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- 1. Justice is especially difficult to define. The Just cannot be identified with the Legal, as laws may be unjust. Again, the Justice of laws does not consist merely in the absence of arbitrary inequality in framing or administering them.
- 2. One element of Justice seems to consist in the fulfilment of (1) contracts and definite understandings, and (2) expectations arising naturally out of the established order of Society; but the duty of fulfilling these latter is somewhat indefinite:
- 3. and this social order may itself, from another point of view, be condemned as unjust; that is, as tried by the standard of Ideal Justice. What then is this Standard? We seem to find various degrees and forms of it.
- 4. One view of Ideal Law states Freedom as its absolute End: but the attempt to construct a system of law on this principle involves us in insuperable difficulties.
- 5. Nor does the realisation of Freedom satisfy our common conception of Ideal Justice. The principle of this is rather 'that Desert should be requited.'
- 6. But the application of this principle is again very perplexing: whether we try to determine Good Desert (or the worth of services),
- 7. or Ill Desert, in order to realise Criminal Justice. There remains too the difficulty of reconciling Conservative and Ideal Justice.

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- 1. The duty of obeying Laws, though it may to a great extent be included under Justice, still requires a separate treatment. We can, however, obtain no consensus for any precise definition of it.
- 2. For we are neither agreed as to what kind of government is ideally legitimate,
- 3. nor as to the criterion of a traditionally legitimate government, ...
- 4. nor as to the proper limits of governmental authority.
- 5. The duty of fulfilling a promise in the sense in which it was understood by both promiser and promisee is thought to be peculiarly stringent and certain
- 6. (it being admitted that its obligation is relative to the promisce, and may be annulled by him, and that it cannot override strict prior obligations).
- 7. But Common Sense seems to doubt how far a promise is binding when it has been obtained by force or fraud:

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4.	far as they are tautological: . nor can we state any clear, absolute, universally admitted axioms	343-845	
5.	for determining the duties of the Affections: and as for the group of principles that were extracted from the common notion of Justice, we cannot define each singly in a	345-849	
6.	satisfactory manner, still less reconcile them:	349-352	
7.	First Principle. Still more is this the case with Veracity: . similarly with other virtues: even the prohibition of Suicide, so far	352-355	
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BOOK IV

UTILITARIANISM

CHAPTER I

THE MEANING OF UTILITARIAN

1. The ethical theory called Utilitarianism, or Universism, is to be carefully distinguished from Egoist and also from any psychological theory as to the origin of the Moral Sentiments.

2. The notion of 'Greatest Happiness' has been determined thap, i.: but the extent and manner of its application further defined. Are we to include all Sentient Bei Total or Average Happiness that we seek to make We also require a supplementary Principle for I Happiness: the principle of Equality is prima fact

CHAPTER II

THE PROOF OF UTILITARIANI

Common Sense demands a Proof of the first Principle of more clearly than in the case of Egoism and Intuiti a proof, addressed to the Egoistic Hedonist, was in Book iii. chap. xiii. § 3: it exhibited the essence tarian Principle as a clear and certain moral Intuiti also important to examine its relation to other rece

CHAPTER III

THE RELATION OF UTILITARIANISM TO THE COMMON SENSE

- 1. Taking as our basis Hume's exhibition of the Virtu qualities of character, we can trace a complex coinciditarianism and Common Sense. It is not need it even help the argument—to show this coin perfect and exact.
- 2. We may observe, first, that Dispositions may often I generally felicific) when the special acts that have them are infelicific. Again, the maxims of mar found to contain an explicit or implicit reference ceived as already determinate. Passing over the the more definite among common notions of Duty:

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8.	we observe, first, how the rules that prescribe the distribution of kindness in accordance with normal promptings of Family Affections, Friendship, Gratitude, and Pity have a firm Utilitarian basis: and how Utilitarianism is naturally referred to for an explanation of the difficulties that arise in attempting to define these rules.	PAGES 430~439
4.	A similar result is reached by an examination, singly and together, of the different elements into which we have analysed the common notion of Justice:	439-448
5.	and in the case of other virtues	448-450
6.	Purity has been thought an exception: but a careful examination of common opinions as to the regulation of sexual relations exhibits a poculiarly complex and delicate correspondence between moral sentiments and social utilities.	450-453
7.	The hypothesis that the Moral Sense is 'unconsciously Utilitarian' also accounts for the actual differences in different codes of Duty and estimates of Virtue, either in the same age and country, or when we compare different ages and countries. It is not maintained that perception of rightness has always been consciously derived from perception of utility: a view which the evidence of history fails to support	AKO Jeh
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2.	His innovations may be either negative and destructive, or positive and supplementary. There are certain important general reasons against an innovation of the former kind, which may, in any given case, easily outweigh the special arguments in its favour.	480-484

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- 3. Generally, a Utilitarian in recommending, by example or precept deviation from an established rule of conduct, desires his interaction to be generally imitated. But in some cases he maneither expect nor desire such imitation; though cases of the kind are rare and difficult to determine.
- 4. There are no similar difficulties in the way of modifying the Ide of Moral Excellence—as distinguished from the dictates of Mor Duty—in order to render it more perfectly felicific. .

CONCLUDING CHAPTER

THE MUTUAL RELATIONS OF THE THREE METHOL

- 1. It is not difficult to combine the Intuitional and Utilitarian method into one; but can we reconcile Egoistic and Universalisti Hedonism?
- Hedonism?.

 2. In so far as the latter coincides with Common Sense, we have see in Book ii. chap. v. that no complete reconciliation is possible on the basis of experience.
- 3. Nor does a fuller consideration of Sympathy, as a specially Utili tarian sanction, lead us to modify this conclusion; in spite of the importance that is undoubtedly to be attached to sympathetic pleasures.
- 4. The Religious Sanction, if we can show that it is actually attached to the Utilitarian Code, is of course adequate:
- 5. but its existence cannot be demonstrated by ethical arguments alone. Still, without this or some similar assumption, a fundamental contradiction in Ethica cannot be avoided.

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