

Introduction

In an influential essay entitled ‘The Divorce Between the Sciences and the Humanities’¹ Sir Isaiah Berlin has drawn attention to the historical sources and nature of what he calls ‘the great cleavage between the provinces of natural science and the humanities’ – a cleavage first clearly expressed, he says, by Giambattista Vico in 1725. In doing this, Vico began, in Berlin’s words, ‘a great debate of which the end is not yet in sight’.² It was, and remains, a debate largely concerning two different, and partially opposed, conceptions of the appropriate methods for obtaining knowledge in the field of the humanities.

On the one side of the debate are those who believe that the methods of natural science ought to be used also in the social studies: in those portions of history, anthropology, literature, philology, jurisprudence, economics, and art which give us genuine information rather than mere judgements of value. On the other side are those who favour a different procedure, who from Vico onward have represented the Counter-Enlightenment, the reaction against the monolithic methodology of the eighteenth-century *philosophes* of France. It is this latter view which influenced, Berlin says, ‘social and cultural thinkers like Young and Adam Ferguson, Hamann and Möser and Herder’. It also influenced ‘the great generation of classical scholars, Wolf and Niebuhr and Boeckh, who transformed the study of the ancient world, and whose work had a decisive influence on Burckhardt and Dilthey and their successors in the twentieth century’.³ To this list of Berlin’s we can add the names of such philosophers as Fichte, Hegel, Schelling, Jacobi, and Humboldt, historians such as Ranke, Droysen, and Savigny, the economists Roscher, Knies, and Schmoller, and the

¹ Reprinted in *Against the Current* (Hogarth Press, London, 1979), pp. 80–110.

² *Ibid.*, p. 110. ³ *Ibid.*, p. 108.

later social thinkers Rickert, Troeltsch, and Meinecke. The list is endless and largely German. But all the people on it would have agreed that the aim of the humane studies is not simply to obtain factual information and give explanations in terms of causes and social scientific laws. It is at least, as Berlin puts it, ‘to examine what a situation meant to those involved in it, what their outlook was, by what rules they were guided, what “absolute presuppositions” (as Collingwood called them) were entailed in what they (but not other societies, other cultures) said or did...’⁴

One characteristic, though not invariable, belief of thinkers of the Counter-Enlightenment was that the ‘meaning’ of a social situation can only be discovered by imaginative sympathy on the part of the interrogator, by his entering into, or feeling into, the projects, emotions, and thoughts of the participants. This special ability was given many names during the nineteenth century: empathetic understanding, sympathy, *Einfühlung*, are only three of them. The ability was always contrasted with ordinary analytic reason of the kind employed in logic, science, and technology. Thus there were to be at least two major areas of human knowledge, *Naturwissenschaft* and *Geisteswissenschaft*, and two different abilities or procedures or methods of enquiry which were appropriate to their respective areas of knowledge. Practitioners of the former, at their most extreme, believed in the public testability of all truth-claims, and hence in the universal necessity for controlled observation, for experiment, for the employment of mathematical techniques, and for the rejection of claims to ‘intuitive knowledge’ and the dogmas that were based on them. Practitioners of *Geisteswissenschaften*, at their most extreme, accepted as indispensable the use of private intuition, embraced *Einfühlung* as a method of procedure, stressed the value-laden aspects of ‘cultural products’, and distinguished between the ‘understanding’ of social life and the explanation of natural processes.

It would be possible, and certainly valuable, to discover the social sources – religious, economic, political – of these two opposing conceptions of method. It would also be possible, and perhaps even more valuable, to trace the intellectual transformations of these ideas since the eighteenth century and the history of their relationship with each other. If both these enterprises could be undertaken within the confines of one study,

⁴ *Ibid.*

Introduction

3

the perennial demands of many critics would be satisfied: we should then possess both a social and intellectual history of the struggle between the different supporters of two important, but apparently conflicting, views of the humane studies. We should have an instance of the kind of scholarly work that critics constantly urge their colleagues to produce but of which there are few substantial examples. That such a book has not yet been written is some evidence of its difficulty; and that neither half of it has even been attempted is still stronger testimony to the gulf between the self-deceiving requests made by critics and the meagre results offered by practitioners.

The present study has a more limited ambition than that of describing the intertwined histories of two opposing conceptions of the humane 'sciences'. While the limitation has been adopted unwillingly, its necessity will become obvious since even the restricted aim is ambitious enough. That aim is to trace, characterize, and to some extent criticize, the intellectual sources and development of one central feature of what became known as the Enlightenment conception of the sciences of social life. It is to trace the intellectual development of one aspect of the conception while necessarily remaining largely silent about its social transmission – necessarily not only for reasons of time and space but for reasons of intellectual procedure. We cannot trace the social transmission of a theory or an idea unless we can recognize its various manifestations over time; and we cannot do that until we are clear about its character, that is about its essential elements and their organization. One very good way, then, of becoming clear about the elements of a theory is to find out with whom they arose, and how and where the process of uniting the elements took place. The Enlightenment conception of the social sciences, and its central notion of a social law, has both intellectual sources and intellectual descendants. Only when we take these into account are we in a position to ask, and to answer, the different question 'Through whose hands, and by what means, were these views actually transmitted?' Of course it may be that the intellectual development of a theory and its social transmission – or the transmission of some of its constituents – take place at the same time and among the same people. Often they do not.

Similarly, the intellectual development over time of a theory must be known before we can investigate not only its transmission but the social reasons for its popular appeal and adoption – for

Cambridge University Press

978-0-521-33829-5 - The Nature of Social Laws Machiavelli to Mill

Robert Brown

Excerpt

[More information](#)

4

The nature of social laws

wider social attitudes toward it. If we knew only the latter we should be deprived of the chief point of our work, namely the intellectual event whose social setting we were trying to provide. Take, for example, Berlin's interesting remarks about the rise of Lutheran pietism in eighteenth-century Germany and its connection with the German cultural resistance to, and rejection of, the thought and attitudes represented by the French Enlightenment. 'The pietists', writes Berlin, 'profoundly unpolitical in temper, contemptuous of the world and its varieties, sought direct communion of the individual soul with God' and 'tended to be suspicious of hierarchy, ritual, learning and rational speculation'. Especially strong in East Prussia, the pietists resisted the modernizing efforts of Frederick the Great; their resentment, Berlin suggests, 'was probably at the root of the revulsion against the materialism, utilitarianism, ethical naturalism and atheism of the French *lumières*'.⁵ It does not require much extension of these remarks in order to apply them, rightly or wrongly, to Herder's stress on the notion of *Einfühlung*, and more generally to Counter-Enlightenment views concerning the methods of the humane 'sciences'. But unless we know what those methods were supposed to be and how they differed from the methods advocated by the French *lumières*, these suggestions about the influence of pietism are useless to us.

The present volume tries to sketch the growth of the central idea of the Enlightenment conception, the idea that there are scientific laws of society just as there are scientific laws of nature. Examples of the earliest such generalizations are drawn from the political writers of the sixteenth century, from Machiavelli for example; and discussion of the organization of such generalizations into a social science is drawn from a philosopher as recent as John Stuart Mill. The work of each man forms a natural boundary. Before Machiavelli there was little analysis of the operation of actual societies and of the principles and rules by which their governors must – not merely should – be guided. After Machiavelli there was a great deal of such discussion, even though much, perhaps most, of it was designed to prove him mistaken. Similarly, before Mill there was little analysis of the operation of actual social sciences and of the principles and rules by which they must – not merely

⁵ 'Hume and the Sources of German Anti-Rationalism' in *David Hume: Bicentennial Papers*, ed. G. P. Morice (Edinburgh University Press, 1977); reprinted in *Against the Current*, p. 165.

Cambridge University Press

978-0-521-33829-5 - The Nature of Social Laws Machiavelli to Mill

Robert Brown

Excerpt

[More information](#)*Introduction*

5

might – be organized and practised. After Mill, there was a great deal of such discussion, even though much, perhaps most of it outside Germany, was designed to prove him correct.

This book ends with Mill because he was the first person to bring the Enlightenment conception of the social sciences to a point sufficient for us fully to understand and appraise it. Subsequent elaboration has added nothing essential to his argument and removed nothing that makes a substantial difference. No one who either favours or opposes the basic claim – the claim that there are social laws just as there are physical laws, and that therefore the structure, procedure, and aims of the social sciences must resemble that of the physical sciences – is likely to have his opinion altered by considering conceptual developments after Mill. All the conceptual information necessary for concluding for, or against, the view which he advocates can be found in his writings. Only if we take the claim to be an empirical one do we need to consider later evidence; and if that is our view then the work of later philosophers cannot help us much.

Against this it will be protested that Marx's views on the developmental laws embodied in the materialist interpretation of history, and his views on the law of economics, provide a counter-example – that it is absurd to discuss the growth of the notion of social laws in the nineteenth century without discussing the views of Marx. But to this complaint there are two replies to be made. One is that Mill's *A System of Logic*, the book with whose contribution the present volume concludes, was published in 1843, long before Marx had contributed anything to the discussion of the topics with which this book deals. The other reply is directed to the implicit suggestion that the book should terminate with the thought of Marx rather than with that of Mill. Now while Marx's application of the notion of social laws is considerably more complex and interesting than his scanty methodological discussion of the idea itself, Marx's use of such laws is neither explicit enough nor sufficiently novel to justify us in carrying our present account forward another two decades. To discuss Marx in this volume would require us to discuss Engels also since the latter said more about social laws than did Marx. It would also require us to examine something of the later history of Marxism; and in this way we should be led into the first section of a subsequent volume, one which urgently needs to be written. However, it is a common error of the committed to believe that Marx's thought, unlike that

of other thinkers, casts its shadow backward in time as well as forward. We need not strive officiously to be Marxians prior to Marx.

1. Conceiving the problem

Since the sixteenth century, the belief that human society, like nature itself, is subject to discoverable laws has played an increasingly important role in Western thought. The role has been so far reaching that any useful account of its development, and the bearing of that development upon our present views, requires us to pay close attention not only to the questions which earlier thinkers wished to put to Society – rather than to Nature – but also to the assumptions which those questions display.

There is, however, one general and overriding question which earlier thinkers could not have asked, a question which faces us at the outset and whose answer members of this generation have felt bound to seek. That question is why the efforts by so many people, during the last four hundred years, to discover laws of society have not been better rewarded. If there are laws of society, why have they been so difficult to find? Is it because their character has been misconceived? Or is it simply that they have been sought in the wrong area of social life? Do they exist unrecognized, or is the long search for social laws the unhappy outcome of a gross misunderstanding? Are there laws of society with which we are all familiar and which are not difficult to state? Or are there reasons of logic, or fact, or both, which ensure that social laws do not – perhaps cannot – exist?

Each of these questions, once it was formulated, has never lacked for answers. Indeed, the history of modern Western social thought consists, in large part, of the persisting differences of procedure, often expressed in controversy, between supporters and opponents of the view that significant and discoverable laws of society exist. For if they do, then the manner in which human society ought to be studied will be, on the face of it, very different from that required if there are no such regularities of law. Certainly this is the conclusion which, as the history of the subject reveals, Western social commentators usually have drawn. They have believed, rightly or wrongly, that the presence or absence of social laws is a problem whose answer is needed in order for us to settle a host of ancillary questions. Some of these questions are religious:

Cambridge University Press

978-0-521-33829-5 - The Nature of Social Laws Machiavelli to Mill

Robert Brown

Excerpt

[More information](#)*Introduction*

7

'Is man exempt from the regularities to which the remainder of creation is subject? Does God have a special set of laws for man, and is it our duty to seek them out?' Some of the questions are metaphysical: 'How can we reconcile the presence of social laws with our possession of free will – for example, with our apparent ability to falsify the truth of any social generalization which may be put forward as a law of society?' Still others of these ancillary questions are more directly concerned with the characteristics of the supposed laws: the kinds of units which they are thought to relate, the types of relations which the laws describe, and the sorts of connections which may hold among different forms of natural and social laws. There is also the further, and persistently troublesome, question of the nature of the relationship between social enquiries directed toward the discovery of social laws and social enquiries which are not thus directed.

It is a matter for careful examination, of course, whether the existence of social laws was, and is, as crucial a problem as these consequential topics suggest. But the only, and hence the best, way that we have for determining the first half of the answer is by historical enquiry. For until we know what the thinkers who developed the concept of a social law had in mind, what role they envisaged for the concept, what issues its use was intended to decide, we cannot identify the problems which they took themselves to be addressing. Without that knowledge we cannot determine how important a problem the existence of social laws was, and should have been, for these earlier social thinkers. No doubt we can answer the second half of the question without such information: that is, we can discuss at length the present role of social laws while not troubling ourselves with previous notions of them. To do so, however, would be to cut ourselves off from most of the controversies which have carried the issue to its present state; and in doing this we should also be keeping ourselves in ignorance of problems which are closely related to our own, and thus of solutions which might be helpful to us. Once we tolerate this ignorance, we lose track of the assumptions that underlie our own formulation of the problems raised by the supposed existence of social laws. But to lose track of these underlying assumptions is to lose sight not only of their connection with specific problems but also of some of the reasons, namely those provided by the assumptions, why we take the problems to be worth pursuing.

However, while history, like context, is almost everything, it is

not often informative to be told so. In the case of social laws we need to distinguish between two different sorts of historical investigation in which we might be interested. One is an investigation of the ways in which social generalizations took on an increasingly explicit and important role in Western thought after the seventeenth century. This is a topic which has been much studied, especially by historians of economics, and the chronological outlines are by now well known. Intertwined with this topic is another one of more direct concern to us here and one which will be pursued in detail later. It is that of the growth of methodological discussion about the nature of social laws and their place, if any, in social enquiry. The utility of such discussion is parasitic upon attempts to frame and actually employ social generalizations. For if no attempts were to be made, then our interest in their hypothetical success or failure could not be sustained long, any more than our interest in equitation could long survive the disappearance of horses. It is true that methodological debate may precede the activity itself; but if the activity never takes place the discussion of its character will lapse from inanition. In point of fact, performance usually precedes its own analysis, and it is only later that descriptions of actual performances of an activity become suffused with explicit prescriptions concerning its standards and ends. As we shall see, this has been the case with the employment of social generalizations.

Because an activity and its theoretical analysis eventually establish a symbiotic relationship, it is usually neither practical nor practicable to discuss them quite separately, and that will not be attempted here. But it is both possible and useful to note that while the development of explicit generalizations from implicit ones often accompanies the growth of their analysis, this is not an invariable result. Nor need the analysis wait upon the presence of explicit generalizations within the field under scrutiny. Analogies drawn with examples from other fields will do: the influence exerted on Hobbes' thought by the work of Galileo, and that exerted by Newton on almost all serious social thinkers of the first three quarters of the eighteenth century, are two of the best-known instances.

On the other hand, the mere existence of explicit generalizations is in itself often insufficient to stimulate questions of analysis. In the history of science there are many cases of isolated, explicit, and even quantitative, generalizations which provoked no

Introduction

9

contemporary discussion about their logical status. Two examples from chemistry are Richter's law of equivalent proportions concerning the weights of substances that combine with each other (1791), and Proust's law of the constant composition or ratio of weights of the elements in a compound (1797). It was not until Dalton, Gay-Lussac, Avogadro, and others, further developed, and then applied to chemistry, the atomic theory of matter – a theory which gave an explanation of Richter's law and Proust's law – that the philosophical analysis of these generalizations claimed much attention. Similarly, Boyle's law of 1662, although significant as an early example of a quantitative generalization, did not receive its first explanation until Newton gave it, and the law did not receive its present explanation until 1738; in that year Bernoulli suggested that the inverse variation of a gas's volume with its pressure was due to the pressure simply being the impact, on the vessels' containing walls, of the random motion of the atoms of gas. Here again, it was the explanatory theory which excited analytical discussion, not the mere empirical generalization.

The reason for this is clear. Isolated empirical generalizations, however explicit, only classify an object or property or event as belonging with others of the same kind which behave similarly. Generalizations of this sort can be confirmed or disconfirmed by direct example; they can be confused with definitions; and some of the relationships which they assert to hold can be both complicated and expressible mathematically. But isolated empirical generalizations, by definition, cannot raise the more complex and interesting problems of indirect evidence, of conflict between theories, of crucial experiments, and of theoretical vocabularies, to which developed theories are subject. Methodological analysis thrives on, and largely consists in, problems such as these – problems which arise from competing explanations. Logical analysis does not flourish on the simple difference between our reliance on an implicit generalization and our reliance on an explicit one. Certainly it is true, as Schumpeter says, that 'From the standpoint of the theorist it is always a "major event" when an important concept is made explicit and workable, although it was – this is the usual case – implicitly present in previous arguments.'⁶

⁶ J. A. Schumpeter, *History of Economic Analysis* (Allen & Unwin, London, 1954), p. 316.

The importance of that event, however, arises from the utility of the concept itself, not from the utility of some contemporaneous analysis of it.

2. Divine legislation for Nature and Society

There is a preliminary generalization which must be developed and believed in either before, or in conjunction with, the attempt to replace implicitly lawlike generalizations with explicit ones. This preliminary generalization is simply that our world is controlled largely by lawlike processes which can be discovered by human beings. For if it is not thought to be thus controlled, then there is no point in our trying to establish what are the laws of its operation; and if it is thought to be controlled by laws beyond our power to discover, the outcome for us will be no better, since we shall have no means of identifying them, and hence no good reason to look for them. On the other hand, the notion of a law-governed world must itself be the product of an extensive use of particular implicit generalizations. Without some experience of such regularities, it is difficult to imagine why earlier peoples would wish to attribute them as, for example, Anaximenes did in the Ionia of the sixth century B.C., to an unbounded deity who created and governs the world-order by means of lawlike processes of change. Since we know that ideas of this sort must go back very far in human prehistory, their antiquity demonstrates how ancient must be the interpretation of Nature's regularities as due to the intention of a deity who legislates his will both for Nature and Society.

This view that there was a single source for the laws of both, and the corresponding Christian assumption that such laws were all of the same intentional character – that the physical laws of Nature and the moral laws of Society ('natural laws') were simply the rules, writ large, of a Divine Legislator – was not seriously challenged in Western Europe until the eighteenth century, and it held sway long after that. The earlier treatment of physical laws as divine legislation applied to Nature was accompanied, of course, by the treatment of moral rules ('natural laws') as divine legislation applied to Society: natural laws and moral (or 'natural') laws were merely two different applications of the same kind of Holy Writ. Because the two sets of laws were supposed not to differ in their essential features, the physical laws which regulated the course of Nature were thought of as moral commandments issued to an