

tors. As Mr. Christy shows, the work of these men was intimately connected, and the significance of what each did cannot be understood without a careful appreciation of what the others were doing. Altogether, Mr. Christy has produced a thoroughly useful volume which is quite indispensable to any one who wishes to study the course of English American maritime history during the later years of the sixteenth century.

GEORGE PARKER WINSHIP.

*English Political Philosophy from Hobbes to Maine.* By WILLIAM GRAHAM, M.A. (New York: Henry Holt and Co. 1900. Pp. xxx, 415.)

THE problems of political philosophy belong in one aspect to philosophy, in another to jurisprudence, in another to history, and in yet another to the work of the publicist and reformer. The six authors, Hobbes, Locke, Burke, Bentham, Mill and Maine, whom Professor Graham has selected for treatment, well exemplify this variety of interests. Such a series must lend itself to quite different modes of treatment, according to the standpoint of the critic. Professor Graham, who occupies the chair of jurisprudence and political economy at Queens College, Belfast, is naturally most at home in the historical and jurisprudential rather than in the philosophical aspect of his subject, but he enters with zest into discussions of natural rights and natural law, utilitarianism and intuitionism, from an ethical as well as from a legal or political point of view.

The introduction to the work raises the question of method. Hobbes, Locke, and Bentham, it is stated, exemplify the deductive method, Maine the historical. Burke occupies a somewhat wavering position, employing the deductive method, but upon principles obtained either from experience or from history, whereas Hobbes and Locke start from an assumed state of nature and social contract. Bentham employs also the analytical method, which proceeds by analyzing and defining the leading conceptions, such as sovereignty. Mill, though advocating what he calls the inverse deductive method, which would verify historical inductions by psychological deductions, really relies chiefly on the deductive method. The author for his own part believes that the deductive method, temporarily eclipsed by Bentham's Theory of Legislation and next by the historical method, may be applied legitimately in reasoning "from our instinctive principles of justice." He holds that we may "attain to an *a priori* science of natural law or rights, and use and apply its principles deductively to new cases, as is certainly still done in courts of justice by our ablest judges." The question at once arises whether the conception of justice is not undergoing ceaseless transformation with the progress of civilization, and if so whether its ablest expositors really go back to "instinctive intuitions." In so far as there is moral progress this is found not in the instinctive aspect of our moral judgments—this instinctive

aspect stands for the factor of habit—but in the formation of new moral ideals, and this is the work not of instinct but of critical thought and constructive imagination. To make the methodology of the subject complete, mention should be made of the method which Kant attempted to introduce into all fields of philosophy—viz. the critical. Instead of deducing the logical consequences from certain supposititious primitive conditions, or laws of nature, or definitions of sovereignty, this begins at the other end, analyzes the existing political organism and discovers the principles which must be postulated if sovereignty and freedom, justice and progress, are to be accounted for.

The body of the work comprises an account of the leading political doctrines of the six authors named above, accompanied by criticism upon their logic and their statements of facts, or predictions as to the future. The accounts of the theories of the various writers are well done. Such a comprehensive abstract is especially valuable in the case of Burke, whose doctrines are scattered through many essays, and mixed with much rhetorical material, or in the case of Mill and Maine, whose various writings need to be compared.

As to the criticisms, those on Hobbes and Locke have less field for originality, as the defects of those writers have been frequently pointed out. Burke's misreading of the past and gloomy predictions as to the future are corrected. Bentham's work as a legislative reformer is praised, though his ethical theory is condemned as unpractical and illogical. With Mill's spirit, the author has much in sympathy, though he is more conservative than Mill on questions of property and woman's suffrage. He claims, and rightly, I think, that Mill's comparative failure was due to his lack in the intuitive vision, in the creative insight and speculative boldness which mark the work of a Hobbes or Rousseau. He might have added that Mill labored all his life under the burden of an intellectual heredity of atomistic psychology and mechanical philosophy from which he only partially worked free. Maine's historical method is recognized as highly important, but the author would supplement it as noted above, in the discussion of methods, and his judgments upon the working of democracy are much more favorable than those of Maine.

A word seems necessary as to the philosophical side of Professor Graham's treatment, inasmuch as this has considerable prominence. It was of course not obligatory upon the author to select any writer of the school of Green, Ritchie, and Bosanquet for exposition, but it seems strange that he has not profited by their work. He is conscious of the inadequacy of utilitarianism, and feels that a truth underlies the principle of natural rights, but he lacks the psychological analysis for stating this underlying truth in a tenable form. He falls back on "instincts," "sense" of justice, "implanted feelings" (pp. 236 ff., 382 ff.), without appreciating the difficulty that the mere presence of certain feelings is hardly a sufficient answer to the further question, whether these feelings should be made dominant or should be controlled or even suppressed in the interests of other feelings and instincts. He argues for law of

nature without noticing the ambiguities so clearly pointed out by Ritchie in the term "nature." He opposes intuitionism to utilitarianism without considering a third possibility, and similarly he opposes natural law to utilitarianism without giving any serious attention to the conception of a common will. He does not notice the implications of modern social psychology, which shows that the individual is a social outcome rather than a social unit, and that hence by virtue of his very dependence upon the social and political organism for freedom, rights, and development, he is bound to act as a member of this organism. This philosophical inadequacy, however, by no means interferes with the value of the work from other standpoints. For its able summaries, and its candid and judicious comments certainly make it a useful and welcome treatise.

JAMES H. TUFTS.

*Histoire des Rapports de l'Église et de l'État en France de 1789 à 1870.* Par A. DEBIDOUR. (Paris: Félix Alcan. 1898. Pp. ii, 740.)

THIS large and elaborate history of the relations of Church and State in France during nearly a century, is the most valuable contribution to modern church history that has appeared for some time. The subject itself is of great importance and interest, comprising the whole story of the Church during the French Revolution, the settlement by Napoleon, and the resulting history down to the fall of the Second Empire. It involves the fundamental principles of ecclesiastical policy and innumerable interesting problems.

One of the most striking features of the book is the charming style in which it is written. One may read page after page of these long and solidly printed pages, not only without the slightest weariness, but with increasing interest and delight. The keen analyses, impartial judgments, broad views and critical scholarship find expression in a style which for grace and rhythm is rarely found in historical prose.

In his preface, the author, well known to readers of modern French history, declares that he has no thesis to maintain nor any special plea to present, but he does believe that a clear historical narrative will bring out two fundamental principles equally precious; freedom of worship and the sovereignty of the state. "The State," he says, "has no right to proscribe or fetter a religion which does not disturb public order nor has it any right to legislate in spiritual matters. But no religion ought, in my opinion, to encroach on the domain of civil society, and if, in consequence of such abuse, a conflict should arise between the two powers, the last word ought always to belong to the State."

The book opens with an extremely helpful and suggestive résumé of the relations of Church and State in the old régime, especially considering the Reformation settlement and its results in France down to the breaking out of the Revolution of 1789. The body of the work is divided into two parts: the first part, entitled "Revolution," dealing