our rights, every society has positive stipulations about the way in which the individual should act within his own sphere of rights, stipulations as to how he should make use of his own freedom and property. Public opinion approves diligence, generosity, and economy, each in its proper place, and disapproves indolence, greed, extravagance, and many other things. These prescriptions do not appear in any law books, but, as we may put it, they stand written within the hearts of the people. And they carry with them their own characteristic rewards and punishments —namely, the advantages and disadvantages, respectively, of good and of bad reputation. Thus we have, so to speak, a prevailing positive code of morality that supplements the prevailing positive code of law. This code of morality, like the code of law, may contain correct and incorrect precepts. If the precepts are to be truly binding, then, as we have seen, they must accord with what reason sees to be our duties toward the highest practical good.

unknown, any one has as many chances in its favour as any of the others. According to the law of large numbers, results will balance out in the long run. Hence if we choose a good that we are sure of, then a plus will remain on the side of the good and our choice will be justified, just as it would be if it were to stand alone. We mentioned another type of uncertainty in the lecture (at the end of section 27)—the uncertainty arising out of the possibility that some good things may not be experienced by us as good. Similar considerations show that this type of uncertainty need not disturb us either.

45 [This note, “Criticism of Ihering”, may be found on page 93ff.]

46 Reason may yet give provisional sanction to a law that is essentially bad and contrary to nature, no matter how much the law is to be condemned from a moral point of view and no matter how urgently it may require amendment. This has long been recognized and often been pointed out; see for example Bentham’s *Theory of Legislation*. Socrates, who deemed himself worthy to be feasted in the Prytaneum, died for the sake of this conviction. The positive legal code, despite its defects, establishes a condition that is better than anarchy. Since each violation of the law threatens to weaken the force of law in general, it may well be that in order to preserve the existence of the legal order a rational man must occasionally pursue a course of action which would not otherwise deserve our approbation. This is a logical consequence of the relativity of secondary ethical rules—a matter which will be taken up later.

47 Heraclitus of Ephesus (500 B.C.), the first of the Greek philosophers from whose writings we have extensive fragments.
And so we have found what we were looking for—the natural sanction for law and morality.

39 I shall not pause to discuss the way in which this sanction makes itself felt. Everyone prefers to say “I am acting rightly”, and not “I am acting wrongly”. No one who is capable of recognizing what is better can be entirely indifferent to this fact when he comes to make a decision. For some, though not for others, it is a consideration of supreme importance. Natural endowments vary from one person to another, but much can be accomplished by means of education and self-guidance. Truth speaks, and whoever is of the truth hears its voice. 40 We have seen that utilitarian considerations set the standard, so far as concerns the multiplicity of subordinate rules which nature engraves upon the tables of law. Just as we resort to different means in different situations, so, too, we should follow different precepts in different situations. Some of these may seem to conflict with others, but they do not conflict in fact, since they are intended to be applied to different types of situation. In this sense, it is correct to say that there is a kind of relativity in ethics.

Ihering has emphasized this type of relativity, but he is not, as he seems to think, one of the first to do so. 48 The doctrine was known in antiquity and Plato takes note of it in the Republic. 49 Aristotle emphasized it in the Ethics and made even more of it in the Politics. 50 It was acknowledged by the scholastics, and in modern times even Bentham, with his strong ethical and political convictions, has not denied it. 51 The fanatics of the French Revolution may have misconceived such relativity, but this is not true of the more circumspect among their compatriots. Laplace, for example, takes note of it in his Essai philosophique sur les probabilités and raises his voice in warning. 52

The distinguished investigator who has disclosed to us the spirit of Roman law has given us much for which we should be grateful in Der Zweck im Recht. But he has obscured the true doctrine of ethical relativity by confounding it with a false doctrine of ethical relativism. According to the latter doctrine, no proposition in ethics has unexceptionable validity—not even the proposition that one ought to bring about the best within the widest area that one is capable of influencing. Ihering explicitly says that, in primitive times and for long periods afterwards, such a course of action would have been immoral, just as it is moral now. If we look back to the days of cannibalism, Ihering would have us sympathize with the cannibals instead of with those people who, in advance of their time, preached the universal love of one’s neighbour. 53 These errors have been conclusively refuted, not only by philosophical reflection upon the principles of our knowledge of ethics, but also by the success of our Christian missionaries.

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49 Plato, The Republic, Book I, 331c.
50 Aristotle, Nichomachaean Ethics, Book V, Chapter 10, 1137b 13; Politics, Books III and IV.
52 Pierre Simon Laplace, Essai philosophique sur les probabilités, Part II, Chapter 10 (“Application of the Calculus of Probabilities to the Moral Sciences”).
53 Cf. his article in Allgem, Juris tenzeitung, Seventh Year, p. 171, and Zweck im Recht, Vol. II, pp. 118 and 122ff.
We have now reached the end of the road leading to the goal we had set before us. The road took us through strange and unfamiliar territory. But the results we have finally attained seem like old acquaintances. In saying that love of one’s neighbour and self-sacrifice for one’s country and for mankind are duties, we are merely repeating what is proclaimed all around us. A more detailed investigation would also show that deceit, treachery, murder, lasciviousness, along with countless other such things that are held to be morally reprehensible, are also to be condemned as being either unjust or immoral on the basis of the principle of moral knowledge that we have set forth.

And so we find ourselves returning to familiar territory, as though we had returned from a distant voyage and could see at last the outlines of our homeland and the smoke rising from our own chimney.

We have a right to take pleasure in the familiarity of what we have found. The indubitable clarity with which everything follows is a good indication of the success of our undertaking. For the manner in which each step follows from the previous one is the most essential aspect of what we have said. Otherwise what advantage would the present inquiry have over any other? Even Kant, whose conception of our knowledge of right and wrong is very different from ours, arrived eventually at the most familiar views. But what we miss in his work is strict logical coherence. Beneke has shown that the Categorical Imperative, as Kant conceived it, may be used to prove contradictory propositions about one and the same thing and therefore to prove everything and nothing. If we find, all the same, that Kant keeps drawing correct conclusions, we may attribute this to the fact that he had held them all along. Similarly, if Hegel had not known independently that the sky was blue, he would never have been able to deduce it a priori by means of his dialectic. (He also managed to deduce that there are exactly seven planets, the number accepted in his day—a view falsified by later scientific discoveries.)

The causes of the phenomenon are thus easily understood.

But there is another point that is puzzling. How does it happen that the prevailing public opinion about what is right and what is moral is in so many respects correct? If such a philosopher as Kant failed in the attempt to find the source of our knowledge of right and wrong, is it conceivable that ordinary people succeeded in drawing from this source? And if it is not, how does it happen that they have so often arrived at the proper conclusions without having the necessary premises? One cannot possibly explain the fact by saying that the correct view was established long ago.

But this difficulty, too, is easily resolved. We have only to reflect that much of what is present in our store of knowledge contributes toward the attainment of new knowledge without our being clearly conscious of the process.

One must not infer that in saying this I am subscribing to the celebrated “philosophy of the unconscious”. I am referring only to certain familiar and indisputable facts. It is well known that men were able to reason correctly for thousands of years without having reflected upon the principles of valid reason and even without knowing anything about

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* Editor’s note: See Appendix V (“Epicurus and the War”). It may be noted that Brentano took very seriously the importance of sexual ethics and contributed a preface to the German edition of A.Herzen’s, Wissenschaft und Sittlichkeit: ein Wort an die männliche Jugend, a manual that had been widely distributed in Germany.

54 The reference is to Kant’s Grundlegung zur Metaphysik der Sitten; see note 15 (“Kant’s Categorical Imperative”).
them. Indeed, when Plato first contemplated these principles, he was led to adopt the erroneous view that inference always involves a process of reminiscence.\textsuperscript{55} He thought that what we perceive and experience on earth enables us to recall what we had learned in some pre-terrestrial life. Of course no one believes this now. But we continue to encounter erroneous theories about the source of our knowledge of the syllogism. Albert Lange, for example, thinks that this knowledge arises out of a combination of spatial intuition and the synthetic \textit{a priori}. Alexander Bain, on the other hand, says it arises out of the fact that our experience up to the present shows that whenever any of the moods, Barbara, Celarent, and the others, have true premises, they also have true conclusions.\textsuperscript{56} These are the crudest possible errors about the kind of insight that such knowledge really involves; but they did not prevent Plato, Lange, and Bain from reasoning just the way that other people do. Despite their failure to recognize the true principles of knowledge, their reasoning none the less has conformed to these principles.

But why go so far to find our examples? All we need to do is to question any ordinary person who makes a correct inference. If we ask him to tell us the premises upon which his inference was based, we are likely to find that he is unable to do so and that he will give us an entirely inaccurate account of the way in which he has actually reasoned. Or if we ask him to define some concept that is very familiar to him, he is likely to make the most glaring of errors, thus demonstrating once again that he cannot correctly describe his own processes of thought.

The road to ethical knowledge may seem obscure to the layman and also to the philosopher. The process is complex and there are many different principles working together. One would expect that some effects of each of these principles would be discernible throughout the course of history. This fact will do even more to confirm the correct theory than does the general agreement with respect to final results.

And what a multitude of examples could be cited if only there were time! Who would refuse to look upon joy (so long as it is not joy in what is bad) as an evident good? Many writers on ethics have even said that the concept of pleasure and the concept of good are one and the same.\textsuperscript{57} But there have been others who in opposition bore witness to the intrinsic value of an insight, and anyone who has not had his head turned by theories must agree with them. Some have even wished to exalt knowledge to the position of being the highest good, elevated above all others.\textsuperscript{58} But they also see a certain intrinsic value in every act of virtue. And others have said that virtuous action is the highest good.\textsuperscript{59}

\textsuperscript{55} See, for example, Plato’s \textit{Meno}.

\textsuperscript{56} Friedrich Albert Lange, \textit{Logische Studien: ein Beiträg zur Neubegründung der formalen Logik und der Erkenntnislehre} (Iserlohn, 1887); and Alexander Bain, \textit{Logic} (London, 1870), Part I, “Deduction”, p. 159.

\textsuperscript{57} For example, Bentham and, in antiquity, Epicurus.

\textsuperscript{58} For example, Plato and Aristotle and, following them, Thomas Aquinas.

\textsuperscript{59} For example, the Stoics and, in the middle ages, the followers of Scotus.
On these points, then, there is sufficient confirmation for our views.

And let us also consider the principles of preference. Do we not see the principle of summation exemplified in the dictum that the measure of happiness should be taken to be life as a whole and not merely the passing moment? And passing beyond the limits of the self, we see the same principle exemplified in Aristotle’s observation that the happiness of a whole people is a higher end than the happiness of oneself. We find the same thing, he said, in a work of art, or in an organism, or in a household: the part exists for the sake of the whole, and everything is subordinate to the good of the whole ("εἰς τὸ κοινόν"). He even applies the same principle to the whole creation. He asks: “Where are we to look for the good and the best, which is the ultimate end of all created things? Is it immanent or is it transcendent?” And he answers, “Both”, saying that the transcendent end is the divine first cause which all things strive to emulate and that the immanent end is the whole world-order. The Stoics give similar testimony to the principle of summation. Indeed, the principle reappears in every attempt to construct a theodicy, from Plato to Leibniz and even later.

It also appears in the precepts of our popular religion. The commandment to love our neighbour as ourselves tells us that we should give equal weight to every good, whether it be found in ourselves or in others. And this means that the individual should

60 Even Epicurus does not deny this—despite the fact that it conflicts with the assertion of his referred to in Section 31.

61 Aristotle, Nicomachaean Ethics, Book I, Chapter 2.

62 Aristotle, Metaphysics, Book XII, Chapter 10.

63 Aristotle, Metaphysics, Book XII, Chapter 10. [Editor’s note: compare the discussion in Brentano’s Aristoteles und seine Weltanschauung (Leipzig: Quelle & Meyer), 1911.]

64 They appealed to it when they argued that the life of the person who devotes himself to practical affairs is superior to the theoretical life.

65 Appeal to the principle of summation is also made whenever the notion of God is employed in the construction of an ethical theory based on egoism and eudaemonism; for example, in Locke, in Fechner’s work on the highest good, and in Leibniz (see Adolph Trendelenburg, Historische Beiträge, Vol. II, p. 245). God loves each of his creatures and therefore—so the argument goes—he loves them in their totality more than he loves each of them individually; hence he approves and rewards the sacrifice of the individual for the sake of this totality, while disapproving and punishing misdeeds committed for selfish purposes.

The influence of the principle of summation also shows itself in the desire for immortality. Thus Helmholtz, in seeking to offer hope to those who have this desire, writes: “If our achievements can enrich the lives of our descendants...then the individual may face without fear the thought that the thread of his own consciousness will some day be broken. But even such great and independent spirits as Lessing and David Strauss could not reconcile themselves to the thought that all living things, and therefore the fruits of the work of all past generations, might some day be annihilated.” (See his “Über die Entstehung des P lane tensystems”, a lecture given at Heidelberg and Cologne, 1871). He believes that, if it is ever shown scientifically that the earth will one day be incapable of supporting life, then the need for immortality will once again establish itself, and people will then feel compelled to look for something which will show that belief in it is acceptable.
subordinate his own interests to that of the collective whole, just as the Saviour—the ethical ideal of Christianity—sacrificed himself for the salvation of the world.*

The commandment, “Love God above all else”, is also a particular application of the law of summation. (As Aristotle said, God rather than the world as a whole is what is to be called the best.) 66 For do we not think of God as though he were the epitome of everything that is good, but raised to an infinite degree?

And so the two commandments—to love our neighbour as ourselves and to love God above all else—turn out to be so closely related that it is no longer surprising also to hear that the one is “like unto the other”. It is very important to note that the commandment to love our neighbour is neither subordinate to nor in any way derivative from the commandment to love God. According to the Christian, the commandment to love our neighbour is right not in virtue of the fact that God requires it; God requires it in virtue of the fact that it is naturally right. 67 The two commandments are alike in that their correctness is revealed in the same way, with the same clarity, and, so to speak, by means of the same light of natural knowledge.

66 Aristotle, Metaphysics, Book XII, Chapter 10, 107 5 a.

67 This is the orthodox view of the great theologians, for example, Thomas Aquinas in the Summa Theologica. Only certain nominalists—for example, Robert Holcot—held that divine commands are completely arbitrary. See my “Geschichte der kirchlichen Wissenschaften”, in Volume II of Johann Adam Möhler’s Kirchengeschichte, edited by P.B. Gams (Regensburg: G.J.Manz, 1867), pp. 526–84; I would also call the reader’s attention to the list of typographical errors to be found in Volume III of that work (pp. 103–4).
Perhaps we now have sufficient evidence of the influence of some of the principles we have emphasized. And so on the one hand we have a kind of corroboration of our theory; and on the other hand we are able to explain those puzzling anticipations of philosophical results that are to be found in ordinary life.

45 We are not to suppose, however, that everything has now been settled. Even when concealed, the pure and exalted sources of knowledge that we have discussed send forth their product in great abundance. But there are also opinions regarding law and morality that are accepted by society and have the sanction of ethics which do not in fact arise from these sources. Many of them have arisen in a way that is quite unjustifyable from the point of view of logic. Investigation shows that many have their origin in certain lower impulses, in self-centred desires that then underwent a transformation. It is true, as so many utilitarians have emphasized, that egoism gives men an incentive to make themselves agreeable to others and that such conduct, continually practised, finally develops into a habit which is no longer referred back to its original purpose. This is primarily a result of the narrowness of our intellect, the so-called limits of consciousness which make us lose sight of our more distant ends when some more immediate question is at hand. Thus the blind force of habit may lead many people to have a certain selfless regard for the well-being of others. It is also true, as many have pointed out, that there have been powerful personalities throughout the course of history who were able to subjugate certain weaker individuals and transform them through habit into willing slaves. Ultimately in these poor slave-souls there comes to operate an αὐτὸς ἔφα with a blind though powerful force; they come to hear a compelling “You ought” just as though it were a revelation of nature about good and evil. When the individual violates the command, he is inwardly tormented, just as a well-trained dog would be. The tyrant is well-advised, in his own interests, to issue commands conducive to maintaining his horde. His subjects will learn to obey these commands as slavishly and habitually as they do any others. Concern for the whole society will then become a goal towards which every subject feels himself impelled as though by nature. And the tyrant himself, because of his concern for his possessions, will also form habits favouring the collective welfare. Indeed, like the miser who sacrificed himself in order to preserve his treasure, the tyrant may be ready to die for the sake of his people. Throughout this entire process, ethical principles exercise next to no influence. The compulsions and attitudes which arise in this way have no connection with the natural sanction for morality and no intrinsic ethical value. Yet consider what happens when one such tribe enters into relations with another and finds that here, too, considerations of friendliness begin to prove advantageous. The kind of training to which the people have been submitted will be certain sooner or later to lead to the acceptance of principles which accord with those that arise out of the true source of our knowledge of right and wrong.

46 Consider now an analogous situation. Men and animals have the blind habit of expecting similar events to recur under similar circumstances. This habit, which is exercised in countless instances, very often coincides with what one would do if one were to act in accordance with an induction fully conforming to the principles of the probability calculus. Indeed the similarity of the results has sometimes led even people with a knowledge of psychology to assume that the habitual instinctive process is no different from the one illuminated by mathematical insight, despite the fact that the two
processes are as different as night and day.\textsuperscript{68} We should take care not to suppose, therefore, that the true ethical sanction exerts any influence upon the pseudoethical developments we have described.

47 Of course these lower processes have their use. As is often pointed out, nature does well to leave so much that pertains to our welfare to instinctive drives such as hunger and thirst instead of to our reason.\textsuperscript{69} I had earlier conceded to Ihering (perhaps the justification for the concession is now more clear) that there have been periods of history in which there was practically no trace of ethical thought or feeling. But even then much occurred which was a preparation for true virtue. Public law and order, for whatever motives they may originally have been established, were preconditions for the unfolding of our noblest capacities.

Under the influence of such training some passions were checked and some dispositions were implanted which made it easier for people to conform to the true moral law. Catiline’s courage was not the true virtue of courage—if Aristotle was right in saying that the truly courageous man is the one who faces danger and death \textit{τοῦ καλοῦ ἐνεκαί;} that is to say, “for the sake of the morally beautiful”.\textsuperscript{70} Augustine might have appealed to his case when he said: “Virtutes ethniciorum splendidia vitia”. Yet one cannot deny that if Catiline had been converted then the dispositions he had acquired would have made it easier for him also to take the greatest risks for the sake of what is good. It is in this way that the ground was laid for the reception of genuine ethical insights. These preparatory steps greatly encouraged those who, acquiring for the first time knowledge of right and wrong and hearing within themselves the voice of the natural sanction, were then impelled to make the truth known to others. This is what Aristotle meant when he said that not everyone can study ethics: anyone who is to learn about law and morality must first be disposed toward what is good. It is a waste of effort, he said, for anyone else to study the subject.\textsuperscript{71}

Indeed, those pre-ethical, though not pre-historic, times rendered still other services to the knowledge of natural law and morality. The legal ordinances and customs then established approached so very closely to what ethics demands, for the reasons

\textsuperscript{68} [This note, “Mill’s Conception of the Evident”, may be found on page 96ff.]
\textsuperscript{69} Compare Hume, \textit{Enquiry concerning Human Understanding}, Section 5, Part 2.
\textsuperscript{70} Aristotle, \textit{Nicomachaean Ethics}, Book III, Chapter 7; compare the subtle discussion in Chapter 8 of the five kinds of false courage.
\textsuperscript{71} Aristotle, \textit{Nicomachaean Ethics}, Book I, Chapter 3.
already discussed, that the similarity has led many to the mistaken belief that there was a deep and thorough-going relationship between these ordinances and customs, on the one hand, and ethics on the other. The precepts which are thus made into law by blind impulse often coincide in content with those which would be established on the basis of a knowledge of the good. In these codified laws and customs there are rough drafts, so to speak, of laws that ethics itself could sanction. And they were all the more valuable because they were adapted to the special circumstances of the people, as utilitarian considerations would require. Comparison of different laws and customs makes this latter point clear, just as, long ago, it helped lead to the important recognition of the correct sense in which one may speak of the relativity of natural law and morality. If Aristotle had not made such comparisons, would he have succeeded as he did in keeping himself free from stereotyped and doctrinaire theories?

48 Nevertheless, it was then night. But it was a night that heralded the coming day, a day which will witness the most significant dawn in the history of the world. The day is yet to come; the forces of light are still struggling against the powers of darkness. Genuine ethical motives are by no means the generally accepted standard, either in private or in public life. These forces—to use the language of the poet—are not yet strong enough to hold the world together. We may be thankful that nature keeps us going by means of hunger and love and all those other obscure drives and strivings which are capable of being developed from self-seeking desires.

49 The jurist, then, must take account of these drives and strivings and of the psychological laws that govern them if he is to understand his times and work for what is good. And he must also take into account those precepts of natural law and natural morality which, as we have suggested, were not the first to have emerged in the history of the subject, but which, if we may hope for a complete realization of the ideal, will be the last.

Here, then, we have in all its diversity the intimate relationship which, as Leibniz had seen, jurisprudence and politics bear to philosophy.

Plato said that the state will never thrive until the true philosopher is king, or until kings are able to philosophize in the proper way. In our own times we might put the point better by saying that the many defects of our political system will not begin to be corrected until our students of law, instead of being deprived of what little stimulus they now have to inform themselves about philosophy, are given a philosophical training that is adequate to their noble calling.