

THE POLITICAL SCIENCE OF DAVID HUME

AN INQUIRY INTO THE POLEMICAL INTENT

BEHIND HUME'S POLITICAL WRITINGS.

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ABBREVIATIONS

<u>Caesar to Henry VII</u>	David Hume, <u>The History of England from the Invasion of Julius Caesar to the Accession of Henry VII</u> , 2 vols., London, 1762.
<u>DNB</u>	<u>Dictionary of National Biography</u>
<u>HGB</u>	David Hume, <u>The History of Great Britain</u> , 2 vols., Edinburgh and London, 1754-57.
<u>HL</u>	<u>The Letters of David Hume</u> , ed. J. Y. T. Greig, 2 vols., Oxford, 1932.
<u>Leviathan</u>	Thomas Hobbes, <u>Leviathan</u> , ed. Michael Oakeshott, Oxford, n.d.
<u>NHL</u>	<u>New Letters of David Hume</u> , eds. Raymond Klibansky and Ernest Campbell Mossner, Oxford, 1954.
<u>Phil. Works</u>	David Hume, <u>Philosophical Works</u> , eds. T. H. Green and T. H. Grose, 4 vols., London, 1882.
<u>Second Treatise</u>	John Locke, <u>Second Treatise of Government</u> , ed. Peter Laslett, Cambridge, 1960.
<u>The Tudors</u>	David Hume, <u>History of England under the House of Tudor</u> , 2 vols., London, 1759.
<u>Treatise</u>	David Hume, <u>A Treatise of Human Nature</u> , ed. L. A. Selby-Bigge, Oxford, 1964.

INTRODUCTION

In the mid twentieth century David Hume is studied more as a philosopher than as a writer on history and politics. In his own day, however, this was far from being the case. The Annual Register for 1776, when it came to evaluate Hume's major achievement as a man of letters following his death in the summer of that year, made it clear that it considered that if he were to retain his reputation as 'a writer unequalled in his age, or in his province, one of the most eminent and extensive in the empire of science', he would do so primarily as a historian rather than as a philosopher. The Treatise of Human Nature, the most systematic of all his works, had been 'entirely overlooked, or decried at the time of its publication, except by a few liberal-minded men'. Indeed, by 1776 copies of the Treatise had become so 'very scarce' that the Annual Register deemed it proper to restate some of its central doctrines. Hume's History of England, on the other hand, was 'a favourite performance', a state of affairs which the Annual Register considered to be entirely proper; it felt that this work, 'taken as a whole, ... may be considered as one of the most excellent productions of human genius, and is certainly the greatest historical work of modern times'.¹

This assessment on the part of the Annual Register was very much in accord with Hume's own thinking concerning his reputation as expressed during the last months of his life. In the spring of 1776, being about to enter his sixty-sixth year, he had decided to preserve for posterity his impressions of a life devoted almost entirely to 'literary Pursuits and Occupations' by composing a brief autobiography, which he entitled My Own Life.² Feeling that he was about to undergo

¹ Annual Register, XIX (1776), pp. 27-31.

² Printed in HL, i, pp. 1-7.

a speedy dissolution, Hume believed that he had at last attained the proper degree of detachment which an autobiographer needed. He also considered that he could bring a due amount of modesty to his task as well, for when he recalled the sort of public response which most of his works had initially received, he found that it was not such as to be an object of vanity. Few of his writings had had a friendly reception; for the most part they had been either run down by 'Ebullitions of ... Fury' or 'entirely overlooked and neglected'.³

But notwithstanding these fluctuations of fortune, Hume drew comfort from the fact that as a result of his literary activity he had, in the long run, become downright opulent. He felt, moreover, that he could 'see many Symptoms of (his) literary Reputation's breaking out at last with additional Lustre'.⁴ In My Own Life itself there is no precise indication as to just what Hume meant by this comment, but we can get an inkling of what he had in mind by considering other literary projects which he had in hand during the last year of his life. For one thing, he was preparing a new edition of his multi-volume History of England, the first volumes of which had been published more than twenty years before. He was also preparing a new edition of his Essays and Treatises on Several Subjects, whose four volumes contained the bulk of his output as an essayist as well as his less heavy-going philosophical works.⁵ Not all of his writings, however, had proved so hardy; his earliest and most strictly philosophical work, his Treatise of Human Nature, had had an especially unfortunate reception,⁶ and by

³ ibid., i, pp. 1, 3-4, 7.

⁴ ibid., i, pp. 5, 7.

⁵ For Hume's literary activity during the last year of his life see ibid., ii, pp. 302, 304, 308-309, 313-315, 318, 322, 329-331; for the essential facts concerning his literary activity generally see T.E. Jessop, A Bibliography of David Hume and of Scottish Philosophy, New York, 1938.

⁶ My Own Life, HL, i, p. 2.

1776 Hume was of the opinion that the time had come for him to disown it as a juvenile work.⁷

But the fact remains that, for all the misfortunes it suffered in the eighteenth century, the Treatise - or to be more precise, the epistemological section of the Treatise - attracts much more critical attention today than do Hume's writings on history and politics. At first glance, there seems nothing particularly remarkable about this state of affairs. It is unquestionable that Hume's most strictly philosophical piece of writing is the product of a powerful and probing mind, whereas when we cast an eye over his political opinions, we are initially tempted to describe them as merely the stock ideas which we would expect any enlightened eighteenth-century gentleman-philosopher to subscribe to. Indeed, it has actually been asserted that Hume was 'a typical eighteenth-century liberal',⁸ a point of view which, superficially at least, is supported by abundant evidence; when it is stated in a very summary fashion, Hume's conception of the good community is found to be very much in accord with standard liberal thinking on this question as expressed in both his own and subsequent ages. A mere listing of some of the features which he attributed to such a society makes this clear: the rule of law and constitutional government; an absence of gaping ideological divisions, an absence brought about by faith in the value of moderation, compromise, balance and self-restraint; a prosperous, property-owning middle class forming the backbone of the social structure; a broad set of civil liberties, including religious toleration and freedom of thought and expression; and a minimum of restrictions upon economic activity. Moreover, Hume arrived at all these ideas in the course of defining his attitude towards the British

⁷ ibid., ii, p. 301; Phil. Works, iii, p. v.

⁸ John B. Stewart, The Moral and Political Philosophy of David Hume, New York and London, 1963, p. 302.

constitution as it stood in his day, an attitude which in practice amounted to a complete commitment to the preservation of the status quo, a commitment as total as that to be found exhibited by a Blackstone or a Paley. Given all these considerations, it would seem that we ought to be able to unhesitatingly dismiss Hume's political opinions as mere reaffirmations of the conventional wisdom of the day.

However, one of the great characteristics of Hume's whole cast of mind was that, while being prepared to fall in with a whole host of prejudices and stock ideas, he was never content to accept the reasons commonly put forward as to why he should do so. This state of affairs prevailed in the case of both his philosophical and political opinions. In his capacity as a philosopher Hume never for a moment sought to discredit such common sense notions as causality and the existence of an external world; what he really set out to do was to question the validity of some of the arguments put forward in defence of these notions.⁹ Similarly, in his writings on politics he was prepared to fall in with many of the dominant prejudices of the day; he saw himself as a perfectly loyal adherent of the British constitution as it stood in the eighteenth century, even though he frequently felt compelled to criticize the reasons usually put forward as to why it was in fact deserving of support. But in both cases his contemporaries viewed what he was doing in a totally different light; they considered that his criticism of the way in which they rationalized their prejudices and values was in truth a particularly insidious and cunning attempt to discredit the actual prejudices and values themselves, and as a result they fell upon him with all the more fury and ferocity. In his capacity as a philosopher Hume eventually found himself denounced as a complete sceptic, as an irreligious scoffer. In his capacity as a student of politics he eventually found himself denounced

⁹ Norman Kemp Smith, The Philosophy of David Hume, London, 1949, pp. 8-12.

as a brazen apologist for tyranny and despotism. Such talk, of course, tended to be wildly extravagant. But so far as his political opinions were concerned, it was not devoid of a kernel of truth; Hume's contemporaries were right to believe that he stood for a way of thinking completely at variance with some of their most cherished political myths and assumptions. Just what form this divergence took is the concern of this thesis.

PART I

THE THEORIST OF
POLITICAL OBLIGATION

CHAPTER I
HUMAN NATURE AND HUMAN SOCIETY

(i)

David Hume was born in Edinburgh on 26 April (O.S.) 1711. His father was a country gentleman who combined a legal practice in Edinburgh with the duties involved in running the family estate at Ninewells in Berwickshire. Not being an eldest son, the young Hume could count upon receiving only a 'very slender Fortune' as a start in life, even though he was of 'good Family' - he never ceased to be proud of the fact that he belonged to a cadet branch of one of the great border families, the Homes. In the winter of 1722-23 he entered Edinburgh University and stayed there until some time in 1725 or 1726, when he left without taking a degree, as was customary at the time. Since he could not hope to muster the capital needed to set himself up as a landowner, his family assumed that he would enter one of the professions, and his 'studious Disposition, ... Sobriety, and ... Industry' suggested to them that the law would be his best choice. Hume, however, had other plans. From his 'earliest Infancy' he had 'found alwise a strong Inclination to Books & Letters', and by the time he left university he had developed 'an unsurmountable Aversion to every thing but the pursuits of Philosophy and general Learning'. By 1729, after some three or four years during which time he devoted his attention 'almost equally to Books of Reasoning & Philosophy, & to Poetry & the polite Authors', he had openly renounced the 'nauseous' study of the law and had instead fully committed himself to 'Philosophical Enquiries', or to be more precise, to the study of 'moral Philosophy', to the study of 'human Nature'.¹

¹ This account of Hume's early life is based upon information drawn from the following: (i) My Own Life; (ii) an autobiographical letter which Hume wrote to an unnamed physician some time in the spring of 1734 (to be found in HL, i, pp. 12-18); (iii) Ernest Campbell Mossner, The Life of David Hume, Edinburgh, 1954, chaps. 2-5.

It is important to bear in mind here that in the eighteenth century moral philosophy was not exclusively a matter of 'Ethics strictly so called', to use words applied to Adam Smith, himself one of the greatest of the eighteenth-century moral philosophers.² It was not yet the age of specialization; the old idea that the whole of human knowledge could be comprehended within a single science, within a single philosophy, was still very much alive. For scholars and men of letters, the complete unity of the study of the moral world, that is to say, the study of man's mental and social activity, was still very much a reality; as Alexander Pope was to put it in his Essay on Man (1733-34), the function of the student of human nature was to draw up 'a general Map of MAN, marking out ... the greater parts, their extent, their limits, and their connection'.³ That the young Hume shared this vision to the full is clear. As it has come down to us, his Treatise of Human Nature is incomplete; Hume originally meant it to be a comprehensive multi-volume treatment of all the moral sciences. The first two volumes would examine man in his capacity as a creature subjected to the influence of both reason and feeling. The next two volumes would examine the nature of moral and aesthetic judgements. A fifth volume would traverse politics, that is to say, 'men as united in society, and dependent on each other'. Taken together, these five volumes would comprise a complete moral philosophy, a complete science of man; in them Hume intended 'to march up directly to the capital or center of (the moral)

² For Adam Smith's conception of the scope of moral philosophy see his Lectures on Justice, Police, Revenue and Arms, ed. Edwin Cannan, New York, 1956, pp. xi-xv, xxiv-xxxiv.

³ The Poems of Alexander Pope, ed. John Butt, London, 1968, p. 502.

sciences, to human nature itself'.⁴

All this being so, it necessarily follows that we must never look upon Hume's ability to blithely traverse what to us seem totally disparate disciplines - demography and ethics, history and sociology, political science and political economy, to name just a few - as a kind of dilettantish virtuosity. As far as Hume himself was concerned, all these fields of study were fundamentally at one in that they all fell within the ambit of moral philosophy as he conceived of it; for him they represented so many different ways of contributing to a better understanding of human nature. Furthermore, he also saw them as being fundamentally at one in that he believed that they were all capable of sharing a common methodology; he meant his whole moral philosophy to take the form of an 'application of experimental philosophy to moral subjects'. Deeming Sir Isaac Newton to be 'the greatest and rarest genius that ever arose for the ornament and instruction of the species', Hume early formed the intention of placing moral philosophy upon a foundation of 'experience and observation', thereby emulating the achievement of the natural philosophers. It was ever his aim to develop a wholly empirical science of man; it was ever his aim, in short, to become the Newton of the moral sciences. The search for 'the ultimate original qualities of human nature' would have to be abandoned; a truly worthwhile moral philosophy could be developed only after experiments drawn from 'a cautious observation of human life, ... (of) men's behaviour in company, in affairs, and in their pleasures' had been 'judiciously collected and compared'.⁵ As we shall see, Hume's

⁴ For Hume's original intentions concerning the scope of the Treatise see the 'advertisement' and introduction to the first two volumes (Treatise, pp. xii, xvii-xxiii); for further evidence of his wide interests as a moral philosopher in this early period of his life see Ernest Campbell Mossner, 'Hume's Early Memoranda, 1729-1740: The Complete Text', Journal of the History of Ideas, IX (1948), pp. 492-518.

⁵ For Hume's attitude towards Newton and the Newtonian method see HGB, ii, p. 452 and the Treatise, pp. xx-xxiii.

self-proclaimed commitment to a purely empirical approach did not mean that he eschewed conjecture and speculation. But whenever he indulged in hypothetical reasoning, he was perfectly certain in his own mind that he was doing nothing more than merely framing tentative propositions which had been extrapolated from, and which could be tested against, the facts of moral science; all aspects of his moral philosophy, including his study of politics, his political science, had as their ultimate foundation a particular conception of the chief principles of human nature.⁶

By 1734, after some five years of ardent application to his studies, Hume's health had become 'a little broken' and his financial circumstances were straitened. He was forced, therefore, to enter 'a more active Scene of Life'. Leaving Ninewells, he moved to Bristol and took up a post in a merchant's office; after only a few weeks, however, he found his job totally disagreeable and he soon threw it up. He at once decided to resume his studies, but this time in France, where he lived until 1737, firstly at Reims and then at La Flèche in Anjou.⁷ During these three years on the continent he was able to write the first three volumes of the Treatise,⁸ so that he did not return to Scotland when he recrossed the channel, going instead straight to London, where he sought a publisher. In January 1739 he was at last able to make his first appearance in print; in that month the first two volumes of the Treatise, Of the Understanding and Of the Passions, were published.⁹

⁶ For more detailed discussions of Hume's Newtonianism see J.A. Passmore, Hume's Intentions, Cambridge, 1952, chaps. i and iii and Kemp Smith, Philosophy of Hume, pp. 53-62.

⁷ My Own Life, HL, i, pp. 1-2.

⁸ Mossner, Life of Hume, pp. 73-74; My Own Life, HL, i, p. 2.

⁹ Mossner, Life of Hume, pp. 105-115.

Lacking as he did 'any great Name or Authority', Hume did not expect to obtain any sudden success, and he deemed it prudent to sit out the initial reception to the Treatise at Ninewells.¹⁰ As matters turned out, his fears were soon shown to be entirely justified; the two volumes failed to make the slightest impression upon the reading public. They did, it is true, succeed in attracting a scatter of reviews and notices in literary journals on the continent as well as in London throughout 1739 and 1740. But this was no real compensation, the general tone of these reviews being one of strong hostility, especially so far as Of the Understanding was concerned, with expressions such as 'evil intentions', 'unheard-of paradoxes' and 'Pyrrhonism' being freely bandied about.¹¹ Towards the end of 1739, in an effort to kindle a more friendly attitude towards this latter volume in particular, Hume wrote a pamphlet in which he summarized some of its key tenets, but this venture proved in the event to be totally ineffective.¹² Hume's debut as a man of letters was, in short, an unmitigated disaster.

But although greatly disappointed by the complete failure of the first two volumes of the Treatise to attract any sort of sympathetic attention, Hume was 'naturally of a cheerful and sanguine Temper', and he 'very soon recovered the Blow'.¹³ His lack of success, he became convinced, indicated that a fondness for new ideas had made him overstep the bounds of prudence, and that to harbour any discontent would thus be to indulge only in folly. By the middle of 1739 he was once again prosecuting his studies, still determined to bring out a

¹⁰ HL, i, pp. 26-28.

¹¹ Mossner, Life of Hume, pp. 118-125, 128-132.

¹² For the history of this venture see David Hume, An Abstract of a Treatise of Human Nature, eds. J.M. Keynes and P. Sraffa, Cambridge, 1938, pp. v-xxix.

¹³ My Own Life, HL, i, p.2.

philosophical treatise which would 'prevail ... over the Indifference & Opposition of the World'.¹⁴ Acting in accordance with the overall plan he had set himself, he had devoted the third volume of the Treatise to ethics, the branch of 'abstruse reasoning' which he felt was of most interest to the general reading public: 'Morality is a subject that interests us above all others: We fancy the peace of society to be at stake in every decision concerning it; and 'tis evident, that this concern must make our speculations appear more real and solid, than where the subject is, in a great measure, indifferent to us'.¹⁵ Hume's commitment to his task must have become even more intense as 1739 gave way to 1740, for in the autumn he was able to strike up an acquaintance with Francis Hutcheson, the Professor of Moral Philosophy at Glasgow University, who immediately gave him his whole-hearted encouragement.¹⁶

By the spring of 1740 Hume had finished touching up the third volume of the Treatise, and in the autumn, having entitled it Of Morals, he had it published in London.¹⁷ The fate its two predecessors had suffered made him wary of entertaining high hopes of success in attracting readers; by now he was inclined to suspect that few of the ideas contained in the work would become 'Principles that will augment the Stock of Knowledge that must pass to future Ages'. He was, however, confident that Of Morals would succeed in 'furnishing Hints & exciting People's Curiosity'.¹⁸ But not even this modest aim was to be attained; in terms of its appeal to the market, Of Morals was an ignominious failure, making no impact at all upon the reading public and

¹⁴ NHL, p. 5.

¹⁵ Treatise, Bk. iii, pt. i, sect. i (p. 455).

¹⁶ Four letters written by Hume to Hutcheson may be found in HL, i, pp. 32-35, 36-40, 45-48.

¹⁷ Mossner, Life of Hume, pp. 136-137.

¹⁸ HL, i, p. 39.

attracting little attention in the literary reviews.¹⁹ Following this second severe rebuff at the hands of the reading public, Hume abandoned for good his attempt to produce a philosophical treatise with popular appeal; there being in fact no desirable career that he could think of other than the life of 'a Scholar & Philosopher',²⁰ the decision of the market had to be regarded as final. Within a few years Hume was to discover that the Treatise had not been forgotten; he was to discover that, as a result of the unfriendly reviews which Of the Understanding had attracted, he had obtained a reputation as an irreligious scoffer, a reputation which it seems representatives of conservative presbyterian opinion in Scotland had sought to further blacken by rummaging through Of Morals in search of unpopular opinions.²¹ But of course this was not the sort of attention which Hume had hoped for; he was not cheered by the fact that the attitude of most contemporary readers towards Of Morals, as was the case with the Treatise as a whole, was one of either complete indifference or outright hostility.

But notwithstanding its complete failure to attract sympathetic attention at the time of its publication, Of Morals is of all Hume's works the one which the student of his political science can least afford to ignore. In later chapters it will be shown that for

¹⁹ Mossner, Life of Hume, pp. 137-138.

²⁰ HL, i, p. 13.

²¹ For an assessment of the effects which the unfriendly reviews which greeted Of the Understanding had upon Hume's reputation see Mossner, Life of Hume, p. 123; for Hume's attitude towards early presbyterian attacks upon him see the pamphlet he wrote in 1745 in an effort to clear his name of charges of 'Universal Scepticism', A Letter from a Gentleman to his Friend in Edinburgh, eds. Ernest Campbell Mossner and John V. Price, Edinburgh, 1967. The bulk of this pamphlet is directed against criticism of the argument advanced in Of the Understanding (see pp. 17-18, 19-30); but Hume also makes an attempt to deny that Of Morals is designed to bring about the 'sapping (of) the Foundations of Morality' (see pp. 18, 30-32).

Hume political science was a matter of inquiry into the conditions conducive to good government. But what we need to note here is that whenever Hume talked about good government, he could hardly avoid doing so other than in normative terms; the concrete meaning given to this concept cannot but be a reflection of the political ethic of the person making use of it, of his conception of the nature and purpose of civil society and of the behaviour appropriate to its members. The questions Hume chose to ask as a political scientist were derived from opinions he held as a moralist, from the opinions he held concerning the attributes of a proper political order. To discover just what these opinions were, we need to scrutinize the argument advanced in Of Morals, for it was in this work that Hume chose to outline his basic political stance; a work on ethics, it represents the most authoritative statement of his ultimate political values which he ever put together. In it he set out all the basic assumptions he made about human nature as it expresses itself in social activity in general and political behaviour in particular, assumptions which were to shape and colour everything he ever wrote about actual civil societies. In it we find him using these assumptions as a base upon which to construct a theory of political obligation, a theory of the essential framework of civil society, of the absolute preconditions for organized government and political life. Of Morals is, indeed, the foundation upon which the whole of Hume's political science rests; all that he was to write about politics after he wrote it has to be seen as an application of its central doctrines to specific political situations.

Yet while recognizing the fundamental importance of the argument put forward in Of Morals, we must never forget that the vast majority of Hume's contemporaries were ignorant as to its true significance. This of course meant that they inevitably judged the worth of his political science upon the basis of an examination of its super-

structure rather than of its foundations, a state of affairs which was eventually to result in their being amazed, and even enraged, at the direction Hume's political opinions took. Hume's nineteenth-century biographer, too, was unacquainted with the real meaning of the political philosophy outlined in Of Morals, and as a result he also came to regard the sort of political stance Hume had adopted as 'unexpected and inexplicable'.²² To avoid such puzzlement and yet at the same time to understand why it should have arisen, it is imperative that we should examine the line of reasoning which Hume unfolded in those sections of his argument in Of Morals in which he was concerned with the framework of civil society.

(ii)

Of Morals starts off as a general discussion of the nature of moral concepts. To be more specific, Hume's intention in the opening stages of its argument is to make out a case on behalf of the proposition that notions of right and wrong are the offspring of feeling as opposed to reason. According to one of the theories canvassed amongst British ethical theorists in the first few decades of the eighteenth century, man's ability to form moral concepts had ultimately to be accounted for in terms of the existence of certain eternal and immutable moral truths which were discernible by, and binding upon, man in his capacity as a rational being. This theory attracted many distinguished advocates, being most clearly expounded in certain passages of John Locke's Essay concerning Humane Understanding (1690),²³ in Samuel Clarke's Boyle

²² John Hill Burton, Life and Correspondence of David Hume, 2 vols., Edinburgh, 1846, i, pp. 122-124, 402.

²³ John Locke, An Essay concerning Human Understanding, ed. Alexander Campbell Fraser, 2 vols., Oxford, 1894, i, pp. 64-65, 70, 353, 364-366, 474-482; ii, pp. 234-235, 350-351.

Lectures of 1704-05,²⁴ and in William Wollaston's The Religion of Nature Delineated (1724).²⁵ It was, however, by no means unembattled, being rejected by, amongst others, Francis Hutcheson, for whom the formation of moral concepts was more a matter of sense and feeling than of ratiocinative processes.²⁶ It was the ultimate aim of the rationalist school of moralists to make ethics as a priori a science as mathematics,²⁷ an ideal which Hume, with his ideal of a purely empirical science of man, totally rejected. Already in the course of correspondence with Hutcheson he had ventured the opinion that 'Morality... is determin'd merely by Sentiment',²⁸ and when he came to outline a general theory concerning the origin of moral judgements in Of Morals, a desire to refute the rationalists was very much to the fore in his whole approach.

To state the matter very baldly, in Of Morals Hume hoped to put the rationalist school of moralists to rout by proving that human reason comprised but two mental activities - the comparing of objects in order to discover their relationship and the inferring of matters of fact - neither of which was involved in the formation of moral concepts. His attempt to show that notions of right and wrong do not arise when objects are compared is purely negative in intention.²⁹ But the same cannot be said of his attempt to show that moral concepts are not the offspring of inference, for it is in the course of his

²⁴ These were published as A Demonstration of the Being and Attributes of God (1705) and A Discourse Concerning the Unchangeable Obligations of Natural Religion (1706). Key extracts from the latter work may be found in D.D. Raphael (ed.), British Moralists 1650-1800, 2 vds., Oxford, 1969, i, pp. 191-225.

²⁵ Key extracts from this work may be found in *ibid.*, i, pp. 237-258.

²⁶ For Hutcheson's ethical thought see William Robert Scott, Francis Hutcheson, Cambridge, 1900.

²⁷ Locke, Essay concerning Human Understanding, ii, pp. 208-209.

²⁸ HL, i, p. 40.

²⁹ Treatise, Bk. iii, pt. i, sect. i (pp. 463-468).

efforts to prove this point that he first sets out his own positive views as to the origin of moral judgements. Whenever we examine any action commonly deemed to be moral or immoral, he argues, we simply cannot find any matter of fact which can be called virtue or vice. The only things we find are certain passions, motives, volitions and thoughts. Virtue and vice are not qualities in objects and thus their existence cannot be inferred by reason. They are instead the offspring of feeling, of sentiment.³⁰ Everyday experience indicates that the distinguishing characteristics of virtue and vice are the pleasure and pain they respectively cause. Virtuous conduct invariably arouses pleasure, whereas immorality is always a source of uneasiness to all those who witness it. To have a sense of virtue or vice is to draw a particular satisfaction or uneasiness from the contemplation of human conduct; the very feeling constitutes the praise or censure.³¹ Being 'determin'd merely by sentiment', moral judgements ought to be analysed purely in terms of 'human Nature & human Life':

If Morality were determin'd by Reason, (it) is the same to all rational Beings: But nothing but Experience can assure us, that the Sentiments are the same. What Experience have we with regard to superior Beings? How can we ascribe to them any Sentiments at all?³²

Hume's theory concerning the formation of moral judgements in general, with its stress upon the importance of feeling as opposed to reason, is very much the product of a disciple of Francis Hutcheson;³³ we have to turn to the attempts he made to test it against particular sets of individual virtues and vices before we can say what are the

³⁰ *ibid.*, Bk. iii, pt. i, sect. i (pp. 468-469).

³¹ *ibid.*, Bk. iii, pt. i, sect. ii (pp. 470-471).

³² *HL*, i, p. 40.

³³ For a discussion of how Hume stood in relation to Hutcheson's ethical thought see Kemp Smith, Philosophy of Hume, chap. ii.

distinctive features of his moral theory. Before doing so, however, we need to examine the implications of a proposition which Hume regarded as vital in the unfolding of his argument. This proposition was that no action could be called virtuous unless it sprang from some motive other than a sense of duty. Whenever we judge conduct, Hume believed, we assess it merely as an external sign of some internal motive, the only true object of a moral judgement. But man's sense of duty, no matter how virtuous it may be esteemed, can never be one of the virtuous motives which bestow merit on any action, for before anyone can perform an action out of a sense of duty, that action must already be virtuous. The original virtuous motive which bestows merit on any action must, therefore, be both antecedent to, and distinct from, a sense of duty.³⁴

Hume then proceeded to apply this line of reasoning to the case of justice and injustice, the first set of individual vices and virtues which he chose to scrutinize; he proceeded, that is to say, to set out 'to find some motive to acts of justice and honesty, distinct from our regard to the honesty'. When he came to consider this question closely, he found that any attempt to answer it in terms of some inherent human quality was bound to meet with great difficulty. If it should be suggested that men perform acts of justice out of a sense of self-interest, it could be pointed out in reply that self-interest, whenever it is allowed to act freely, becomes the source of all injustice and violence and that men cannot overcome these two vices 'without correcting and restraining the natural movements of that appetite'. Nor do private benevolence or a regard for public interest make men perform such acts; they, too, lack sufficient force to serve as the foundation of justice.³⁵

In short, Hume felt that man's sense of justice did not spring

³⁴ Treatise, Bk. iii, pt. ii, sect. i (pp. 477-479); see also HL, i, p. 35.

³⁵ Treatise, Bk. iii, pt. ii, sect. i (pp. 479-483).

spontaneously from some innate propensity other than a sense of duty. He believed instead that justice was in reality an artificial virtue; he believed that there was a particular sort of morally approved behaviour which essentially represented an artifice or contrivance devised in response to 'the circumstances and necessity of mankind',³⁶ and the core of his argument concerning justice consists of an attempt to show that it is the most important aspect of this particular sort of behaviour, that it is the most important of all the artificial virtues.

Eager to avoid giving offence with his contention that man's sense of justice was artificial rather than natural in origin,³⁷ Hume took care to surround this claim with a number of qualifications, arguing that such a distinction could be made only because man's designs and projects were commonly set in opposition to the other principles of nature despite their being 'as necessary in their operation as heat and cold, moist and dry',³⁸ and contending that in reality there could be no virtue more natural than justice:

... I must here observe, that when I deny justice to be a natural virtue, I make use of the word, natural, only as oppos'd to artificial. In another sense of the word; as no principle of the human mind is more natural than a sense of virtue; so no virtue is more natural than justice. Mankind is an inventive species; and where an invention is obvious and absolutely necessary, it may as properly be said to be natural as any thing that proceeds immediately from original principles, without the intervention of thought or reflexion. Tho' the rules of justice be artificial, they are not arbitrary.

Indeed, Hume was prepared to state that, 'if by natural we understand what is common to any species, or even if we confine it to mean what

³⁶ *ibid*, Bk. iii, pt. ii, sect. i (pp. 477, 483).

³⁷ *ibid*, Bk. iii, pt. ii, sect. i (p. 484).

³⁸ *ibid*, Bk. iii, pt. i, sect. ii (p. 474).

is inseparable from the species', then it was not improper to call the rules of justice 'Laws of Nature'.³⁹

Hume's choice of terminology here - his willingness to discuss justice in terms of laws of nature, but not in terms of a law of nature - is extremely significant; indeed, it allows us to discover just what he had in mind whenever he contended that justice was an artificial, not a natural, virtue. To bring out the full significance of his usage, we have to place it in relation to the sort of language we find in John Locke's Second Treatise of Government and Thomas Hobbes's Leviathan. When we do this, we find that in talking about laws of nature rather than about a single great law of nature Hume was in effect flying in the face of Locke's authority and was instead reverting back to terminology which Hobbes had used in Leviathan. In the Second Treatise we find Locke making a conscious decision not 'to enter ... into the particulars of the Law of Nature';⁴⁰ but as we shall see, throughout Leviathan Hobbes's approach is completely different, with 'the first, and fundamental law of nature' being depicted very much as but one of a whole host of individual laws of nature. To understand why Hume should have preferred Hobbes's usage to Locke's, we have to bear in mind that throughout the Second Treatise Locke describes the law of nature in such a way as to make it clear that he sees it as a fully-fledged moral law, a moral law grounded in God's purposes and in essence constituted by reason. In an early reference to the law of nature in the work Locke's attitude comes out very clearly. Speaking of the state of nature, of the 'State all Men are naturally in', he says the following:

³⁹ *ibid.*, Bk. iii, pt. ii, sect. i (p. 484).

⁴⁰ Second Treatise, par. 12 (p. 293).

But though (the state of nature) be a State of Liberty, yet it is not a State of Licence, though Man in that State have an uncontrollable Liberty, to dispose of his Person or Possessions, yet he has not Liberty to destroy himself, or so much as any Creature in his Possession, but where some nobler use, than its bare Preservation calls for it. The State of Nature has a Law of Nature to govern it, which obliges every one: And Reason, which is that Law, teaches all Mankind, who will but consult it, that being all equal and independent, no one ought to harm another in his Life, Health, Liberty, or Possessions. For Men being all the Workmanship of one Omnipotent, and infinitely wise Maker; All the Servants of one Sovereign Master, sent into the World by his order and about his business, they are his Property, whose Workmanship they are, made to last during his, not one another's Pleasure.⁴¹

Now as we have already noted, Hume saw the formation of moral concepts and the workings of human reason as two absolutely distinct processes. His whole argument in Of Morals was based upon the premise that reason lacked the power to make a person inhabiting the state of nature, a person, that is to say, following the untrammelled bent of his basic human nature, come to realize that there was an overriding moral law which had to be obeyed. Moral concepts were the offspring of the passions alone; this meant that the existence of justice could not be explained in terms of man having a rational awareness of himself as God's workmanship. But if he wished to do more than merely indulge in negative criticism, Hume obviously had to be able to put forward an alternative suggestion as to why no one ought to harm another, and it was here that he looked towards Hobbes and his laws of nature for help.

The exact status of Hobbes's laws of nature is a major focus of debate amongst modern students of his thought, with discussion revolving around the question of whether they are truly moral laws which are to be obeyed as divine commands or whether they are merely prudential

⁴¹ *ibid.*, pars. 4,6 (pp. 287, 288-289).

in form, mere maxims of safety arrived at by the enlarged self-interest of amoral egoists.⁴² This debate has become hopelessly complex, but at least one irrefutable fact has emerged from it - Hobbes was definitely not an isolated and uninfluential figure lurking around the fringes of the mainstream of political thought. Rather, he was at the very centre of political debate throughout the middle and latter decades of the seventeenth century, and his doctrines attracted much sympathetic attention as well as hostile criticism.⁴³ What really needs to be emphasized, however, is that all of Hobbes's contemporary critics and followers shared one basic assumption - they all took it for granted that he believed that man lived in a world devoid of any divinely sanctioned moral law. The attitude of critics like Sir Robert Filmer who attacked Hobbes for thinking that 'God would create man in a condition worse than any beasts' is well-known.⁴⁴ But what must be stressed is that, to a man, all the various allies and followers whom Hobbes attracted described his achievement in basically similar terms - they all believed that he had produced a political philosophy constructed wholly in terms of the needs and passions of amoral egoists.⁴⁵

⁴² For an outline of some of the issues at stake in this debate see Quentin Skinner, 'Hobbes's Leviathan', The Historical Journal, VII (1964), pp. 321-333.

⁴³ This has been proved by Quentin Skinner in two important articles: 'History and Ideology in the English Revolution', The Historical Journal, VIII (1965), pp. 151-178 and 'The Ideological Context of Hobbes's Political Thought', The Historical Journal, IX (1966), pp. 286-317.

⁴⁴ For Filmer's attitude towards the State of nature as depicted by Hobbes see Patriarcha and Other Political Works of Sir Robert Filmer, ed. Peter Laslett, Oxford, 1949, pp. 241-242; for the attitudes of Hobbes's contemporary critics generally see John Bowle, Hobbes and his Critics, London, 1951 and Samuel I. Mintz, The Hunting of Leviathan, Cambridge, 1962.

⁴⁵ Skinner, 'Hobbes's Ideological Context', pp. 297-312.

When viewed in this context, Hume's decision to revert back to Hobbesian terminology is seen to be indicative of a much deeper commitment; once having rejected Locke's notion that the principles of human sociability were an aspect of man's rational awareness of himself as God's property, Hume in effect turned by way of reaction towards Hobbes, a writer who in his own lifetime had seen himself become accepted as the chief exponent of a wholly naturalistic way of explaining man's sociability.

That Hobbes should have come to be seen as a proponent of the view that man does not inhabit a world governed by an overriding moral law becomes explicable when we realize just how easy it is to extract from Leviathan a political philosophy geared entirely to the needs of calculating egoists living in a completely godless and amoral world. Whether Hobbes would ever have approved of such an exercise is another question; but the fact remains that it is eminently feasible.⁴⁶ In any wholly prudential interpretation of Leviathan - as in any moralized interpretation - Hobbes's attitude towards the laws of nature plays the key role. In Leviathan he defines the essence of these laws thus:

A LAW OF NATURE, lex naturalis, is a precept or general rule, found out by reason, by which a man is forbidden to do that, which is destructive of his life, or taketh away the means of preserving the same; and to omit that, by which he thinketh it may be best preserved.⁴⁷

It is to be observed that a Hobbesian law of nature is not an end in itself; it is a means to an end, and that end is self-preservation, not respect for others. Hobbes in fact believed that self-preservation was best ensured whenever men felt that nobody ought to harm another; the first and fundamental law of nature was, then, 'to seek peace, and follow it'.⁴⁸ But self-preservation always remained the paramount

⁴⁶ I am following here a suggestion made in John Plamenatz, Man and Society, 2 vols., London, 1966, i, pp. 131-132.

⁴⁷ Leviathan, chap. xiv (p. 84).

⁴⁸ ibid., chap. xiv (p. 85).

consideration, and should a situation arise in which respect for others was not conducive to it, men were not obliged to seek peace - there had to be a background of security for this to be so:

The laws of nature oblige in foro interno; that is to say, they bind to a desire they should take place: but in foro externo; that is, to the putting them in act, not always. For he that should be modest, and tractable, and perform all he promises, in such time, and place, where no man else should do so, should but make himself a prey to others, and procure his own certain ruin, contrary to the ground of all laws of nature, which tend to nature's preservation.⁴⁹

Whenever self-preservation and peacefulness are incompatible, men are free to do anything to keep themselves alive, they are free, that is to say, to use the 'RIGHT OF NATURE' ('the liberty each man hath, to use his own power, as he will himself, for the preservation of his own nature; ...and consequently, of doing any thing, which in his own judgement, and reason, he shall conceive to be the aptest means thereunto') to the full,⁵⁰ a state of affairs which culminates 'in that condition which is called war; and such a war, as is of every man, against every man'.⁵¹

Man obviously had the ability to avoid a life of perpetual warfare with his fellows, an ability which Hobbes saw originating partly in the passions and partly in reason. Passions such as fear of death and a desire for commodious living drive men to seek mutual accommodation and 'reason suggesteth convenient articles of peace', articles 'which otherwise are called the Laws of Nature'.⁵² It is, then, 'as the means of peacable, sociable, and comfortable living',

⁴⁹ *ibid.*, chap. xv (p. 103).

⁵⁰ *ibid.*, chap. xiv (p. 84).

⁵¹ *ibid.*, chap. xiii (p. 82).

⁵² *ibid.*, chap. xiii (pp. 83-84).

as 'a means of the conservation of men in multitudes', that the laws of nature come to be praised.⁵³ By seeking mutual accommodation men fulfil the first law of nature, but they can only make a lasting peace by agreeing 'to lay down this right to all things' and since agreements are only effective when they are upheld by 'a common power ... with right and force sufficient to compel performance', it follows that in laying down the right they have to do anything to keep themselves alive - which is to observe the second law of nature - men must submit to a sovereign.⁵⁴ Once they have done this, they can begin to make all sorts of valid agreements or covenants amongst themselves, the essence of a valid covenant being that it is sanctioned by a common power. When this happens, the third law of nature - 'that men perform their covenants made' - comes into operation, and men can begin to frame notions of justice and injustice, injustice being for Hobbes 'the not performance of covenant'.⁵⁵ In other words, Hobbes felt that justice could exist only within the confines of civil society:

Where there is no common power, there is no law: where no law, no injustice. Force, and fraud, are in war the two cardinal virtues. Justice, and injustice are none of the faculties neither of the body, nor mind. If they were, they might be in a man that were alone in the world, as well as his senses, and passions. They are qualities, that relate to men in society, not in solitude.⁵⁶

The case is the same with all the other laws of nature - sixteen, to be precise - which Hobbes discusses in Leviathan. As he portrays them, they essentially involve the suppression of anti-social feelings and behaviour and since nobody would perform such acts of self-abnegation without being certain beforehand that everybody else would, if

⁵³ *ibid.*, chap. xv (pp. 103, 104).

⁵⁴ *ibid.*, chap. xiv (pp. 85, 89-90).

⁵⁵ *ibid.*, chap. xv (pp. 93-94).

⁵⁶ *ibid.*, chap. xiii (p. 83).

necessary, be made to reciprocate, they all depend for their effectiveness upon the existence of a sovereign.⁵⁷ In a state of nature all the laws of nature would be necessarily inoperative and as a consequence man's life would be 'solitary, poor, nasty, brutish, and short'.⁵⁸

We can now state in a general way what Hume meant wherever he claimed that justice was an artificial rather than a natural virtue, for when he is seen in relation to Hobbes, his overall approach becomes clear. What he was in effect achieving by staking out such a position was broadening and deepening his rejection of Locke's concept of a natural moral law by adopting for his own purposes Hobbes's laws of nature in their capacity as 'the means of peacable, sociable, and comfortable living'. As we shall come to see, in terms of the function they perform, Hume's artificial virtues are the exact equivalents of Hobbes's laws of nature. As portrayed in Of Morals, they are social conventions; they represent the basic mutual adjustments which men have to make if they are to maintain a social existence. Being efficacious in holding society together, these conventions come to be regarded as virtues, and so they are usually performed because of a sense of duty.⁵⁹ But in terms of their ultimate *raison d'être*, they are wholly prudential in form; they exist in the first place only because of enlarged self-interest, only because man must lead a social existence if he is to enjoy commodious living. Now for Hume a sense of self-interest was a natural, that is to say, an inherent, human quality; but this did not mean that he believed that man was spontaneously and naturally social. We have already seen that he considered that man had to

⁵⁷ *ibid.*, chap. xv (pp. 99-102).

⁵⁸ *ibid.*, chap. xiii (p. 82).

⁵⁹ For Hume's account of this process see Treatise, Bk. iii, pt.ii, sect. ii (pp. 498-500).

check the natural movements of his selfishness before he could live as a social being; Hume viewed the various basic conventions which held society together as restraints and restrictions which men had imposed upon the spontaneous flow of their selfish passions, albeit in an effort to secure the optimum satisfaction of these very same passions.

As a result of believing that the whole purpose of the artificial virtues was to hold society together, Hume considered that it was a priori impossible that they should be found existing amongst the inhabitants of the state of nature; wherever the artificial virtues existed, society existed, and wherever they did not exist, society did not exist and a state of nature prevailed in its stead. Convinced as he was that justice was one of the artificial virtues, Hume thus rejected Locke's notion that the inhabitants of a state of nature had the power to regulate their conduct according to ideas of fairness and honesty; reason, he believed, could not make men act in such a way, only their passions could, and then only when their spontaneous movements had been subjected to restraint, a process which of necessity meant the end of the state of nature. Hume did not consider justice to be the sole artificial virtue; others he was prepared to name in Of Morals include chastity and modesty.⁶⁰ But he was certain that it was by far the most important of all the social conventions. He considered it, indeed, to be the sine qua non of human society; as we have already seen, he believed that its various branches formed the laws

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ibid., Bk. iii, pt. ii, sect. xii (pp.570-573).

of justice, that is to say, the really vital social conventions.⁶¹ This being so, it follows that when we turn to examine what Hume says in Of Morals concerning the foundations of justice, we find ourselves confronted with what is virtually a theory of society; if he wished to establish that justice had primarily to be seen as the sine qua non of human society, Hume had to succeed in showing that a satisfactory explanation of the reasons why men obeyed the various rules of justice amounted to a satisfactory explanation of the reasons why they were social beings.

(iii)

When Hume turned to examine this question of the way in which men came to accept the various restraints which a social existence demanded, he began his inquiry by considering man as a member of the animal kingdom, a natural enough step for someone who did not believe that human reason was some sort of semi-divine faculty whose existence placed an unbridgeable gap between man and the beasts. When Hume viewed man in this context, he discovered that his lot was far from enviable. Of all the animals loaded with numberless wants and necessities only man had but slender means of satisfying his needs; in him alone could be seen the unnatural conjunction of weakness and

⁶¹ Hume basically followed the method which Hobbes adopted whenever he came to determine whether or not a particular social convention ought to be classed as a law of nature: 'These are the laws of nature, dictating peace, for a means of the conservation of men in multitudes. There be other things tending to the destruction of particular men; as drunkenness, and all other parts of intemperance; which may therefore also be reckoned amongst those things which the law of nature hath forbidden; but are not necessary to be mentioned, nor are pertinent enough to this place'. Leviathan, chap. xv (p. 103).

innumerable needs. It was only because they had pooled their resources, it was only because they were social beings, that men were able to acquire the force they had to have if they were to properly feed, clothe and shelter themselves. Had man never entered society, had he chosen to labour apart and only for himself, it would have been his lot to have remained weak, primitive and constantly exposed to ruin and misery. But by leading a social existence he had been able to avoid such a fate: 'Society provides a remedy for these three inconveniences. By the conjunction of forces, our power is augmented: By the partition of employments, our ability encreases: And by mutual succour we are less expos'd to fortune and accidents. 'Tis by this additional force, ability, and security, that society becomes advantageous'.⁶²

For Hume, however, the mere fact that a social existence was extremely advantageous to man was in itself irrelevant; what really mattered, he believed, was that man had to be aware that this was in fact the case, and when he examined how this awareness was arrived at, he found yet another example of the primacy of passion over reason:

... in order to form society, 'tis requisite not only that it be advantageous, but also that men be sensible of these advantages; and 'tis impossible, in their wild uncultivated state, that by study and reflexion alone, they should ever be able to attain this knowledge. Most fortunately, therefore, there is conjoin'd to those necessities, whose remedies are remote and obscure (the need for food, clothing and shelter), another necessity, which having a present and more obvious remedy, may justly be regarded as the first and original principle of human society. This necessity is no other than that natural appetite betwixt the sexes, which unites them together, and preserves their union, till a new tie takes place in their concern for their mutual offspring. This new concern becomes also a principle of union betwixt the parents and offspring, and forms a more numerous society ...

It is primarily the family which impresses upon man an awareness of

⁶² Treatise, Bk. iii, pt. ii, sect. ii (pp. 484-485).

the many benefits of a social existence, while at the same time preparing him for it by softening his natural selfishness.⁶³

Hume, then, did not deny that man had a capacity for showing concern for the needs of others. But he also felt that this capacity was severely checked by the force of man's selfish and anti-social passions; he was convinced that few men extended their concern for others beyond the immediate circle of their kinsmen and friends. This being so, there was still considerable scope for friction amongst mankind. For Hume, however, human selfishness did not become a major obstacle to the continued existence of social groups larger than the family until it was coupled with 'a peculiarity in our outward circumstances'. This peculiarity lay in the nature of the various sorts of possessions which men could enjoy. Internal mental satisfaction and external physical advantages could not be enjoyed by anybody other than the persons to whom they had been endowed. But the enjoyment of the various material possessions acquired as a result of industry or good fortune was another matter altogether. These goods were both exposed to the violence of others and able to be transferred without suffering any loss or alteration. The improvement of these goods was the chief advantage of society; but the instability of their possession, along with their scarcity in a world of selfish men, was a potential source of complete social disruption.⁶⁴

Hume was convinced that this lack of security in the possession of external goods was a problem which man could not remedy merely by exerting one of his inherent qualities or capacities. Man was not spontaneously social; had he remained a child of 'uncultivated nature', had he insisted upon following the natural flow of his passions, he would never have come to believe that it was a moral act to resist the temptation to seize for oneself the external possessions of others.

⁶³ *ibid.*, Bk. iii, pt. ii, sect. ii (p.486).

⁶⁴ *ibid.*, Bk. iii, pt. ii, sect. ii (pp. 486-488).

Indeed, had the state of nature remained intact, the very opposite would be the case; were men to make their moral judgements according to their natural uncultivated ideas of morality, their selfish passions would be given additional force and influence. Being the offspring of the passions, moral judgements are heavily influenced by the usual flow of the passions. Whenever a man's conduct is in harmony with the regular flow of his passions, he feels contented and thus considers himself to be acting properly; whenever this is not the case, he feels uneasy and thus considers himself guilty of a moral defect. Thus, if men had not imposed restraints upon the natural flow of their passions, they would in fact look upon all manifestations of their selfishness as moral acts, for man's nature is such that he is strongly and consistently partial to his own interests, or at the very most, to the interests of his kinsmen and friends.⁶⁵

Hume believed that only through artifice could men overcome the socially disruptive effects of their natural selfishness; that is to say, he felt that there was 'a remedy in the judgement and understanding, for what is irregular and incommodious in the affections'.⁶⁶ Although he was convinced that men were governed primarily by their passions, he still felt that reason was not without some influence upon their conduct; most notably, it was able to inspire action by informing men of ways in which they could best satisfy their passions,⁶⁷ a state of affairs which Hume saw exemplified in the process by which stability came to be conferred upon the possession of material goods. As a result of their experience of family life, men are made aware of, and prepared for, the many advantages of social existence, so that when they come to see that the chief threat to the existence of social

⁶⁵ *ibid.*, Bk. iii, pt. ii, sects. i, ii (pp. 483-484, 488-489).

⁶⁶ *ibid.*, Bk. iii, pt. ii, sect. ii (p. 489).

⁶⁷ *ibid.*, Bk. iii, pt. i, sect. i (p. 459).

groups larger than the family is posed by the looseness and easy transition from one person to another of material goods, they are driven to seek some means by which these goods may be placed as far as possible upon the same footing as the fixed advantages of mind and body. But if this is to be done, if the possession of material goods is to be made secure, men have no option but to heed the advice which reason gives them concerning the proper course to be followed, to heed, indeed, what is a law of nature, namely, that they should modify their natural selfishness to the extent of agreeing amongst themselves to abstain from seizing each other's material possessions. Given that their natural selfishness means that they all have an insatiable desire to acquire for themselves as many material goods as possible, it would appear impossible that they should ever be prepared to accept such self-restraint. However, although it cannot be counter-balanced by any other passion, the acquisitive urge is able to check itself, for it is best satisfied when restrained. If society is to exist, men have to resist the urge to seize for themselves the goods of others, but in society they enjoy far more opportunity for satisfying their love of gain than ever would be the case in the solitary and forlorn condition which would follow upon violence and universal licence. It is not the selfish passions themselves, but rather their blind motions which have to be kept in check.⁶⁸

In Hume's opinion, then, human society had to be classed as an artificial entity in the sense that it would never have come into existence had men not been prepared to check the spontaneous flow of their natural passions. The only reason why they were prepared to accept this restraint was because they felt that by so doing they could

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ibid., Bk. iii, pt. ii, sect. ii (pp. 489, 492-493).

secure the better satisfaction of these very same passions; but the actual form the restraint took was the outcome of artifice, of a process of co-operation and mutual adjustment which men entered into in an effort to overcome a common problem. Hume was certain that the chief threat to the continued existence of large social groupings was immediately removed once this process was entered into, that is to say, once men agreed amongst themselves not to seize each other's material possessions. He felt that, apart from the acquisitive urge, all the various human passions were either easily restrained or devoid of pernicious effects upon society; the selfish desire of each individual to acquire for himself as many material possessions as possible was the only passion which could be described as 'insatiable, perpetual, universal, and directly destructive of society'. This same acquisitive urge was, nevertheless, the main source of human sociability, for men were prepared to submit to the constraints of a social existence only because they were aware that society presented them with far more opportunity for satisfying their acquisitiveness than the state of nature ever could.⁶⁹

In Hume's estimation, it was the convention bestowing stability upon the possession of material goods which provided the context within which notions of justice and property could arise. Justice was all that conduct which upheld the distinction of 'mine and thine' which resulted from such a convention.⁷⁰ Property was all those material goods whose possession had been made secure as a result of such a distinction; it was 'nothing but those goods, whose constant possession is establish'd by the laws of society; that is, by the laws of justice'. In other words, being the offspring of justice,

⁶⁹ *ibid.*, Bk. iii, pt. ii, sect. ii (pp. 491-492).

⁷⁰ *ibid.*, Bk. iii, pt. ii, sect. ii (pp. 494-495).

property was an artificial, not a natural, entity. It could not exist outside the confines of the artificial virtues; had men never restrained the natural flow of their selfish passions to the extent of entering into the convention by which they agreed to abstain from seizing each other's possessions, there would never have been such a thing as fixed right of ownership.⁷¹

But although he was convinced that without stable possession of property society would collapse, Hume was still disturbed by the 'grand inconvenience' which he saw occurring whenever, as a result of the strict execution of justice, property fell into the hands of people incapable of putting it to proper use. He considered that it would be intolerable to allow everybody to seize by violence any piece of property which they felt was not being put to good use; this would lead to a complete breakdown of social order. Yet he still felt that there had to be some alternative to an excessive rigidity in the operation of the laws of property. The solution to this dilemma, he soon concluded, was plain: 'possession and property shou'd always be stable, except when the proprietor consents to bestow them on some other person'. Consent being involved, the transference of property in this way could not endanger social peace, while at the same time it could fulfil a useful social purpose by ensuring that there was a means by which property could pass into the hands of people able to put it to best use. Different areas of the earth produced different commodities and different men possessed different skills; all this required mutual exchange and commerce, so that in a real sense the translation of property by consent formed the second great law of nature.⁷²

⁷¹ *ibid.*, Bk. iii, pt. ii, sect. ii (pp. 490-491).

⁷² *ibid.*, Bk. iii, pt. ii, sects. ii -iv (pp. 497-498, 501-502, 514).

Hume believed that by following the laws of nature enjoining stability of possession and its transference by consent men became tolerable and to a certain extent mutually advantageous to each other. But he also felt that something more had to be done if all the potential benefits of a social existence were to be realized; he felt that men had to submit to a further basic social convention, to a further law of nature, if they wished to be as 'serviceable to each other, as by nature they are fitted to become.' Hume considered that stability of possession and its transference by consent did not by themselves make up the framework of a fully-developed form of social existence; for this state of affairs to prevail, men also had to show themselves capable of entering into a mutual exchange of services, one man doing something for another in the expectation that sometime in the future an equivalent service would be given in return. There obviously had to be a background of mutual trust and a sense of common interest for this form of commerce to take place; in a situation where property had been established and yet where man's inherent selfishness was otherwise allowed to run unchecked it would be blighted by mutual fear and suspicion. Knowing this to be so, however, and knowing just how beneficial self-interested commerce could be, men had, Hume believed, put their selfish passions under even greater restraint to the extent of repaying all the advantages they received in the course of their dealings with each other. Once again, then, they had set out to satisfy their selfishness not through 'headlong and impetuous motion' but rather 'in an oblique and artificial manner'.⁷³

Self-interested commerce was sanctioned by promises. For Hume, a promise was 'a certain form of words', 'certain symbols or signs', which men had invented or contrived in order to give each

⁷³ *ibid.*, Bk. iii, pt. ii, sect. v (pp. 519-521).

other security for their conduct whenever they took part in a mutual exchange of services; men who promised to perform some future service in effect bound themselves to perform it, for by making use of an agreed set of words whose purpose it was to encourage a sense of security they exposed themselves to the penalty of not being trusted again, of being totally excluded from all the benefits of self-interested commerce, if they failed to live up to their word. Promises thus facilitated all forms of this commerce by creating the requisite sense of mutual trust and confidence; this being so - and given the important role of self-interested commerce in the development of a complete social existence - the keeping of promises took its place as the third law of nature, as the third truly essential social convention.⁷⁴

Hume looked upon his analysis of the social function of promises as the virtual completion of his overall analysis of the foundations of justice. In his estimation, stability of possession, its transference by consent and the performance of promises were easily the most important of all the various artificial virtues, the peace and security of human society being entirely dependent upon their strict observance. They represented the sum-total of all the laws of nature, of all the truly fundamental social conventions, and together they made up justice, the *sine qua non* of human society. Their whole function being to hold society together by keeping man's natural selfishness in check, it followed that they were completely artificial in form, a point which Hume was at pains to hammer home:

Society is absolutely necessary for the well-being of men; and these (three laws of nature) are as necessary to the support of society. Whatever restraint they may impose on the passions of men, they are the real

⁷⁴ *Ibid.*, Bk. iii, pt. ii, sect. v (pp. 516, 521-523).

offspring of those passions, and are only a more artful and more refin'd way of satisfying them. Nothing is more vigilant and inventive than our passions; and nothing is more obvious, than the convention for the observance of these rules. Nature has, therefore, trusted this affair entirely to the conduct of men, and has not plac'd in the mind any peculiar original principles, to determine us to a set of actions, into which the other principles ⁷⁵ of our frame and constitution were sufficient to lead us.

Being absolutely necessary for man's well-being, concepts of justice and property need not be placed in the mind as inherent qualities and are thus entirely artificial: in reaching such a conclusion Hume obviously felt that he had at last hit upon a neat way of disposing of all questions concerning the respective roles played by spontaneity and artifice in the maintenance of human society. Man was naturally selfish and anti-social, but in order to satisfy his selfish passions, he was driven to put them under restraint and become a social being; Hume clearly believed that to resort to a concept of natural sociability was an example of seeking to explain a given phenomenon by positing the existence of some occult quality operating behind the surface of things, an approach which was anathema to all good Newtonians.⁷⁶ Hume was convinced that the laws of nature, the basic principles of human sociability, were in no sense superior to the positive laws of specific civil societies so far as naturalness was concerned; being wholly artificial in form, they could not aspire to being founded upon any more sound a base than enlarged self-interest, and for Hume, as we shall come to see, this meant that they could in no way form the foundation of these same positive laws. Indeed, if we wish to understand why Hume proved so insistent in denying the naturalness of his laws of nature, we have to examine the way in which

⁷⁵ *ibid.*, Bk. iii, pt. ii, sect. vi (p. 526).

⁷⁶ Passmore, Hume's Intentions, pp. 48-49.

he converted Of Morals from an analysis of the foundations of justice and property into an analysis of the foundations of political obligation, for it is here that the real cutting edge of his rejection of the concept of natural sociability is to be found.

CHAPTER II

HUMAN NATURE AND CIVIL SOCIETY

(i)

Until a few years ago most students of English political thought tended to assume that the reason why Locke wrote his Second Treatise of Government was because he wished to produce a commentary upon, and a defence of, the events of 1688-89; they were apt to see him as the ideologue of the Revolution¹ and indeed of the whole eighteenth-century constitution in general.² Because they were rarely questioned, these two assumptions managed to achieve the status of unassailable fact, and as such they graced the pages of various general histories of eighteenth-century England.³ Their whole validity has, however, been completely thrown into doubt as a result of recent scholarship. For one thing, it has been shown that it was the Exclusion Crisis and its aftermath (1679-83) rather than the Revolution which was uppermost in Locke's mind when he came to write both of his treatises on government; 'Two Treatises in fact turns out to be a demand for a revolution to be brought about, not the rationalization of a revolution in need of defence'.⁴ Similarly, given that the Second Treatise was prim-

¹Two notable proponents of this point of view were T.H. Green and Sir Frederick Pollock; the former believed that 'Locke and Hobbes wrote with a present political object in view, Hobbes wishing to condemn the Rebellion, Locke to justify the Revolution' (Lectures on the Principles of Political Obligation, London, 1931, p. 76), while the latter saw the Second Treatise as 'an elaborate apology for the Revolution of 1688' (An Introduction to the History of the Science of Politics, London, 1890, p. 65).

²In Sir Leslie Stephen's opinion, 'Locke expounded the principles of the Revolution of 1688, and his writings became the political bible of the following century'. (History of English Thought in the Eighteenth Century, 2 vols., London, 1902, ii, p. 135).

³See e.g. Basil Williams, The Whig Supremacy 1714-1760, Oxford, 1945, p. 3.

⁴See Laslett's introduction to Two Treatises, chap. iii.

arily subversive rather than apologetic in intent, it would seem extremely unlikely that the supporters of any status quo should ever find its doctrines particularly appealing, a supposition whose applicability to the eighteenth century has also been borne out by recent Locke scholarship. Throughout the English-speaking world at this time, we are told, Locke was widely seen as an apologist for the Revolution; but in terms of the real impact of his political doctrines, it was not the defenders of the status quo but rather those who felt alienated from it - for example, Anglo-Irish patriots and the spokesmen for the radicalized artisans of the French Revolution period - who were the true Lockeans.⁵

If for no other reason, Hume's argument in Of Morals is worthy of close scrutiny in that it provides us with a further reason for calling into question the supposed authoritativeness of Locke's political doctrines in the eighteenth century. When Hume came to convert this argument from an analysis of the various basic restraints which underpinned any social group larger than the family into an examination of the reasons why some societies lived under organized government, he in effect sought to outline a theory of political obligation which had as one of its corollaries an insistence upon the need for a total acceptance of England's existing political system. Had he seen Locke as the most effective ideologue of the contemporary British constitution, he would obviously have either adopted the doctrines of the Second Treatise for his own purposes or at least have commented favourably upon them. But he did not do this - indeed, he

⁵ See John Dunn, 'The Politics of Locke in England and America in the Eighteenth Century', John W. Yolton (ed.), John Locke: Problems and Perspectives, Cambridge, 1969, pp. 45-80, especially pp. 56-60, 65-69.

did the very opposite. When we come to examine in detail the theory of political obligation outlined in Of Morals, we shall find that Hume meant it to form a complete refutation of much of what Locke had said on the same subject and that in fact it represents a reversion to a basically Hobbesian political stance; Hume's neo-Hobbesian conception of the basic social conventions underpinned a neo-Hobbesian conception of the basic framework of civil society. Hume obviously would not have set out to refute Locke had not the Second Treatise enjoyed some sort of prestige in the realm of political ideas; but it is surely not without significance that one of the firmest contemporary supporters of the eighteenth-century constitution should have considered that the best way he could set about becoming its ideologue was by writing a critique of the Lockean theory of political obligation. That this was Hume's basic frame of mind as a political philosopher cannot be over-emphasized. In seeking to refute Locke, Hume was not indulging in futile obscurantism; as a political philosopher he accepted completely the new world of politics that had come into being since the Revolution, and it was from this point of view alone that he criticized Locke.

Hume's opposition to Locke's theory of political obligation was an aspect of his rejection of the concept of a natural moral law; by attacking the latter he was in effect rejecting the former, for Locke's whole conception of the nature and purpose of civil society was irrevocably shaped by his overall belief in the existence of such a law. Irrespective of whether or not they lived within civil society, all men, Locke believed, were obliged by the law of nature to treat each other justly, to respect each other as God's workmanship. The reason why civil society existed had to be explained in terms of the way in which those who refused to live up to this obligation were punished; wherever the state of nature prevailed, this power was lodged in the hands of private individuals, whereas in civil society the law of nature was upheld

by the power of the state, 'by settled standing Rules, indifferent, and the same to all Parties; and by Men having Authority from the Community, for the execution of those Rules'.⁶ Locke did not see the difference between the state of nature and civil society as a clear-cut difference between war and peace,⁷ but he still felt that the 'Controversies' which were apt to break out amongst mankind were far less likely to degenerate into violence when there was a common power to which men could appeal to settle their differences than when there was no such common power.⁸ It was to secure full protection for 'their Lives, Liberties and Estates' that men lived in civil society; in order to secure this protection they consented to give up their right to personally execute the natural moral law and entrusted it instead to a common power, to the state.⁹

The whole purpose of a civil magistracy being to overcome the problems which arose whenever the individual was 'Judge in his own Case', it necessarily followed that civil society and absolute monarchy were incompatible; an absolute monarch, not being subject to a common power, was in a state of nature with respect to the people he governed. Should a person to whom the community had entrusted political power seek to escape from the yoke of fixed and known general laws, he in effect dissolved civil society and restored the state of nature.¹⁰ In seeking to gain absolute power over the people, he at the same time created a state of war and thus rendered himself liable to be treated in the manner in which any determined enemy of the law

⁶ Second Treatise, pars. 7-8, 87 (pp. 289-290, 341-342).

⁷ *ibid.*, par. 19 (pp. 298-299).

⁸ *ibid.*, pars. 20-21 (pp. 299-300).

⁹ *ibid.*, pars. 95-99, 123-127 (pp. 348-351, 368-370).

¹⁰ *ibid.*, pars. 13, 89-94, 131, 142 (pp. 293-294, 343-348, 371, 381).

of nature had to be treated - he 'may be destroyed as a Lyon or a Tyger, one of those wild Savage Beasts, with whom Men can have no Society nor Security'.¹¹ In short, in Locke's scheme of things subjects who resorted to armed resistance in an effort to prevent the rise of arbitrary authority could under no circumstances be justifiably accused of endangering the continued existence of either civil society or social peace.

When he came to outline his theory of political obligation, Hume in effect set out to develop a critique of what he saw as the excessive alacrity with which Locke had embraced the concept of a right of revolution. Once having posited the basic artificiality of human society, he felt obliged to take care to insist upon the need for subjects to strictly obey their magistrates. Beyond the context of the family, men did not spontaneously come together in embryonic or rudimentary social groups, so that the breakdown of social order could not but have grim consequences; this meant that a breakdown of political obedience was to be avoided at all costs, given that political obedience was clearly the most important of the factors promoting social peace within the context of civil society. Being convinced that all large human social groupings rested upon restraint and self-abnegation, Hume went on as a theorist of political obligation to insist that a similar situation prevailed with respect to civil society in particular.

To be more precise, as a theorist of political obligation Hume set out to unfold what, as we have already asserted, can only be called an essentially Hobbesian attitude towards the question of how far civil magistrates ought to be obeyed; in Of Morals we find him

¹¹ *ibid.*, pars. 11, 16-18, 202, 222 (pp. 291-292, 296-298, 418-419, 430-432).

developing a theory of political obligation which indeed stresses that civil magistrates have to be strictly obeyed and yet which at the same time also points out that the basic loyalty of subjects ought to be directed not so much towards a particular set of civil magistrates or form of government but rather towards government as such. As we have already seen, Hobbes considered that the difference between civil society and the state of nature essentially took the form of a difference between peace and perpetual warfare. This meant that he felt that no price was too high to be paid for preserving the existence of civil society; he considered that subjects were scarcely in a position to complain about the fact that they had to pay strict obedience to a sovereign if they wished to continue to enjoy the benefits of social peace.¹² But Hobbes did not consider that each individual civil magistrate could demand unbroken loyalty from his subjects irrespective of how he got on in the topsy-turvy world of politics. Rational self-interest - the only true foundation of government - dictated that subjects should pay obedience to any person who possessed the power to uphold social peace regardless of whether or not he happened to be a conqueror or a usurper; a civil magistrate had to be able to extend protection to his subjects if he wished to receive obedience in return, so that it followed that, no matter how unwarranted his fall from power may have been, a deposed civil magistrate was scarcely in a position to expect continued obedience on the part of subjects whom he was no longer able to protect. When viewed in the context of the radical difference between the state of nature and civil society, all disputes to do with political, legal and constitutional niceties faded into complete insignificance; self-preservation dictated that the ultimate loyalty of subjects should be directed towards government

¹² Leviathan, chaps. xviii, xx (pp. 120, 136).

as such, towards whoever had the power to protect them.¹³

In many ways it is tempting to conclude that both the structure of Hume's thought and the exigencies of the general political situation of his day were such as to make it a perfectly logical step for him to convert his denial of the concept of natural sociability into an argument on behalf of the proposition that subjects were best advised to obey all de facto rulers. There is nothing at all surprising about his preparedness to subscribe to such a theory of political obligation, given his belief that the state of nature was not an embryonic form of social existence. Similarly, living in what after all was a post-revolutionary society, living at a time when England's settled political arrangements were scarcely in need of the assistance of a revolutionary or subversive ideology, Hume may well have thought that he would serve a useful social purpose if he took care to insist upon the need for strict compliance with all aspects of the status quo in politics. But this line of reasoning is scarcely an adequate explanation of the precise circumstances under which he was actually driven to formulate a rival theory of political obligation to that canvassed by Locke. After all, throughout the eighteenth century many Englishmen showed an amazing ability to accept the inhibition appropriate to the politics of a post-revolutionary society without at the same time eschewing high Lockean rhetoric.¹⁴ Hume, in contrast, felt so compelled to bring about a reconciliation of language and practice that he was prepared to develop an alternative theory of political obligation, and in so exhaustive a fashion as to virtually sacrifice all his hopes of attracting a wide number of readers as a philosopher. All this suggests that he was hopelessly out of step with English opinion.

¹³ For the premises of this line of reasoning see *ibid.*, chaps. xxi, xxix (pp. 144-145, 218); for its practical implications see *ibid.*, 'A Review, and Conclusion' (pp. 461-463).

¹⁴ For an example of how this divergence of rhetoric and practice operated in the actual conduct of politics see John Cannon, The Fox-North Coalition, Cambridge, 1969, p. 233.

But we need to remember here that Hume was not in fact English; he was a Scotsman, and this meant a world of difference. In the England of George II the political nation accepted the fundamental correctness of the existing constitution to the extent that it was able to conduct its political disputes within an overall context of civil peace; this meant that, for all its potentially subversive and unsettling influence, Locke's theory of political obligation did not have to be repudiated in the name of political stability. However, as a Scotsman, as an inhabitant of a country which twice during his lifetime was the scene of armed conflict, Hume saw matters in a completely different light; the persistence of the Jacobite problem throughout the first half of the eighteenth century deeply affected his political consciousness in that it focused his attention in a particularly sharp way upon the problems involved in justifying obedience to a form of government which was unable to command the loyalty of a sizable number of the inhabitants of the polity.

Hume was not yet thirty when he came to publish Of Morals in 1740, but already in his lifetime the Jacobites had launched one major uprising (in 1715) in addition to hatching several plots and conspiracies, while within less than five years yet another Jacobite army was to sweep through the country.¹⁵ Government in Scotland throughout this period patently rested upon the power of the sword, not upon consent, a state of affairs which, so far as Hume was concerned, dramatically highlighted the problems involved in seeking to justify England's post-revolutionary system by means of Lockean rhetoric. As we shall see, Hume believed as much as Locke did that civil society

¹⁵ For straightforward accounts of Jacobite activity throughout this period see George Hilton Jones, The Main Stream of Jacobitism, Cambridge, Mass., 1954 and Sir Charles Petrie, The Jacobite Movement, 2 vols., London, 1948-50.

sprang from the consent of individuals and that therefore political obedience was necessarily conditional. But he also felt that active opponents of subversive groups like the Jacobites had no choice but to look beyond these facts when they came to formulate a theory of political obligation; if they did not do so, they would get bogged down in insuperable dialectical difficulties:

Has a government ... no authority over (subjects like the Jacobites), because they never consented to it, and wou'd esteem the very attempt of such a free choice a piece of arrogance and impiety? We find by experience, that it punishes them very freely for what it calls treason and rebellion,¹⁶ which, it seems, ... reduces itself to common injustice.

In short, the persistence of the Jacobite problem influenced Hume to the extent that he never regarded the question of the respective weight which ought to be given to the demands of peace as opposed to those of revolution in a theory of political obligation as being of merely academic interest; his preparedness to canvass a neo-Hobbesian theory of political obligation reflected a desire on his part to prove that the defenders of an embattled status quo could employ coercion and violence without necessarily falling into 'common injustice'.

When viewed in relation to the precarious state of political stability in the Scotland of his day, Hume's attitude towards de facto power is seen to be explicable not so much in terms of any 'influence' which Hobbes may have wielded over him but rather in terms of the recurrence of a special set of circumstances giving rise to yet another manifestation of a particular mode of political thought. We have to bear in mind here that in mid and late seventeenth-century England periods of chronic political instability invariably threw up a crop of political writers who looked upon commitment to government as

¹⁶Treatise, Bk. iii, pt. ii, sect. viii (p. 548).

such as an excellent means of ensuring peace, if not in the polity at large, then at least in their own minds. In the early 1690's, for example, some strict Tories were able to submit to the new régime with a clear conscience as a result of persuading themselves that their fundamental political duty was to obey whatever happened to be the government of the day; indeed, in these years when the eighteenth-century constitution had yet to assume massive stability even a few Whigs were not above stressing the advantages of paying obedience to de facto rulers.¹⁷ But the real heyday of the de facto theory of political obligation was in the 1650's, following the effective assumption of power by the Commonwealth after the execution of Charles I. Although he was to become the most famous - or infamous - of its proponents, Hobbes was in fact merely one of a number of political writers of this period who insisted that self-preservation dictated that subjects should direct their loyalty towards government as such rather than towards a particular set of magistrates or form of government. Working independently of him but equally troubled by the problem of chronic political instability, writers such as Marchamont Nedham and Anthony Ascham came to a basically similar conclusion - rational self-interest dictated that subjects should obey whatever happened to be the government of the day, irrespective of how it had originated.¹⁸

(ii)

As Hume saw the matter, the existence of civil society was an aspect of man's inability to rigidly follow enlarged as opposed to narrow self-interest. If he were to consistently follow enlarged self-interest, the

¹⁷ Skinner, 'Hobbes's Ideological Context', pp. 301-303 and 'History and Ideology in the English Revolution', pp. 171-176.

¹⁸ Skinner, 'Hobbes's Ideological Context', pp. 303-312.

three basic social conventions would not have to be buttressed by a further set of constraints, for it was through their strict observance that the acquisitive urge was best satisfied. However, this state of affairs did not in fact prevail; man's selfishness was such that he had a strong propensity for preferring his short-term to his long-term interests:

This is the reason why men so often act in contradiction to their known interest; and in particular why they prefer any trivial advantage, that is present, to the maintenance of order in society, which so much depends on the observance of justice. The consequences of every breach of equity seem to lie very remote, and are not able to counterbalance any immediate advantage, that may be reap'd from it. They are, however, never the less real for being remote; and as all men are, in some degree, subject to the same weakness, it necessarily happens, that the violations of equity must become very frequent in society, and the commerce of men¹⁹ by that means, be render'd very dangerous and uncertain.

But as we have already seen, Hume considered that human selfishness was capable of disrupting society only in so far as it manifested itself in quarrels over the possession of material goods. This meant, he believed, that not every large human social grouping had of necessity to take the form of a civil society; not every society was compelled to buttress the basic social conventions by means of the power of the state. Being socially disruptive only in so far as it resulted in disputes over material possessions, human selfishness was incapable of causing grave social upheaval 'where the possessions, and the pleasures of life are few, and of little value, as they always are in the infancy of society'. All mankind being originally 'barbarous and uninstructed', many years elapsed before any society's possessions increased to such a degree as to put social peace in jeopardy and thereby make the setting up of civil society necessary. Society without government was thus 'one of the most natural states of men'.²⁰

¹⁹ Treatise, Bk. iii, pt. ii, sect. vii (pp. 534-537).

²⁰ ibid., Bk. iii, pt. ii, sect. viii (pp. 539-541).

But the fact remained that in 'large and polish'd' societies the three great laws of nature, although in themselves sufficient to maintain any society, had to be supported by a further set of constraints in order to ensure the continued existence of social peace. In such societies the human propensity to follow narrow as opposed to enlarged self-interest was capable of causing a complete breakdown of social order, so that their inhabitants were compelled to devise some means by which to completely overcome their natural tendency to prefer the contiguous to the remote. The path they had to follow here was clear:

'Tis evident such a remedy can never be effectual without correcting this propensity; and as 'tis impossible to change or correct any thing material in our nature, the utmost we can do is to change our circumstances and situation, and render the observance of the laws of justice our nearest interest, and their violation our most remote. But this being impracticable with respect to all mankind, it can only take place with respect to a few, whom we thus immediately interest in the execution of justice. These are the persons, whom we call civil magistrates, kings and their ministers, our governors and rulers, who being indifferent persons to the greatest part of the state, have no interest, or but a remote one, in any act of injustice; and being satisfied with their present condition, and with their part in society, have an immediate interest in every execution of justice, which is so necessary to the upholding of society. Here then is the origin of civil government and society.²¹

But although he felt that it was possible for 'a small uncultivated society' to exist without government, Hume still considered that no society could exist unless it were based upon the three great rules of justice; this meant that justice was necessarily antecedent to government and therefore imposed an obligation before the various political duties had ever taken shape. Indeed, Hume was prepared to go a step further; having depicted government as very largely an offspring of self-interested commerce, he went on to claim that its creation would be accompanied by the making of a contract, by the making of a promise,

²¹ *ibid.*, Bk. iii, pt. ii, sects. vii-viii (pp. 536-537, 540-541, 543).

the characteristic sanction of all forms of this commerce:

...government, upon its first establishment, wou'd naturally be suppos'd to derive its obligation from those laws of nature, and, in particular, from that concerning the performance of promises. When men have once perceiv'd the necessity of government to maintain peace, and execute justice, they wou'd naturally assemble together, wou'd chuse magistrates, determine their power, and promise them obedience. As a promise is suppos'd to be a bond of security already in use, and attended with a moral obligation, 'tis to be consider'd as the original sanction of government, and as the source of the first obligation to obedience.²²

Far from seeing this view of the origin of political obligation as in any way unique, Hume in fact believed that it was perfectly compatible with 'the foundation of our fashionable system of politics' - the Lockean theory of political obligation - and with 'the creed of a party amongst us, who pride themselves, with reason, on the soundness of their philosophy, and their liberty of thought' - the Whigs:

All men, say they, are born free and equal: Government and superiority can only be establish'd by consent: The consent of men, in establishing government, imposes on them a new obligation, unknown to the laws of nature. Men, therefore, are bound to obey their magistrates, only because they promise it; and if they had not given their word, either expressly or tacitly, to preserve allegiance, it would never have become a part of their moral duty.

As far as Hume was concerned, the premise of this whole line of reasoning was unexceptionable - he never sought to deny that political power as such was created by consent - but he was convinced that its conclusion - that political obligation represented the obligation created when an original contract was entered into - was entirely erroneous if 'carried so far as to comprehend government in all its ages and situations'. In opposition to this notion he sought to show

that tho' the duty of allegiance be at first grafted on the obligation of promises, and be for some time supported by that obligation, yet it quickly takes root of itself, and has an original obligation and authority, independent of all contracts.

²² *ibid.*, Bk. iii, pt. ii, sect. viii (p. 541).

For Hume this thesis was extremely important; it was, indeed, the basic premise of his critique of Locke's theory of political obligation, so that it was with care and attention that he sought to unfold its implications.²³

In Hume's opinion, the fundamental flaw of the Lockean theory of political obligation was its failure to recognize that the essential principles of human sociability were wholly artificial in form. Taking advantage of its antiquity and obscure origins, Locke had depicted justice as a natural virtue, as something other than a mere social convention. He had then set out to engraft upon this concept of a natural moral order the even more plainly artificial duties which appertained to membership of civil society by seeking to resolve the obligation to obey magistrates into the obligation to keep contracts, to keep promises. It was, however, Hume was convinced, fruitless to search amongst the laws of nature for a stronger foundation for the various civil duties than interest and convention; both sets of duties - the laws of nature and the various political duties - were, after all, on exactly the same footing. Both were mere sets of conventions which

²³ *ibid.*, Bk. iii, pt. ii, sect. viii (pp. 541-542). It is necessary to point out here that throughout the *Treatise* Hume rarely mentions by name the proponents of the various rival ideas and concepts with which he takes issue and that his approach in *Of Morals* is no exception; his theory of political obligation is worked out in the form of a critique of the views of unnamed 'philosophers' and 'political writers'. However, he was not always to be so coy; in 1748 he was to specifically name Locke as 'the most noted of (the) partizans' of ' (the) doctrine, which founds all lawful government on an original contract', while in a private letter written in the same year we find him referring to 'the original Contract, the System of the Whigs'. See 'Of the Original Contract', *Phil. Works*, iii, p. 460 and *HL*, i, p. 112.

men had devised in order to overcome the difficulties which their natural selfishness caused and both acquired what moral obligation they had only in so far as they were able to serve this purpose.²⁴

Men had to live in society if they wished to live in any degree of comfort and they had to put their passions under restraint if they wished to live as social beings. The laws of nature represented that restraint. In order to ensure the satisfaction of their needs through the strict observance of these laws, the inhabitants of economically sophisticated societies were compelled to live in civil societies. Civil duties, then, were devised for the sake of the laws of nature; but they both shared a common foundation: self-interest. Furthermore, the interest men had in obeying their magistrates differed from the interest they had in performing their contracts; government preserved social peace, whereas contracts facilitated self-interested commerce. Moreover, the interest they had in observing their contracts not being more fundamental than the interest they had in obeying their magistrates, the inhabitants of civil society soon came to place a similar amount of importance upon each of these duties; the promise involved in the making of an original contract then ceased to be the reason why they felt compelled to obey government:

... without (strict obedience to magistrates) no government cou'd subsist, nor any peace or order be maintain'd in large societies, where there are so many possessions on the one hand, and so many wants, real or imaginary, on the other. Our civil duties, therefore, must soon detach themselves from our promises, and acquire a separate force and influence. The interest in both is of the very same kind: 'Tis general, avow'd, and prevails in all times and places. There is, then, no pretext of reason for founding the one upon the other; while each of them has a foundation peculiar to itself.²⁵

²⁴ Treatise, Bk. iii, pt. ii, sect. viii (pp. 542-543).

²⁵ *ibid.*, Bk. iii, pt. ii, sect. viii (pp. 543-545).

Hume similarly believed that the moral obligation accompanying obedience to magistrates could not be seen as an aspect of the moral obligation which accompanied the making of promises. The inhabitants of civil society almost always had an interest in obeying their magistrates; the mere thought of rebellion was enough to make them feel uneasy, and so they came to consider sedition immoral. The keeping of promises likewise was so much in their interest that the very thought of faithlessness was enough to make them feel uneasy; the breaking of promises was thus also invariably censured. But seeing that they served totally different ends, each of these moral obligations had to be regarded as perfectly self-sufficient:

We blame all treachery and breach of faith; because we consider, that the freedom and extent of human commerce depend entirely on a fidelity with regard to promises. We blame all disloyalty to magistrates; because we perceive, that the execution of justice, in the stability of possession, its translation by consent, and the performance of promises, is impossible, without submission to government. As there are here two interests entirely distinct from each other, they must give rise to two moral obligations, equally separate and independant.²⁶

Hume's attempt to refute the notion that government ultimately drew its authority from the promise of obedience involved in the making of an original contract has above all else to be seen as an attempt on his part to develop a philosophically coherent rejection of what he saw as the central notion of Lockean political philosophy, namely, that government drew its moral authority solely from the consent of the governed and that therefore absolute monarchy was incompatible with the ends of civil society. Such a doctrine clearly entailed whole-hearted commitment to the concept of a right of revolution and as such it ran foul of Hume's neo-Hobbesian principles. For Hume, it was not consent - a concept which, as we have seen, he defined as a

²⁶ *ibid.*, Bk.iii, pt. ii, sect. viii (pp. 545-546).

voluntary acceptance of the obligations involved in the making of an original contract - which gave government its ultimate moral authority; government was in fact deserving of support chiefly in its capacity as the upholder of social peace, and given the grim consequences which would accompany a breakdown of social order, it followed that subjects ought not to exhibit an undue concern about the observance of constitutional forms and niceties. Government was based upon man's need for self-preservation rather than upon consent, and if an absolute monarch proved capable of upholding social peace - which Hume did not consider to be a priori impossible²⁷ - he deserved the full support of his subjects.

(iii)

Once he had proved to his own satisfaction that the ultimate reason why subjects felt obliged to obey their magistrates had to be explained in terms of the interest they had in the preservation of social peace rather than in terms of the existence of an original contract, Hume considered that his refutation of Locke's theory of political obligation was complete. But when we examine the matter closely, we find that his confidence may have been misplaced. The basic approach he took - interpreting Locke's ideas in such a way as to make their refutation an integral part of the development of his argument - inevitably led him to distort the argument of the Second Treatise, and so it is by no means certain that he was actually able to develop as effective a critique of Locke's theory of political obligation as

²⁷ For Hume absolute monarchy was 'as natural and common a government as any'. See *ibid.*, Bk.iii, pt. ii, sect. viii (p. 549). He had, after all, written the Treatise in the France of Louis XV.

he would have liked. Taking Locke to mean that subjects felt obliged to obey their magistrates only because they had promised to do so in an original contract, and finding that such a point of view could not be intelligibly expressed in the particular language he had adopted for his analysis of the framework of civil society, that it could not be squared with the assumptions he had made about human nature and the meaning he had given to the concept of justice, Hume naturally regarded Locke's theory of political obligation as philosophically incoherent. His assumption that Locke believed that subjects felt obliged to obey their magistrates only because they felt obliged to keep their contracts cannot, however, be sustained; Locke did not in fact believe that the authority of magistrates was contractual in form.

In Locke's opinion, it was society, not government, which was held together by a contract; he saw the authority of the civil magistracy as fiducial rather than contractual in character.²⁸ The people were not contractually obliged to obey their magistrates; governors were merely the trustees of the governed, mere deputies who could be peremptorily dismissed if they abused the power entrusted to them. Locke did not consider that men accepted an obligation previously unknown to the laws of nature whenever they established a civil magistracy; government was simply a means of better enforcing the law of nature, and all men, in both civil society and the state of nature, lived under an obligation to obey the law of nature. Men did not have to enter into a contract with their magistrates by which they promised obedience in exchange for security, for they were of necessity obliged to obey the commands of the state whenever they were designed to execute the laws which the community had devised with respect to the preservation of property, with respect to

²⁸ For a succinct introduction to Locke's concept of trust see Laslett's introduction to Two Treatises, pp. 106-116.

the enforcement of the law of nature. Ultimately, therefore, Locke's belief that the relationship between the people and their magistrates was fiducial rather than contractual in form was an aspect of his concept of natural sociability: 'we can and must trust each other if natural political virtue is a reality'.²⁹

But for Hume there was no such thing as natural sociability or natural political virtue. Man, in his opinion, was inherently selfish and so could only become a social being by putting his passions under artificial constraints. There was no great law of nature discoverable by reason to show him how he ought to act. There were only specific laws of nature which hard experience taught him he would have to obey if he were to avoid the difficulties his selfishness could lead him into. When men came together to form organized government, they simply could not afford to act upon the assumption that they were all naturally virtuous. By creating a civil magistracy they ensured that in their community there would be a group of men having a pressing interest in the preservation of social peace and the power to uphold it; but they could only assure each other that they would all submit to this further constraint by promising to do so - the formation of government was, after all, an aspect of self-interested commerce. Once he had established this point, Hume felt that he had laid the foundations of his critique of Locke's theory of political obligation; he felt that to refute Locke all he had to^{do} was to show that the interest which the inhabitants of civil society had in the preservation of social peace gradually came to replace the interest they had in the keeping of contracts as the ultimate reason why they felt obliged to obey their magistrates. But it is hard to see just what this line of reasoning achieved in terms

²⁹ *ibid.*, p. 112.

of the development of an effective critique of the Second Treatise, given that Locke saw the relationship between the people and their magistrates as fiducial rather than contractual in form.

But if its effectiveness as a critique of Locke's theory of political obligation has to be questioned, Hume's attempt to prove that the reason why subjects felt obliged to obey their magistrates had to be explained in terms other than the existence of an original contract did undoubtedly represent a serious challenge to a political belief widely held at the time. We have to recognize here that whenever we talk about the contractarian tradition in political thought, we must be careful to distinguish between the concept of a social contract and the concept of a contract of government, the former being an agreement men make amongst themselves whereby they emerge from a state of nature and start to lead a fully-developed social existence and the latter being an agreement regulating the relationship between an already existing society and its governors. These two concepts are logically distinct, it being possible to subscribe to one of them without having to subscribe to the other.³⁰ Thus, Locke believed that men in civil society were contractually related to each other, but he did not consider that they were contractually related to their magistrates. In taking such a stance, however, he seems to have represented a minority opinion within the broad stream of the constitutionalist thought of his day. When in 1683 the University of Oxford came to denounce such of the current political beliefs as were 'destructive of the kingly government', it gave special prominence to the notion that '(there) is a mutual compact, tacit or express, between a prince and his subjects, and that

³⁰ J. W. Gough, The Social Contract, Oxford, 1936, pp. 2-3.

if he perform not his duty, they are discharged from theirs'.³¹ Locke himself may not have adhered to such a point of view, but we can find it expressed by one of his closest friends, the Whig antiquarian James Tyrrell,³² and at the time of the Revolution few Englishmen doubted that James II had broken an original contract.³³ Converted into political orthodoxy following the events of 1688-89, the concept of an original contract was still in vogue in the latter decades of the eighteenth century; in the early 1760's, for example, the young Jeremy Bentham found that the common lawyers regarded it 'as a recipe of sovereign efficacy for reconciling the accidental necessity of resistance with the general duty of submission'.³⁴ It has been suggested earlier on that Hume's misinterpretation of Locke's ideas concerning the nature of political authority can be adequately explained purely in terms of the logic of the argument in Of Morals; but when we take into account the fact that throughout Hume's lifetime Locke was widely if uncritically acclaimed as a leading ideologue of the existing structure of political power, a structure many of whose supporters subscribed to the notion of an original contract, we can at least say that the general ideological background of the day did not provide him with any great incentive to view Locke's theory of political obligation as anything other than a purely contractarian

³¹ The Somers Collection of Tracts, ed. Walter Scott, second ed., 13 vols, London, 1809-15, viii, p. 421.

³² James Tyrrell, Bibliotheca Politica, London, 1718, pp. 498-514, 587-589.

³³ Gough, The Social Contract, pp. 123-127.

³⁴ See Wilfrid Harrison's edition of Bentham's Fragment on Government, published along with his Introduction to the Principles of Morals and Legislation, Oxford, 1948, p.51.

argument.

But given the close connection between the idea of an original contract and the idea of a right of resistance, Hume had to be able to show that rejection of the former did not entail rejection of the latter if he wished to avoid painting himself into an obscurantist corner. He did not shrink from this task; indeed, he was convinced that he could produce a line of reasoning on behalf of the concept of a right of rebellion which would be far more cogent than the one Locke himself had outlined. In his opinion, the real trouble with Locke was that the quality of his arguments had failed to match the excellence of his intentions. Locke's purpose in resorting to the concept of an original contract had been to demonstrate that obedience to magistrates could never be unconditional, that egregious tyranny freed the subject from all ties of allegiance. But so far as Hume was concerned, such a 'perfectly just and reasonable' principle did not have to rest upon so 'fallacious' a premise. A promise or contract was merely a convention which men had devised because they had an interest in exchanging services; the reason why government was set up and obeyed had to be explained in terms of a different sort of interest altogether:

This interest (consists) in the security and protection, which we enjoy in political society, and which we can never attain, when perfectly free and independent. As interest, therefore, is the immediate sanction of government, the one can have no longer being than the other; and whenever the civil magistrate carries his oppression so far as to render his authority perfectly intolerable, we are no longer bound to submit to it.

The whole purpose of a civil magistracy being to hold society together, subjects were free to resist magistrates who threatened social peace by grossly abusing their power. The Tory doctrine of absolute non-resistance was a complete absurdity.³⁵

³⁵ Treatise, Bk. iii, pt. ii, sect. ix (pp. 549-553).

For Hume, then, the fact that political power was essentially artificial in form, the fact that government was not a part of the natural order of things but was rather an aspect of man's effort to satisfy his needs, meant that political obedience was inherently conditional. However, believing as he did in the essential bleakness of the state of nature, his attitude towards the role which revolution could play in maintaining the health of civil society was one of deep scepticism. When he came to express an opinion concerning the respective merits of obedience and resistance, he came down firmly on the side of the former. On some occasions a resort to armed resistance could no doubt be justified, but in the ordinary course of events nothing could be more pernicious and criminal. No civilized society could exist without government and no government could exist without strict obedience on the part of subjects. The inhabitants of civil society should be extremely scrupulous in putting the doctrine of resistance into practice. Only in cases of grievous tyranny and oppression could rebellion be justified; if political obedience ceased to be strictly observed in the ordinary course of events, the inevitable result would be anarchy and social chaos.³⁶

Having come to the conclusion that 'a blind submission is commonly due to magistracy', Hume then turned to the next logical question: 'to whom it is due, and whom we are to regard as our lawful magistrates?' At the first establishment of civil society, he contended, such a question would pose few problems; a society which turned itself into a civil society became bound by a promise to obey the persons to whom it entrusted political power in the original contract. But once men settled down in civil society, their interest in the preservation of civil and social peace gradually replaced their obligation to perform contracts as the grounds of their obedience. When this happened, they immediately

³⁶ *ibid.*, Bk. iii, pt. ii, sect. x (pp. 553-554).

lost the power to appoint individual civil magistrates; were men to seek to promote either public or private interest through the appointment of individual civil magistrates, the result would be anarchy and the breakdown of social peace, which the creation of government was supposed to strengthen:

The private interest of every one is different; and tho' the public interest in itself be always one and the same, yet it becomes the source of as great dissensions, by reason of the different opinions of particular persons concerning it. The same interest, therefore, which causes us to submit to magistracy, makes us renounce itself in the choice of our magistrates, and binds us down to a certain form of government, and to particular persons, without allowing us to aspire to the utmost perfection in either.³⁷

Political power as such is created by consent, but once it is created, men largely lose the right to determine who is to wield it: such a line of reasoning is, of course, strongly Hobbesian, and it was in the course of unfolding its implications that Hume finally emerged as a fully-fledged *de facto* theorist; if what mattered above all else was that government should exist, then the loyalty of subjects was best directed not so much towards any particular form of government or set of magistrates but rather towards any government capable of governing. In Hume's opinion, there was no maxim 'more conformable, both to prudence and morals, than to submit quietly to the government, which we find establish'd in the country where we happen to live, without enquiring too curiously into its origin and first establishment'.³⁸ As the *de facto* theorists of the Interregnum had done before him, he took pains to point out that history - and here he specifically referred to the case of the Roman empire - was very largely a saga of force and violence,

³⁷ *ibid.*, Bk. iii, pt. ii, sect. x (pp. 554-555).

³⁸ *ibid.*, Bk. iii, pt. ii, sect. x (p. 558).

of usurpation and rebellion, in an effort to show the futility of getting worked up about questions of 'right' and 'legality' when confronted with usurped power, in an effort to show that de facto control of power was the decisive argument when questions of political obedience came to be settled.³⁹ Rational self-interest dictated that subjects should obey whoever happened to be the present possessor of power, even if he were a usurper or a conqueror, for self-interest consisted above all else 'in the preservation of peace, and the avoiding of all changes, which, however they may be easily produc'd in private affairs, are unavoidably attended with bloodshed and confusion, where the public is interested'. Being a Scotsman, Hume inevitably had the Jacobites uppermost in his mind when he came to expatiate upon the imprudence of not falling in with the status quo in politics:

Whoever considers the history of the several nations of the world; their revolutions, conquests, increase and diminution; the manner in which their particular governments are establish'd, and the successive right transmitted from one person to another, will soon learn to treat very lightly all disputes concerning the rights of princes, and will be convinc'd, that a strict adherence to any general rules, and the rigid loyalty to particular persons and families, on which some people set so high a value, are virtues that hold less of reason, than of bigotry and superstition. In this particular, the study of history confirms the reasonings of true philosophy; which ... teaches us to regard the controversies in politics as incapable of any decision in most cases, and as entirely subordinate to the interests of peace and liberty.⁴⁰

It is to be noted that in this attack on the Jacobites Hume invokes the name of liberty as well as that of peace. Now it is quite

³⁹ For an indication of how the de facto theorists of the Interregnum exploited history on behalf of usurped power see Skinner, 'History and Ideology in the English Revolution', pp. 163-164, 166-168; for Hume's emulation of them in this respect see Treatise, Bk. iii, pt. ii, sect. x (pp. 556, 558).

⁴⁰ *ibid.*, Bk. iii, pt. ii, sect. x (pp. 557, 562).

understandable why he should have referred to peace, for his whole theory of political obligation was based upon a commitment to order and acquiescence. We have already seen that he in effect believed that if man were to remain a truly human being, he had no choice but to keep on accepting all the duties entailed by membership of civil society, amongst which strict obedience to magistrates was paramount. His overriding concern being to stress that subjects had duties as well as rights, Hume was under no obligation in Of Morals to discuss what privileges they could claim, and he had every incentive to eschew doing so in an argument which amounted to a critique of the Lockean theory of political obligation, the central weakness of which he considered to be an undue stress upon rights. It is tempting to dismiss Hume's reference to liberty in the course of his attack upon the Jacobites as merely an outburst of exasperated rhetoric on the part of a writer who was at one with the Whigs in their opposition to any changes in the succession. But such a judgement has to be modified when we recall that during the course of his discussion of the notion of a right of revolution we find Hume contending that civil society exists primarily because men would never enjoy 'security and protection' were they to attempt to live 'perfectly free and independent'. In expressing such an opinion Hume might seem to be committing himself to the notion that men sacrifice a natural freedom by living in civil society. However, if we recall his overall attitude towards civil society, we have to reject this line of reasoning. If man enjoyed 'force, ability, and security' only when he led a social existence and if civil society was the outcome of the good use of these three gifts, it followed that they could be enjoyed to the full only within its confines. Now if force, ability and security do not constitute freedom, what possibly can? Certainly, given his belief in the essential bleakness of the state of

nature, natural freedom for Hume could scarcely be a desirable asset. But if we assume that he did believe that liberty in the sense of personal freedom and security could exist only within civil society and was thus the offspring of order and restraint, his reason for attacking the Jacobites in the name of liberty becomes explicable. If personal freedom and political order were inseparable, the Jacobites and all other subversive groups were truly the enemies of liberty.

But if Hume saw personal liberty as an aspect of order, many eighteenth-century Englishmen saw order itself as an aspect of political liberty; in their opinion, the particular virtue of the British constitution was that it distributed power amongst several branches of government each of which checked and balanced the others thus making arbitrary exertions of power impossible.⁴¹ Obviously recognizing its importance, Hume sought to come to grips with this point of view by rounding off his argument concerning the nature of political obligation with a brief assessment of how he considered his ideas stood in relation to 'that famous revolution, which has had such a happy influence on our constitution, and has been attended with such mighty consequences'.⁴² Specifically, he was concerned with the question of how justified the English had been in overthrowing James II in 1688. That they were not automatically debarred from resorting to armed rebellion Hume did not doubt; self-preservation and social order dictated that in any civil society subjects were free to resist acts of enormous tyranny and oppression. The real problem was to establish whether the circumstances of 1688 had been such as to justify the English

⁴¹ For the authoritative eighteenth-century expression of this attitude see Sir William Blackstone, Commentaries on the Laws of England, fifth ed., 4 vols., Oxford, 1773, i, pp. 154-155.

⁴² Treatise, Bk. iii, pt. ii, sect. x (pp. 563-567).

acting in the way they had. It was clear, Hume felt, that nobody could draw up a set of general criteria by which men could judge whether or not a specific rebellion was justifiable. Furthermore, the mixed constitution of England made provision for a powerful chief magistrate; this meant that the laws of the land were necessarily silent concerning a right of resistance: 'an exercise of power, in so great a magistrate, may at one time be beneficial to the public, which at another time wou'd be pernicious and tyrannical'. But against this could be set the fact that under a mixed constitution the chief magistrate could rightfully be desposed not only when he pursued measures which were in themselves pernicious but also when he sought to deprive the other branches of the constitution of their share of power. No mixed constitution could survive unless each of its various branches had the power to maintain its share of authority; it was absurd to suppose 'a right without a remedy, or allow, that the supreme power is shar'd with the people, without allowing, that 'tis lawful for them to defend their share against every invader'.⁴³

Ultimately, however, Hume was not prepared to say whether or not he saw the Revolution as a vindication of imperilled rights and liberties;⁴⁴ when he came to express an opinion on the matter, he took care to base his judgement upon the only criterion which he as a de facto theorist of political obligation could recognize: it was success alone which made the events of 1688-89 appear right and proper in the eyes of the eighteenth century. Although considering that most royal dynasties and commonwealths arose out of force and violence, Hume did not believe that their power forever rested upon such a foundation:

⁴³ *ibid.*, Bk. iii, pt. ii, sect. x (pp. 563-564).

⁴⁴ *ibid.*, Bk. iii, pt. ii, sect. x (pp. 564-565).

Time ... gives solidity to their right; and operating gradually on the minds of men, reconciles them to any authority, and makes it seem just and reasonable. Nothing causes any sentiment to have a greater influence upon us than custom, or turns our imagination more strongly to any object. When we have been long accustom'd to obey any set of men, that general instinct or tendency, which we have to suppose a moral obligation attending loyalty, taken easily this direction, and chuses that set of men for its objects.

Rational self-interest was too hard-headed an attitude for the vast bulk of people who were averse to the clinical detachment of the political scientist. Their loyalty was strongest when it arose from custom or habit; 'that which gives authority to all the most establish'd governments of the world without exception (is) long possession in any one form of government, or succession of princes'.⁴⁵

Applying this reasoning to the case of the Revolution, Hume found that, for all the controversy it had provoked at the time, the accession of William of Orange 'must have acquir'd a sufficient authority from those three princes, who have succeeded him upon the same title'. Princes acquired legitimacy from their successors as well as from their ancestors; provided that he could settle his family upon the throne, a usurper attained, in the eyes of posterity, the status of a lawful prince. Julius Caesar and Hugh Capet were regarded as lawful princes, whereas Cromwell and Sulla were doomed never to rise above the status of a usurper. Any royal dynasty which had attained a patina of respectability as a result of the passage of time was automatically deemed by its subjects to have always enjoyed an undisputed title, irrespective of how far historical fact indicated the contrary. Hume saw a similar state of affairs prevailing with respect to rebels; success turned them into revered patriots - 'the establish'd liberty of the Dutch is no inconsiderable apology for their obstinate resistance to Philip the

⁴⁵ *ibid.*, Bk. iii, pt. ii, sect. x (p. 556).

second'.⁴⁶ That Hume meant this line of reasoning to be applied to the case of the men of the Glorious Revolution goes without saying. The whole argument he advanced in Of Morals culminated in a commitment to established power, and in his discussion of the Revolution, with his willingness to fall in with such of the prejudices of the vulgar as were conducive to the maintenance of the status quo and to accept success as the decisive argument in political debate, he indicated that he had every intention of applying the ideas he held as a supporter of de facto power to the case of the political system which had taken shape following the events of 1688-89. The task that now confronts us is to examine just how he set out to do this. Such an examination necessitates a survey of his activity as an essayist and historian, for it was mainly in these capacities that he outlined in precise form the attitude he held concerning the mixed constitution of eighteenth-century England.

⁴⁶ *ibid.*, Bk. iii, pt. ii, sect. x (pp. 566-567).

PART II

THE ESSAYIST

CHAPTER III

THE MIXED GOVERNMENT OF ENGLAND

(i)

The inability of the Treatise of Human Nature to attract sympathetic attention in no way weakened Hume's fundamental commitment to the life of letters. The most he was ever prepared to concede was that his manner - not his matter - had been at fault;¹ the main lesson he drew from the whole affair was that it was his fate to live 'in an age, wherein the greatest part of men seem agreed to convert reading into an amusement, and to reject every thing that requires any considerable degree of attention to be comprehended'.² He believed, in short, that he was under no obligation to reassess the basic goals and methods of his moral philosophy; the only thing he had to do was to discover a literary genre which did not demand 'any tiresome stretch of Attention or Application'.³ After 1740 he published no more long and involved philosophical treatises. But he did not abandon his overall attempt to develop a comprehensive science of man, quite obviously believing that he could pursue such a goal without having to resort to abstruse reasoning.

It did not take Hume long to discover a way he could set about to broaden his appeal to the reading public - he would become an essayist. In the spring of 1739, when it had already become clear that the success of the Treatise would be modest at best, he decided to turn his hand towards producing a number of essays,⁴ a task which he

¹ My Own Life, HL, i, p. 3.

² Treatise, Bk. iii, pt. i, sect. i (p. 456).

³ Phil. Works, iii, p. 42.

⁴ NHL, p. 5.

took up in a systematic fashion once it became certain that he had scant hope of producing a philosophical treatise possessing popular appeal.⁵ He was quite certain in his own mind as to what he wanted to achieve as an essayist; through his essays he intended to supply the world of 'Company and Conversation' with 'Topics of Conversation fit for the Entertainment of rational Creatures', in particular history, poetry, politics and philosophy. By doing so, by expressing the opinions he held as a political scientist and critic not in a further two volumes of the Treatise but by means of a series of essays, he hoped to bring about a kind of union between the worlds of company and learning.⁶ Coming from someone who but a short time before had been yearning to effect 'a total Alteration in Philosophy',⁷ such an ambition undoubtedly represented a considerable comedown. Nevertheless, it was a change of direction which Hume felt he simply had to take. If he were to become a professional man of letters, he would have to be able to express his ideas in a popular and attractive form, and following the failure of the Treatise he had become convinced that if he were to persevere with a 'moaping recluse Method of Study', he would remain unintelligible and perhaps might even become downright chimerical. He felt that he could avoid both of these evils only by turning to the essay; he would have to develop clarity of expression or go under, and by writing with the needs of everyday life uppermost in his mind, he would have to regularly consult common experience, which in his opinion was the only proper standard in moral philosophy.⁸

Hume at first intended to publish his essays in a series of weekly instalments, but towards the end of 1741 he abandoned this plan and decided instead to put them out in book form. In December

⁵ My Own Life, HL, i, p. 2.

⁶ 'Of Essay Writing' (1742), Phil. Works, iv, pp. 367-369.

⁷ NHL, p. 3.

⁸ 'Of Essay Writing', Phil. Works, iv, p. 368.

he had fifteen essays published in Edinburgh under the title of Essays Moral and Political, and in the following January he put out a second volume, this time containing twelve essays.⁹ As Hume himself admitted at the time, some of the items he included in these two volumes were mere trifles,¹⁰ and in later life he was to suppress some of them on the grounds that they were frivolous.¹¹ However, from the point of view of the development of his political science, Essays Moral and Political still represented a marked advance, roughly half of its twenty-seven items reflecting in various ways Hume's interest in men 'united in society, and dependent on each other'. In terms of the reading public's response, Hume's literary judgement was largely vindicated, Essays Moral and Political being favourably received in Edinburgh and London.¹² In the middle of 1742 he brought out a second edition of the first volume, and six years later he published a new edition of the whole work.¹³

In 1752 Hume published Political Discourses, a collection of a further twelve essays, all of which were devoted to political, sociological and economic topics.¹⁴ Characterized by an extreme lucidity of style and suffused with a mood of elegant urbanity, this work undoubtedly represents the height of his achievement as an essayist; 'well received abroad and at home', it was the first of his writings which aroused widespread interest on the continent.¹⁵ But with its publication Hume's activity as an essayist largely came

⁹ ibid., iii, pp. 41-42; Mossner, Life of Hume, pp. 138-140.

¹⁰ Phil. Works, iii, p. 41.

¹¹ Mossner, Life of Hume, p. 140.

¹² My Own Life, HL, i, p. 2; NHL, p. 10.

¹³ Jessop, Bibliography of Hume, pp. 16-17.

¹⁴ For the genesis of this work see Mossner, Life of Hume, chap. 20.

¹⁵ My Own Life, HL, i, pp. 3-4; Mossner, Life of Hume, pp. 225-229.

to an end; it was in 1752 that he began work upon his History of England, a task which was to occupy much of his time for the next ten years. After the publication of Political Discourses Hume in fact published only three new essays. One - Of the Jealousy of Trade (1759) - is of no particular interest so far as the student of his political science is concerned. Another - Of the Coalition of Parties (also 1759) - is very largely a by-product of his activity as a historian and will be examined in that context. The third - Of the Origin of Government - is a very late work - it was probably written

in the winter of 1773-74 and was not published until 1777 - and is essentially a brief summation by Hume of his basic political creed.¹⁶ But the most important thing to be remembered here is that, apart from these three exceptions, all of Hume's essays were first published between 1741 and 1752, that is to say, between the time when Of Morals was published and the time when the first volumes of his History made their appearance, and so they can quite accurately be said to represent a distinct phase in his study of politics.¹⁷

¹⁶ For the history of these three late essays see HL, i, pp. 272, 317; ii, 287-288, 324.

¹⁷ Unless otherwise indicated, the argument of this and the next two chapters will be based upon an examination of Hume's essays in the form in which they appeared upon their initial publication. Hume, it should be noted, subjected his essays to a constant process of revision, altering sometimes merely stylistic points, but sometimes altering aspects of his argument as well. Significant alterations effected during the period 1742 to 1758 will be taken into account in the argument of these three chapters; significant alterations effected after 1760 will be discussed in the final chapter. When not otherwise identifiable, the volume in which an essay made its first appearance (whether the first or second volume of Essays Moral and Political, the first revised edition of both of these volumes or Political Discourses) will be indicated by the date of original publication (1741, 1742, 1748 and 1752 respectively) being given in parentheses when the essay is first referred to. For a synoptic survey of Hume's activity as an essayist see Phil. Works, iii, pp. 85-86. See also Stewart, Hume's Moral and Political Philosophy, pp. 405-408.

(ii)

The various essays which Hume devoted to the topic of man as an inhabitant of civil society are best seen as an attempt on his part to grapple with the question of the relationship between mixed government and political stability, between political liberty and the preservation of order and authority. In Of Morals Hume had not had to examine this question with any degree of rigour, for in that work his basic intention had been to delineate what he took to be the essential framework of civil society, and in such an analysis the concept of political liberty necessarily occupied only a peripheral place in the argument, since for Hume the sine qua non of civil society was unquestionably authority, and not political liberty. Nevertheless, we have seen that in Of Morals Hume did defer to the prevailing state of political opinion to the extent of raising, albeit in a rather tangential way, this very question of the relationship between mixed government and political order, and in his essays he did so again, and this time in a far more exhaustive fashion. After all, he had become an essayist in order to be able to canvass questions of interest to the common reader, and in the England of his day one such question was undoubtedly the worth of a mixed constitution as a form of government, it being a commonplace at the time that the British constitution owed its undoubted excellence to the fact that it was an ingeniously arranged system of checks and balances.

We have already contended that when they sought to explain the precise nature of this excellence, eighteenth-century Englishmen invariably did so in terms of the prevention of unchecked arbitrary exertions of power. But we have also noted that in Of Morals Hume did not go along with this approach; he did not seek to define personal freedom and security in terms of the existence of a particular set of political institutions. He instead depicted it as an aspect of

order and stability, and he in turn depicted the continued existence of stability as being best ensured whenever subjects faithfully obeyed whatever happened to be the government of the day, irrespective of how it had arisen or of the form it took. In other words, Hume did not believe that personal freedom was inextricably bound up with political liberty, with mixed government. However, for all the heterodoxy of his political principles, the fact remained that as a supporter of *de facto* power he had in all consistency to support the current status quo in politics, which for him was the mixed government of England; he had, in other words, to come to terms with the dominant stream of political thought, with its stress upon the value of political liberty. The unifying theme of the essays Hume wrote as a political scientist takes the form, then, of an attempt on his part to square the frequently articulated belief of his contemporaries in the virtues of mixed government with his own far more personal notion that any form of government or set of magistrates was deserving of obedience so long as it was capable of ensuring the secure enjoyment of social peace and political stability.

The importance of the unifying theme of Hume's political essays in his political science as a whole, the depth of his interest in the relationship between liberty and authority in civil society, becomes apparent when we realize just how strongly this concern comes through in Of the Origin of Government, which, as we have stated, must be viewed as not only Hume's last essay but as also a kind of basic statement in which he set out the fundamentals of his political creed; writing it near the end of his life, he inevitably had his attention focused upon his ultimate values. In this essay the foundations of the political philosophy first outlined almost forty years before in Of Morals are still intact. Government is still depicted as an attempt on man's part to prevent the social chaos

which the element of blind selfishness in his nature would bring about if left unchecked.¹⁸ But Hume also takes pains to argue that this does not mean that political authority is necessarily absolute. There has to be a great sacrifice of liberty in civil society, but this sacrifice is never total, for in every civil society, the power of the civil magistrate is subject to the influence of a certain irreducible number of informal checks and restraints; the power of any civil magistracy is inevitably circumscribed in that political reality forces it to pay consideration to the values and customs of the people it governs. Even under a supposedly despotic form of government the enjoyment of personal freedom is never wholly in jeopardy; the sultan cannot impose new taxes at will, while a French monarch cannot arbitrarily take away the life or the livelihood of individual subjects. Political power in every civil society exists within the context of a basic cultural or ideological structure - Hume calls this 'opinion' - which moulds the way in which it is exercised, which means that 'there is a perpetual intestine struggle, open or secret, between AUTHORITY and LIBERTY; and neither of them can ever absolutely prevail in the contest'.¹⁹

But although he always believed that personal and political liberty were not inextricably bound together, Hume took care in Of the Origin of Government to point out that he felt that it was by no means completely wrong-headed to talk about the one in terms of the other. The checks and restraints upon the arbitrary exertion of power need not always be purely informal. Personal freedom was indeed most secure when it was buttressed by political liberty;

¹⁸ Phil. Works, iii, pp. 113-115.

¹⁹ ibid., iii, p. 116.

by stating without pejorative comment the orthodox view of the value of constitutional government and the rule of law, Hume in effect gave it his tacit approval:

The government, which, in common appellation, receives the appellation of free, is that which admits of a partition of power among several members, whose united authority is no less, or is commonly greater than that of any monarch; but who, in the usual course of administration, must act by general and equal laws, that are previously known to all the members and to all their subjects.²⁰

But since he saw opinion operating as an informal restraint upon the power of any civil magistracy, Hume did not regard the difference between constitutional government and absolute monarchy as a clear-cut difference between freedom and slavery; he always considered that their difference in this respect was essentially a matter of degree, not of kind. As a good neo-Hobbesian, he believed that the difference between one form of civil society and another was dwarfed by the difference between any form of civil society and no form of civil society at all; political liberty might expand and strengthen personal security, but widespread personal security could only exist within the confines of civil society, and it was authority, and not political liberty, which held civil society together. Political liberty was indeed the perfection of civil society; but it was authority alone which was essential to its very existence.²¹

For Hume, then, there was no unbridgeable gap between free states and absolute monarchies so far as the enjoyment of personal security was concerned. But he never went so far as to assert that no difference existed at all, and the precise nature of this difference was always of great interest to him. In the present context it is important to bear in mind that whenever Hume talked about liberty in terms of laws and institutions, his whole approach was decisively

²⁰ *ibid.*, iii, p. 116.

²¹ *ibid.*, iii, pp. 116-117.

influenced by his belief that political virtue was artificial rather than natural in origin. We have already seen that in Of Morals Hume rejected any idea that civil magistrates upheld order and justice because of an innate love of virtue; he considered that the real reason why they did so was because their possession of political power meant that the preservation of order and peace in their society was very much in their interest. Now there was a corollary to this line of reasoning which Hume was at pains to develop in his essays. It may be stated thus: When men are politically virtuous, when they faithfully perform their civil duties, the best way we can explain why this is so is by assuming that the laws and institutions which they are living under are arranged in such a way as to compel them to act according to the public good; given man's inherent selfishness, any attempt to explain this state of affairs in terms of the inhabitants of the civil society concerned having a personal predilection for virtuous behaviour has to be rejected. Liberty, therefore, in so far as it is inseparable from civil peace, has ultimately to be seen as the offspring of well-ordered laws and institutions.

Such certainly are the assumptions which underlie the argument of That Politics may be reduced to a Science (1741), an essay in which we find Hume stating at some length his ideas concerning the relationship between institutions and liberty. He broaches its argument by contending that the essential difference between free states and absolute monarchies is that in an absolute monarchy an absence of the various political evils - 'Oppression, levity, artifice on the part of the rulers; faction, sedition, treachery, rebellion, disloyalty on the part of the subjects' - is very largely the outcome of 'the casual humours and characters' of the rulers and as such is a result of chance whereas in a free state it occurs practically as a matter

of course, being the outcome of a system of laws and the form of government:

All absolute governments...must very much depend on the administration; and this is one of the great inconveniences attending that form of government. But a republican and free government would be an obvious absurdity, if the particular checks and controuls, provided by the constitution, had really no influence, and made it not the interest, even of bad men, to act for the public good. Such is the intention of these forms of government, and such is their real effect, where they are wisely constituted: As on the other hand, they are the source of all disorder, and of the blackest crimes, where either skill or honesty has been wanting in their original frame and institution.

Strictly speaking, then, a civil society cannot be deemed to be absolutely secure in the possession of liberty simply because it enjoys political stability and social peace; its stability has to be a consequence of well-ordered laws and institutions if it is to be classed as a genuine free state. The England of Elizabeth and the France of Henry IV prove that it is perfectly possible for the subjects of an absolute monarch to enjoy the fruits of good government. But their enjoyment of its blessings can never be anything else but precarious, for its rests upon no more secure a foundation than the casual humours of the prince.²²

But we should not forget Hume's proviso in the statement we have just quoted, his insistence that the institutions of a constitutional state must reflect either skill or honesty if it is to be classed as a genuine free state; Hume took pains in That Politics may be reduced to a Science to point out that he felt that political stability and social order could be just as vulnerable in a republic where this was not the case as in the most absolute of monarchies.

In his opinion, the history of the Roman republic revealed this truth in dramatic fashion. In the Roman republic the sole legislative

²² ibid., iii, pp. 98-99.

assembly was the whole body of the people. Being unrestrained by other legislative assemblies or by representative institutions, Rome's 'rascally citizens' became daily more licentious and Roman politics eventually degenerated into a scene of perpetual tumult and sedition; 'the whole government fell into anarchy, and the greatest happiness, which the ROMANS could look for, was the despotic power of the CAESARS'. All this showed just how dependent upon order liberty was.²³

A similar faith in the ability of skilfully arranged laws and institutions to bring about the secure enjoyment of good government can be found expressed in Of the Independency of Parliament (1741). At the start of this essay we find Hume examining in a general way the implications of the 'just political maxim' that 'every man ought to be supposed a knave, and to have no other end, in all his actions, than private interest'. No matter how honest they may be in private life, men are governed by insatiable avarice and ambition alone when they take part in public affairs, especially when party politics is involved. In private life men restrain their more unruly passions out of a sense of honour. But this check is removed when they participate in party politics, for a partisan can be certain that his party will approve anything he does to advance its cause. In determining the worth of a particular political system, then, the only proper method to follow is to discover how efficacious its institutional arrangements are in channelling the various base motives which influence political man into the service of the public good; if these arrangements are unable to achieve this end, an outbreak of faction, disorder and tyranny is more or less inevitable.²⁴

²³ ibid., iii, p. 99-100.

²⁴ ibid., iii, pp. 117-119.

Now if well-modelled institutions can largely stifle faction, disorder and tyranny, why should not perfect laws and institutions be able to compel the inhabitants of civil society to act the part of perfect political beings? Hume's belief that well-ordered institutions could suppress the natural depravity of political man and then compel him to act according to the public good had obvious utopian tendencies, and in the essay Idea of a Perfect Commonwealth (1752) we find him developing these tendencies to the full. Forms of government do not depend for their merit upon 'the manners and humours of particular men'. It is possible, therefore, to draw up a perfect form of government, a form of government whose laws and institutions will bring about good government in any civil society upon which it is imposed, no matter how little disposed towards politically virtuous behaviour the individual members of that society would have been in the natural course of events. Hume's perfect commonwealth is a civil society whose perfection lies in its institutions, not in its inhabitants; its institutions, Hume tells us, are arranged in such a way as to make the outbreak of such evils as mob rule, demagoguery, oligarchy, faction and intrigue impossible.²⁵ This faith in the beneficial effects of well-modelled institutions strongly influenced the attitude Hume took to other perfect commonwealths. Plato's Republic and More's Utopia were 'plainly imaginary', for they both presupposed 'great reformation in the manners of mankind'; Harrington's Oceana, with its concern with laws and institutions, was 'the only valuable model of a commonwealth, that has yet been offered to the public'.²⁶

²⁵ For the theoretical premises of this essay see *ibid.*, iii, pp. 480-481, 487-490, 492-493; for the actual form of government outlined see *ibid.*, iii, pp. 482-487.

²⁶ *ibid.*, iii, p. 481.

But what really needs to be said about the form of government delineated in Idea of a Perfect Commonwealth is that it is not a mixed constitution. In Of Morals Hume had already defined such a constitution: it was a system of checks and restraints in which the political balance of power took the form of countervailing monarchical and republican elements, with an individual chief magistrate whose power was great but not unlimited, being balanced by the power of the representatives of the people, the republican element of the constitution. Such a description cannot be applied to Hume's perfect form of government. It is certainly a balanced constitution; it comprises a whole host of checks and restraints. But it is not a mixed constitution; it makes no provision for a single powerful chief magistrate. It is wholly republican in form; in Hume's opinion, the actual form of government it bore most resemblance to was that of the United Provinces.²⁷ It bore little resemblance to the eighteenth-century British constitution, which is depicted as a mixed constitution par excellence in Idea of a Perfect Commonwealth; although the King of England was a limited monarch, his personal character still had a tremendously important influence upon the conduct of political affairs, given that a mixed constitution necessarily possessed marked monarchical features.²⁸ In effect, then, what Hume was saying in this essay was that the British constitution was far from ideal or perfect as a form of government. Such an attitude seems straightforward enough, given his frequent espousal of the opinion that a constitution was only as good as the degree to which it subordinated the will of individuals to the power of laws and institutions.

²⁷ *ibid.*, iii, p. 490.

²⁸ *ibid.*, iii, p. 491.

But there is another and far more important sense in which we can say that Hume believed that mixed government had pernicious effects so far as the preservation of order was concerned. We can say indeed that what he really feared was not so much that mixed government might perhaps lessen the importance of laws and institutions but rather that the very opposite might be the case, that mixed government might in fact give too much consideration to legal and constitutional niceties at the expense of the effective exercise of authority. As a good neo-Hobbesian, Hume's most elemental fear was always that government might be too weak, not that it might be too strong; the ultimate reason why he considered England's mixed government to be imperfect was because he felt that under it the authority of the chief magistrate tended to become unduly circumscribed. This attitude comes through strongly in his essay Of the Liberty of the Press (1741). Hume's attention in this essay is centred around the problems involved in determining the sort of polity most likely to look favourably upon complete freedom of expression. At the outset of its argument we find him rejecting any suggestion that such a question can be tackled in terms of a clear-cut difference between republican and monarchical states. In a French-style absolute monarchy law, custom and religion concur to make the people fully satisfied with their lot; the prince need not entertain any jealousy of his subjects, and thus he can afford to tolerate much freedom of expression. In contrast, in a Dutch-style pure republic there is no single powerful chief magistrate and as a result the people consider that there is no danger involved in entrusting the state with wide discretionary powers.²⁹

In terms of the amount of personal freedom they tolerated,

²⁹ *ibid.*, iii, p. 95.

then, there was no clear-cut difference between pure republics and absolute monarchies; Hume in fact sought to show that the most drastic contrast in this respect was between the two basic variants of mixed government. A mixed constitution in which the republican element predominates over the monarchical tends to be characterized by extreme freedom; a mixed government in which the monarchical element predominates over the republican tends to be characterized by oppression and slavery. This is all a result of the spirit of mutual watchfulness and jealousy which springs up in mixed governments. The history of imperial Rome indicates that whenever the monarchical element prevails in a mixed government, the chief magistrate invariably becomes a frightful tyrant; the restless spirit of liberty prevailing amongst his subjects continually provokes him into using his power with extreme rigour. A completely different state of affairs is found in a British-style mixed government; here the republican element predominates, and so it is amongst the people that the spirit of watchful jealousy is found. They seek to preserve their hegemony by stripping the chief magistrate of all discretionary power; general and inflexible laws keep prerogative within very narrow bounds. All this means 'that there is as much liberty, and, even, perhaps, licentiousness in GREAT BRITAIN, as there were formerly slavery and tyranny in ROME'. In Hume's opinion, the most spectacular manifestation in England of this pugnaciously libertarian climate of opinion was the unfettered freedom which the press enjoyed; England was the only polity existing in the world in which subjects were free to openly attack every measure entered into by the government.³⁰

³⁰ *ibid.*, iii, pp. 94-97.

(iii)

It is now clear why Hume should have considered that Holland was superior to England so far as its form of government was concerned; given his commitment to political peace, it was natural that he should prefer a form of government under which the state possessed wide discretionary powers to one which allowed the people to indulge in licentiousness. Moreover, besides believing that the British constitution was not particularly well-equipped to deal with problems associated with the maintenance of political stability and law and order, Hume also felt that precisely because it had a mixed constitution, England was especially prone to experiencing these very same problems. In Of the Parties of Great Britain (1741) we find him explaining why he considered this to be the case, why he considered that England's mixed government had to be classed as a veritable breeding-ground of political conflict. Even when it is merely considered as a subject of speculation, he argues, the British constitution is found to be an inevitable source of party divisions. Under England's mixed constitution it is inevitable that politics should be characterized by outbursts of party conflict between court and country, between the partisans of royal authority and the champions of parliamentary privilege, given the sort of relationship which exists between the monarchical and republican elements of the constitution, the King and the House of Commons:

The just balance between the republican and monarchical part of our constitution is really, in itself, so extremely delicate and uncertain, that, when joined to men's passions and prejudices, it is impossible but different opinions must arise concerning it, even among persons of the best understanding. Those of mild tempers, who love peace and order, and detest sedition and civil wars, will always entertain more favourable sentiments of monarchy, than men of bold and generous spirits, who are passionate lovers of liberty, and think no evil comparable to subjection and slavery.

And though all reasonable men agree in general to preserve our mixed government; yet, when they come to particulars, some will incline to trust greater powers to the crown, to bestow on it more influence, and to guard against its encroachments with less caution, than others who are terrified at the most distant approaches of tyranny and despotic power.³¹

But although he considered that this clash between court and country was ultimately grounded upon rivalry between two bodies of political opinion, Hume also felt that it was 'very much fomented by a difference of INTEREST, without which (it) could scarcely ever be dangerous or violent'. As depicted in Of the Parties of Great Britain, this difference of interest very much centres around the struggle for place. The crown as a matter of course bestows power and place upon only those politicians 'whose principles, real or pretended, are most favourable to monarchical government'; the court-party is thus driven by material self-interest into going to greater lengths in defence of prerogative than its principles would otherwise carry it. On the other hand, politicians who miss out in the scramble for place ally themselves with the country-party, and being disappointed in their ambitions, they spitefully strive to get their allies to carry their jealousy of royal power to a greater height than sound politics will justify.³²

To understand the full import of this aspect of Hume's argument, we have to place it in its precise historical context; we have to bear in mind that throughout the eighteenth century one of the great myths which dominated country-party thinking was its belief that the presence in the House of Commons of men holding offices of profit under the crown posed a serious threat to the power of parliament in relation to that of the crown and therefore endangered

³¹ *ibid.*, iii, pp. 133-134.

³² *ibid.*, iii, p. 134.

the continued existence of England's mixed constitution. Opposition politicians ceaselessly played upon this fear, and in times of political crisis or unrest they invariably sought to compound the ministry's difficulties by calling for the exclusion of placemen from the Commons.³³ By the time he came to publish Of the Parties of Great Britain in 1741 Hume must already have been well aware of the precise form the agitation against placemen took. In 1734, on the eve of a general election, and again in 1740, after Sir Robert Walpole had failed to prevent England going to war with Spain, the parliamentary opposition sought to compound confusion by attempting to secure the passage of a Place Bill, and during the course of their efforts to do so, they were able to make use of stock country-party rhetoric.³⁴ This period also saw the appearance of one of the most glittering expressions of the country-party's hatred of placemen ever to be published in the eighteenth century - the Dissertation on Parties (1733-34) of Henry St. John, Lord Bolingbroke, who at the time was the leading extra-parliamentary spokesman for Walpole's political opponents.³⁵

For all its clamour and insistence, country-party condemnation of placemen made scant impression upon Hume. It was in Of Morals that he chose to state his basic attitude to the question, an attitude

³³ For a general discussion of the significance of the demand for Place Bills in eighteenth-century politics see Betty Kemp, King and Commons 1660-1832, London, 1957, pp. 23, 52-64, 104; a sample of the legislative enactments brought about by this agitation may be found in E. Neville Williams (ed.), The Eighteenth-Century Constitution 1688-1815, Cambridge, 1965, pp. 188-208.

³⁴ For the debates in parliament which followed upon these opposition moves see The Parliamentary History of England, ed. William Cobbett, 36 vols., London, 1806-20, ix, cols. 366-392; xi, cols. 328-380.

³⁵ For the gist of Bolingbroke's case see Dissertation on Parties, letters xviii-xix, Works, ed. David Mallet, 5 vols., London, 1754, ii, pp. 229-256.

which he never fundamentally altered: order and authority cannot but be strengthened whenever civil magistrates have the power to interest others more immediately in the execution of justice by being able to create a number of civil and military officers to help them govern.³⁶ Given this attitude, Hume was naturally opposed to Place Bills, designed as they were to weaken the power of the crown by lessening the value of its appointments. It was as an essayist that he set out his opposition in an explicit form, by means of a brief yet telling critique of Bolingbroke's Dissertation on Parties which appropriately enough forms the core of the argument advanced in Of the Independency of Parliament. Had Bolingbroke examined the constitution with a little more care, he argued, he would have realized that the chief threat to its equipoise is posed not by the crown but by the parliament. The British constitution is widely touted as the model of a mixed constitution; but the fact of the matter is that it assigns so much power to the Commons that its members could, if they so wished, easily secure absolute power. The sole legislative power possessed by the monarch - the veto - has long since fallen into desuetude. The crown is only of consequence because of its control of executive power. But it is the Commons alone which has the power to provide the money needed to run the executive, and if it should choose to make all its grants conditional, it would soon reduce the crown to utter subservience. Given that it has the power to do so and given that an insatiable lust for power is a strong human trait, there is an obvious question to be asked: Why has not the Commons made itself the sole member of the constitution?³⁷

³⁶ Treatise, Bk. iii, pt. ii, sect. vii (p. 537).

³⁷ Phil. Works, iii, pp. 119-120.

Hume's answer to this question amounted to a restatement of the standard court-party line of the time concerning Place Bills.³⁸ England's mixed constitution had been kept intact by 'influence':

...the house of commons stretches not its power, because such an usurpation would be contrary to the interest of the majority of its members. The crown has so many offices at its disposal, that, when assisted by the honest and disinterested part of the house, it will always command the resolutions of the whole so far, at least, as to preserve the antient constitution from danger. We may, therefore, give to this influence what name we please; we may call it by the invidious appellations of corruption and dependence; but some degree and some kind of it are inseparable from the very nature of the constitution, and necessary to the preservation of our mixed government.

All this being so, it necessarily followed that, far from strengthening the constitution, Place Bills could only undermine it. Hume felt that instead of wildly asserting that the slightest dependence of the Commons on the crown necessarily jeopardized the country's freedom, country-party spokesmen ought to accept the court-party's contention that in itself influence was not pernicious and ought instead to restrict themselves to calling for a determination of the boundary beyond which influence became excessive and thus dangerous to liberty. Such an examination would have to be carried on with great caution and prudence, for legitimate influence was not a fixed quantity, being instead something which fluctuated according to the varying capacities of the particular individuals - whether the king or his ministers - who made use of the crown's fund of patronage.³⁹

That the country-party was not in fact prepared to tone down its condemnation of influence proved, Hume felt, that its self-proclaimed adoration of the constitution was in reality nothing more than a verbal smokescreen designed to conceal narrow and base

³⁸ For the court-party line in the 1740 debate on Place Bills see Parliamentary History, xi, cols. 331-335, 339-342, 345-351, 361-369.

³⁹ Phil. Works, iii, pp. 120-122.

partisanship; the basic conclusion arrived at in Of the Independency of Parliament was that a true patriot would never be a zealous opponent of influence, for he would be well aware that too little influence, as well as too much, would lead to the collapse of the constitution.⁴⁰ Hume felt the country-party would mount a far stronger case were it to abandon its blanket opposition to influence and instead limit itself to claiming that influence, although not in itself pernicious, was in fact becoming excessive; he was convinced that the fund of revenue and patronage at the disposal of the crown was so great that its authority was bound to become absolute. This prospect, however, did not unduly disturb him. Although believing that the chance of absolute monarchy arising in England was the more imminent, he was convinced that the prospect of a wholly popular form of government was undoubtedly the more frightening. The inexorable growth of influence would slowly and peacefully convert England into an absolute monarchy; but should influence be destroyed, the Commons would immediately become the sole member of the constitution, a development which would culminate in either faction-ridden oligarchy or popular licentiousness, both of which would in turn lead to the establishment of a Cromwellian-type dictatorship. England would thus at last 'find repose in absolute monarchy, which it would have been happier for us to have established peaceably from the beginning'.⁴¹

In the tension and friction generated by the struggle between court and country over matters of political principle and material self-interest Hume saw tinder enough to produce an inherently explosive political situation. However, what really compounded this state of affairs so far as he was concerned was a

⁴⁰ *ibid.*, iii, p. 121.

⁴¹ 'Whether the British Government inclines more to Absolute Monarchy, or to a Republic' (1741), *ibid.*, iii, pp. 123-126.

third factor - sectarianism; although not in itself an effect of mixed government, this further exacerbated rivalry between court and country. In Of the Parties of Great Britain Hume was content to outline this aspect of English politics in a rather peremptory fashion. An established clergy always opposes the cause of liberty, being well aware that its power cannot but be endangered by freedom of thought and expression. There is also a close connection between monarchy and episcopacy. The Anglican clergy, therefore, 'while things are in their natural situation', will invariably be staunch adherents of the court-party. The Dissenters, on the other hand, being of necessity committed to religious toleration, are the natural allies of the country-party, the party of liberty.⁴²

To discover in detail how Hume related sectarian conflict to the rivalry between court and country, we need to take into account the argument of another of his essays, Of Superstition and Enthusiasm (1741). In this essay Hume set out to delineate what he saw as the markedly different social and political consequences flowing from an evangelistic as opposed to a sacramentalist mode of religious behaviour (the enthusiasm and superstition of the title respectively). In Hume's opinion, the difference between these two forms of religious behaviour strongly resembled the difference court and country, being similarly grounded upon two divergent sets of passions and prejudices; like the clash between court and country, the struggle between superstition and enthusiasm was grounded upon differences between men of boldness and passion and men of a more passive bent. Superstition, we find Hume arguing, thrives best in a climate of fear, gloom and despair. Enthusiasm, on the other hand, is the religion of the hopeful, the proud, the passionate and the presumptuous. Springing from radically different states of mind, they have widely divergent effects on social and political behaviour. Being dominated by fear

⁴² ibid., iii, pp. 135-136.

and sorrow, people who are prone to superstition tend to consider themselves unworthy of approaching God in a direct way; they seek instead to come into contact with Him in an indirect fashion, through the prayers and ceremonies of priests. Roman Catholics and Jews groan under the yoke of the two most degrading forms of superstition that have ever existed and so they suffer the worst excesses of priestly tyranny. Anglicanism, too, retaining as it does 'a strong Mixture of Popish Superstition', has 'a Propensity to Priestly Power and Dominion'. Only sects of enthusiasts are free from the yoke of priests. Being bold and passionate, they scorn all species of external ritual and seek instead to come into direct contact with God by means of contemplation and ecstasy; they have scant need for a priesthood.⁴³

This marked difference between superstition and enthusiasm with respect to the power of priests has important political consequences. Because their bold and passionate opposition to servility in the church spills over into opposition to servility in the state, enthusiasts are invariably committed to the cause of civil liberty. Indeed, because of a common libertarian and iconoclastic background, they are perfectly capable of forging firm political alliances with the religiously heterodox:

We learn from ENGLISH history, that, during the civil wars, the independents and deists, though the most opposite in their religious principles; yet were united in their political ones, and were alike passionate for a commonwealth. And since the origin of whig and tory, the leaders of the whigs have either been deists or profest latitudinarians in their principles; that is, friends to toleration, and indifferent to any particular sect of christians: While the sectaries, who have all a strong tincture of enthusiasm, have always, without exception, concurred with that party, in defence of civil liberty.

⁴³ *ibid.*, iii, pp. 144-147.

Superstition, in marked contrast, makes men tame and abject and so prepares the way for the rise of absolute monarchy: '(the) resemblance in their superstitions long united the high-church tories, and the Roman catholics, in support of prerogative and kingly power'. Hume considered, in short, that throughout the whole course of modern English party politics the clash between court and country, the clash between the forces of authority and liberty in politics, had been inextricably bound up with the clash between the forces of authority and liberty in religion, with the clash between superstition and enthusiasm.⁴⁴

An examination of what Hume took to be the three main facets of the struggle between court and country does not fully cover all the aspects of the case he puts together in Of the Parties of Great Britain; an equally important element of the overall argument of the essay is the attempt he makes to discover just how adequate his account of the general framework of court-country rivalry is as an explanation of the course of modern English party politics. Hume initially directed his attention towards the events of the political crisis preceding the outbreak of civil war in 1642. He soon discovered that they were entirely 'conformable' to his thesis. When Charles I came to the throne, the English constitution was in 'a kind of confusion'. Englishmen, nevertheless, had long enjoyed a considerable body of privileges. These privileges, however, were not accurately bounded and secured by law, and Charles, an 'ambitious, or rather a misguided' prince, regarded them as mere royal concessions and thus revocable at will. Acting in accordance with this principle, he openly violated the liberty of his subjects; but necessity eventually forced him to summon a parliament. When it

⁴⁴ *ibid.*, iii, pp. 149-150.

met, its members set no bounds upon the constraints which they sought to impose upon their now defenceless monarch.⁴⁵

Faced with the dilemma of having to choose between an encroaching parliament and a prince with strong absolutist tendencies, Englishmen fell to the side which was most conformable to their usual principles; those whose bias lay towards monarchy joined the king, while those whose bias lay towards liberty supported parliament. Although 'enflamed into a civil war, by an unhappy concurrence of circumstances, and by the turbulent spirit of the age', both groups were true court and country-parties. Few Cavaliers wanted to bring about the creation of an absolute monarchy, while few Roundheads wished to set up a pure republic; their differences concerned the precise positions which monarchy and parliament ought to occupy in a constitution of whose worth few had any doubts. This division between court and country was matched by a division between superstition and enthusiasm; an established clergy combatted presbyterian dissidents. Having shamelessly concurred with the king's designs and having in turn been allowed to persecute the Puritans, the Anglican clergy were royalists to a man; the Puritans supported parliament with equal unanimity.⁴⁶

But when he came to examine the history of party strife in England after 1660, Hume was forced to qualify his argument somewhat. He had to take the struggle between Whigs and Tories into account, and when he did, he had to acknowledge that England's parties were in a confused state. Originally, however, he insisted, the division between Whigs and Tories represented a clear-cut division between court

⁴⁵ *ibid.*, iii, p. 136.

⁴⁶ *ibid.*, iii, pp. 136-137.

and country; it arose in the course of conflicts between the supporters and opponents of the policies pursued by Charles II. With its shibboleths of passive obedience and indefeasible right the Tory party began life as a rather violent court-party; its ideology virtually amounted to an invitation to Charles II and then to James II to set up an arbitrary government. But for all this, it soon forgot its 'absurd principles' when James II 'openly threatened' to overthrow 'the ancient government' of the country, and its participation in the Revolution proved that, despite its rant, it was not prepared to sacrifice liberty for the sake of ideological purity. The only pre-Revolution Tories who took their party's ideology seriously were the pulpit-declaimers and their deluded followers amongst the vulgar; the membership of the early Tory party consisted mainly of men who had a personal affection for the Stuarts or who were out for self-aggrandizement. Because it had not taken its ideology seriously, the early Tory party could unhesitatingly be classed as a true court-party: such a party did not abandon liberty in its commitment to monarchy.⁴⁷

Once the Revolution had been carried out, however, confusion soon set in. Despite their participation in the Revolution, the Tories did not favour the tampering with the succession that occurred in 1689 and again in 1714. Although lovers of liberty, they were, being court-party men, greater lovers of monarchy and naturally felt that such tampering smacked too much of republicanism. But even after William of Orange and then the House of Hanover had become firmly entrenched upon the throne, the Tory party still did not rally around the monarchy. For Hume, this state of affairs indicated that since 1714 the ultra-royalist ideology of the Tories had really

⁴⁷ *ibid.*, iii, pp. 137-139, 142.

been nothing more than an extravagant manifestation of their sole cohesive principle in opposition - personal affection for the Stuarts. He believed that because of this attachment the Tory party of the early 1740's was in fact a country-party; for all its self-professed commitment to monarchy, it regularly descended into hypocrisy by adopting a republican style of politics in order to spite the Hanoverians. By way of contrast, the Whig party, because of its association with the Protestant succession, had become a court-party. All this meant that England's party divisions were in a confused state. The crown, besides drawing political support from the adherents of authority, attracted the support of groups - for example, the Dissenters - who were the natural allies of the country-party but who instead supported government policy because of Whig sentiment. Similarly, the permanent political opposition did not consist solely of the adherents of liberty; it also consisted of groups - such as the Anglican clergy - who were the natural allies of the court-party but who instead supported the country-party because of Tory sentiment. Although much decayed in zeal, numbers and credit, considerable remnants of the old Tory party still existed in the England of the early 1740's; this meant that the succession was not moribund as a political issue, and as a result English party politics was not solely a matter of rivalry between court and country.⁴⁸

⁴⁸ ibid., iii, pp. 139-140, 141-143. Hume's assertion that the division between Whigs and Tories was not extinct was made in conscious opposition (see ibid., iii, pp. 139-140) to an assertion Bolingbroke had made in Dissertation on Parties (see letter i, Works, ii, pp. 29-38) to the effect that this division had come to an end and that therefore English party politics was solely a matter of rivalry between court and country. Bolingbroke, it should be remembered, had a Jacobite past to live down and so it was natural that he should have set out to stress the unimportance of the division between Whigs and Tories; in contrast, Hume, as a Scotsman, could hardly help noticing the persistence of the succession issue and so it is understandable that he should have looked beyond the division between court and country in order to explain the course of modern political history. His analysis of the status of the post-1714 Tory party stands up well in the light of modern scholarship; in this respect see especially John B. Owen, The Rise of the Pelhams, London, 1957, pp. 66-75 and Romney Sedgwick, The House of Commons 1715-1754, 2 vols., London, 1970, i, pp. 62-78.

CHAPTER IV
THE SOCIOLOGY OF FREEDOM

(i)

If he wished to fully portray how the England of his day stood as a civil society, Hume had to do more than simply delineate the essential aspects of the tension between public authority and political liberty which he saw as the dominant theme of its party politics, given the fact that it had a mixed constitution. To be more precise, if he wished to achieve this goal, he could not afford to simply take the existence of mixed government for granted. He had to be able to explain why it should be that there were any republican elements in the English constitution in the first place, why it should be that in England public authority, which by itself was perfectly capable of holding civil society together, had had to come to terms with the spirit of political liberty; he had to be able to show how it had come about that the people had arrived in a position whereby they possessed both the power and the will to circumscribe the authority of the civil magistrate by means of legal and constitutional forms. He had, in short, to think in sociological and cultural rather than in institutional terms if he wished to explain why England had a mixed government at all.

Because he believed that political authority was above all else the sine qua non of civil society, Hume was chiefly concerned to examine its origins as a political philosopher. The rise of civil society was essentially an outcome of man's attempt to satisfy his basic needs, and the existence of civil society logically entailed the existence of political authority, so that the genesis of political obedience had to be accounted for in primarily abstract psychological, speculative, ahistorical terms; it is to Of Morals

that we must look if we wish to discover Hume's attitude concerning this question. But in Hume's scheme of things the rise of political liberty was another matter altogether. Political liberty was not essential to the existence of civil society; in this respect it was, strictly speaking, accidental in status, and therefore in a real sense it was something which had to be approached from a wholly historical point of view. Hume believed that there was a certain irreducible amount of personal freedom and security which was ensured by the mere existence of civil society; but he also knew that certain civil societies had sought to expand and strengthen personal freedom by means of political liberty, by means of legal and constitutional restraints upon the exercise of political power. The mere existence of civil society could be explained by means of political philosophy, that is to say, in terms of certain basic assumptions about man's essential nature and condition; but being accidental, being only the perfection of an already existing entity, political liberty had to be studied in terms of the particular circumstances to be found in those individual civil societies which placed great store upon it, in terms, that is to say, of the historical experience and sociological and ideological structure of specific civil societies.

Whenever he sought to explain the rise and spread of political liberty in terms of history, sociology and ideology rather than in terms of institutions, Hume was forced to question the perspicacity of the opinion he frequently expressed to the effect that it was basically the degree to which a civil society's institutional arrangements reflected skill or wisdom which determined whether or not it could be assured of the secure enjoyment of good government. As we have already observed, this point of view is undeniably a marked feature of the way in which Hume thought about

politics, forming as it does the basic assumption underlying the argument of such essays as That Politics may be reduced to a Science and Idea of a Perfect Commonwealth. But since it involved a concentration upon outward political forms, it was an inherently narrow, rather legalistic, and even mechanistic way of thinking, while having marked utopian tendencies, it stands revealed as having had a potentially blighting influence upon the development of Hume's political science; if political behaviour could be shaped and moulded at will by skilful legislators, it obviously followed that it could not be treated as an accurate reflection of the historical experience and social structure of actual civil societies. Indeed, had Hume's faith in the ability of institutions to decisively shape political behaviour been absolute, he would have found it impossible to account for any form of political change; after all, if political forms were the cause of everything else in civil society being as it was, how were the changes which political institutions themselves underwent to be accounted for? This was obviously a vicious circle.

The only possible way Hume could have avoided this dilemma, the only way he could have set about explaining political change without having to modify his faith in the ability of institutions to decisively shape political behaviour, was, of course, by consistently subscribing to the concept of the legislator, to the notion that an individual civil magistrate could impose good government upon the people he governed by making them submit to the yoke of well-ordered laws and institutions. Hume in many ways found the concept of a legislator quite appealing; we have already noted that in Idea of a Perfect Commonwealth it is presupposed that individual politicians can create perfect polities through the skilful arrangement of political forms, and elsewhere in his essays

we find Hume expressing a similar faith in the ability of individual magistrates to work wonders in politics.¹ But ultimately Hume was too much of a sociologist to give any meaningful credence to the concept of a legislator; he felt that it was 'scarcely...consistent or rational' to suppose that a civil magistrate would attain an awareness of the benefits which flowed from constitutional government and the rule of law without there being some knowledge of these benefits already diffused amongst his subjects or neighbouring states.² By subscribing to this notion Hume in effect committed himself to the view that political forms were very largely the outcome, and not the cause, of broader changes within the structure of civil society; once this point was established, the whole concept of a semi-divine legislator immediately came crashing to the ground.

We have in fact already reviewed enough of Hume's thinking about politics to realize that he was perfectly capable of describing political behaviour in terms of the broad sociological and ideological structure of civil society. As noted in the previous chapter, in Of the Origin of Government we can find him contending that the actual way in which political power is exercised in specific civil societies need not be described in terms of formal institutional arrangements at all, that it can instead be adequately explained in terms of opinion, in terms of the basic cultural factors which go to make up the view which the inhabitants of a civil society hold concerning the nature and extent of their rights and duties. That this concept of opinion allowed Hume to relate political behaviour to broader movements within the

¹ See e.g. 'That Politics may be reduced to a Science', Phil. Works, iii, pp. 98-99 and 'Of Parties in General' (1741), ibid., iii, p. 127.

² 'Of the Rise and Progress of the Arts and Sciences' (1742), ibid., iii, p. 179.

total life of the inhabitants of civil society has been already revealed in our discussion of the argument he put forward in Of Superstition and Enthusiasm, an argument which culminated in the contention that the clash between the forces of public authority and political liberty which took place in seventeenth-century England could not be adequately explained until it was seen in relation to the state of contemporary religious opinion, until it was seen in relation to the clash between superstition and enthusiasm.

(ii)

It was in the essay first published as Of Luxury (1752)³ that Hume chose to put forward the most considered statement of opinion concerning this question of the broad context of politics which he was ever to make as an essayist. In this essay he was specifically concerned with the social and political effects of luxury, defined here as 'great refinement in the gratification of the senses'.⁴ In order to understand just why such a topic should have attracted his attention in the first place, we have to take into account the importance of a particular mode of thought in the English-speaking world of the eighteenth century, a mode of thought which took the form of an insistence upon the inseparability of luxury and 'corruption'. Espoused by the various wings of the country-party - opposition politicians, old-fashioned Whigs, unregenerate Tories, independent country gentlemen both in and out of parliament, radical pamphleteers and disgruntled men of letters - this point of view - when it was not merely cynical party rhetoric - was rooted in

³ In 1760 this essay was retitled Of Refinement in the Arts.

⁴ Phil. Works, iii, p. 299.

the fear that the feverish activity so characteristic of the financial sector of the economy of post-Revolution England was leading to the corruption and decay of the country's traditional love of freedom and independence in that it reflected an increasing willingness on the part of Englishmen to concentrate upon the pursuit of luxury, upon the satisfaction of their private economic needs, at the expense of their duty as political beings to give paramount attention to the public good, to the well-being of the community as a whole, a development which was culminating in a growing propensity on their part to seek economic gain through political dependence, by succumbing to the encroachments of executive power, a form of corruption which had already brought about the creation of groups dependent upon the existence of public credit - stock-jobbers - a bureaucracy - placemen - and a standing army - professional soldiers.⁵

The influence of this mode of thought was quite pervasive. It coloured, for example, much of the thinking of the American Revolution.⁶ Similarly, its influence in the guise of a 'politics of nostalgia' has been detected at work in the propaganda campaign which Bolingbroke directed against Walpole in the 1720's and 1730's. Bolingbroke sought to discredit Walpole's ministry by depicting it as the most blatant manifestation of the overall corruption of England's ancient virtues; he sought to convince the public at large that the way in which Walpole used influence to hold his court-party supporters together - his distribution of lucrative yet dependence - creating jobs and places - was profoundly subversive of the freedom

⁵ For the underlying ideological premises of this mode of thought see J.G.A. Pocock, 'Civic Humanism and its Role in Anglo-American Thought', Politics, Language and Time, London, 1972, pp. 80-103.

⁶ See Bernard Bailyn, The Ideological Origins of the American Revolution, Cambridge, Mass., 1968, chap. ii.

of the Commons and that it therefore had to be regarded as the most insidious and dangerous aspect of the overall assault on the liberties of England by the forces of luxury and corruption.⁷ Between the 1670's, the era of Marvell and Shaftesbury, and the 1780's, the era of Christopher Wyvill and his colleagues in the Yorkshire Association, the rhetoric of critics of executive power largely revolved around these concepts of luxury and corruption.⁸ In order to strengthen parliament's willingness to forgo becoming involved in highly profitable yet ultimately degrading dependence upon the crown, such archetypal representatives of eighteenth-century country-party opinion as Robert Molesworth, Major John Cartwright and James Burgh ceaselessly canvassed the cause of parliamentary reform. We have already discussed the significance of one of the country-party's stock demands - the call for the exclusion of placemen from parliament; other reforms it advocated in the name of parliamentary independence included the introduction of annual parliaments, the abolition of rotten boroughs and the extension of the franchise and the binding of members to their constituents by means of instructions.⁹ In short, it seems that throughout most of the

⁷ See Isaac Kramnick, Bolingbroke and his Circle: The Politics of Nostalgia in the Age of Walpole, Cambridge, Mass., 1968, chaps. i, iii, vi.

⁸ The best introduction to the formation of the ideology of the eighteenth-century country-party is J.G.A. Pocock, 'Machiavelli, Harrington and English Political Ideologies in the Eighteenth Century', Politics, Language and Time, pp. 104-147; the importance of this way of thinking in shaping political debate in the first half of the reign of George III is revealed by H. Butterfield, George III, Lord North, and the People 1779-80, London, 1949 and Ian R. Christie, Wilkes, Wyvill and Reform, London, 1962.

⁹ For the reform ideas of one wing of the eighteenth-century country-party - the old-fashioned Whigs - see Caroline Robbins, The Eighteenth-Century Commonwealthman, Cambridge, Mass., 1959, chaps. i, iv, viii, ix, x. See also Williams, Eighteenth-Century Constitution, pp. 208-221.

eighteenth century it was the country-party's fear of corruption which formed the most important stream of radical - albeit radical in the sense of radical-reactionary - and subversive political thought in England.

So far as Hume was concerned, the country-party's fear of corruption was by no means completely wrong-headed. We have already seen that he believed that the growth of influence, if allowed to go unchecked, would eventually overwhelm the power of the Commons. Similarly, Hume was always particularly concerned about the country's growing public debt.¹⁰ However, as our discussion of his attitude towards influence has also revealed, Hume never sought to align himself with the concrete counter-measures against corruption canvassed by the country-party; given the connection between the fear of corruption and political radicalism and given Hume's commitment to de facto power, there eventually was a parting of the ways. If he were to succeed in inculcating a mood of acquiescence in the status quo in politics, Hume obviously had to discredit the style of politics which flowed from the country-party's fear of corruption, the whole spirit of which was inimical to the development of a mood of quiescence and tranquillity; his de facto theory of political obligation, his preparedness to insist that the immediate present was the sole dimension relevant in debate concerning the grounds of political obligation, had as its corollary a denial that modern times were hopelessly corrupt and venal, a denial that men could find desirable alternatives to the current set of political arrangements if they cared to look back into the past. It is just such a line of reasoning which we find being unfolded Of Luxury; in this essay we find Hume striking at the root of country-party rhetoric. He did

¹⁰ In this context see especially 'Of Public Credit' (1752), Phil. Works, iii, pp. 360-374.

so by denying that luxury could be seen as 'the source of all the corruptions, disorders, and factions, incidental to civil government', by asserting, indeed, that 'the ages of refinement are both the happiest and most virtuous'.¹¹ Hume was not prepared to resort to a Mandevillean insistence upon the connection between private vices and public benefits - he found such a notion perverse - but in his stress upon the notion that the pursuit of luxury, when not taken to excess, did indeed produce 'a large stirring Nation' we have perhaps hit upon the reason why he considered the author of the Fable of the Bees to be one of the pioneers of scientific moral philosophy.¹² Man, we find him arguing, develops his gifts of mind and body only through work, and it is luxury, with its ceaseless clamour for goods and services, which sustains a steady demand for labour. It is the rise and spread of luxury, the gradual flourishing of industry and the arts, which sets men free from the languor and lethargy inseparable from backwardness and poverty, thereby allowing them to experience the sense of fulfilment which accompanies purposeful action; absorbed in honest industry, they are unlikely to develop the unnatural

¹¹ ibid., iii, p. 300.

¹² For Hume's rejection of the notion that vicious luxury was beneficial to society see ibid., iii, pp. 299-300, 307-309; for the reason why Mandeville should have puzzled Hume here see F.B. Kaye's introduction to his edition of Fable of the Bees, 2 vols., Oxford, 1957, pp. xiv-xxi. Kaye's thesis is that, for polemical purposes, Mandeville adopted a 'rigorist' definition of virtue according to which all aspects of the pursuit of luxury were necessarily vicious. For Hume's acknowledgement of Mandeville as a pioneer of moral philosophy see his introduction to the Treatise, p. xxi; for Mandeville's insistence upon the importance of the pursuit of refinement in producing a great and prosperous hive see 'The Grumbling Hive' and Remarks K, L, M, Q, S, X, Y, Fable of the Bees, i, pp. 17-37, 103-134, 181-198, 223-224, 245-251.

appetites produced by ease and idleness. Once put into a fermentation, they seek to improve all aspects of knowledge and the various arts, liberal as well as mechanical.¹³

Upon becoming 'enriched with science, and possessed of a fund of conversation', men develop an insatiable thirst for social intercourse and therefore for urban living. The more sociable they become, the more well-disposed they begin to feel towards each other; industry, knowledge and humanity are thus inseparable and can only exist in ages of luxury. Industriousness and knowledge being inseparable, good government similarly can only exist within an overall context of luxury; a well-modelled form of government is unlikely to exist amongst a people whose faculties have not been sharpened as a result of application to commerce and industry. Thus, as with the arts and sciences, political life only reaches its most highly-developed form amongst people who satisfy their needs with great refinement:

Knowledge in the arts of government naturally begets mildness and moderation, by instructing men in the advantages of humane maxims above rigour and severity, which drive subjects into rebellion, and makes the return to submission impracticable, by cutting off all hopes of pardon. When the tempers of men are softened as well as their knowledge improved, this humanity appears still more conspicuous, and is the chief characteristic which distinguishes a civilized age from times of barbarity and ignorance. Factions are then less inveterate, revolutions less tragical, authority less severe, and seditions less frequent. Even foreign wars abate of their cruelty...¹⁴

Now for Hume liberty was inseparable from good government, so that in Of Luxury he could in all consistency claim that it was only the inhabitants of ages of luxury who enjoyed real freedom. The

¹³ Phil. Works, iii, pp. 300-301.

¹⁴ ibid., iii, pp. 301-303.

rise of luxury, he could argue, 'is rather favourable to liberty, and has a natural tendency to preserve, if not produce a free government'. Nothing more effectively blights the spirit of liberty than grinding poverty:

In rude unpolished nations, where the arts are neglected, all labour is bestowed on the cultivation of the ground; and the whole society is divided into two classes, proprietors of land, and their vassals or tenants. The latter are necessarily dependent, and fitted for slavery and subjection; especially where they possess no riches, and are not valued for their knowledge in agriculture; as must always be the case where the arts are neglected. The former naturally erect themselves into petty tyrants; and must either submit to an absolute master, for the sake of peace and order; or if they will preserve their independency, like the Gothic barons, they must fall into feuds and contests among themselves, and throw the whole society into such confusion, as is perhaps worse than the most despotic government.

But in a society where luxury has nourished commerce, agriculture and industry, a totally different state of affairs is to be found:

...the peasants, by a proper cultivation of the land, become rich and independent; while the tradesmen and merchants acquire a share of the property, and draw authority and consideration to that middling rank of men, who are the best and firmest basis of political liberty. These submit not to slavery, like the peasants, from poverty and meanness of spirit; and having no hopes of tyrannizing over others, like the barons, they are not tempted, for the sake of that gratification, to submit to the tyranny of their sovereign. They covet equal laws, which may secure their property, and preserve them from monarchical, as well as aristocratical tyranny.¹⁵

English history bears all this out; the lower house of the legislature, the bulwark of the country's liberties, owes all its importance to the growth of commerce and the subsequent increase in the amount of property held by the commons: 'The liberties of ENGLAND, so far from decaying since the improvements in the arts, have never flourished so much as during that period'. Hume was prepared to concede that there was venality in English politics;

¹⁵ *ibid.*, iii, p. 306.

but he took care to point out that this was an effect of the unprecedented strength of liberty in England: 'though corruption may seem to increase of late years; this is chiefly to be ascribed to our established liberty, ...our princes (having) found the impossibility of governing without parliaments, or of terrifying parliaments by the phantom of prerogative'. Moreover, venality was far more prevalent amongst the electors than amongst the elected, whereas the exact opposite would be the case if corruption were truly inseparable from luxury; 'How inconsistent then is it to blame so violently a refinement in the arts, and to represent it as the bane of liberty and public spirit!' The luxury so characteristic of modern England had not subverted the country's liberties; it had created them.¹⁶

That Hume was quite convinced in his own mind that it was hopelessly naive to claim that the eighteenth century essentially represented a declension from some past golden age of freedom and happiness becomes crystal clear when we turn to another of the essays he published in 1752, Of the Populousness of Ancient Nations. In Of Luxury Hume attributed the ubiquity of the belief in the close connection between increased luxury and the decay of political liberty to an almost inherent human propensity to declaim against the present by magnifying the virtue of the past.¹⁷ In Of the Populousness of Ancient Nations we find him once again doing battle with this way of thinking, and on an equally broad front. His specific aim in writing this essay was to determine the comparative populousness of the classical world and the Europe of his own day. In the course of researching it he discovered that it was 'commonly supposed' by the various writers who had previously grappled with this question - and in this respect he had in mind the writings of Montesquieu and a

¹⁶ *ibid.*, iii, pp. 306-307.

¹⁷ *ibid.*, iii, p. 307.

manuscript treatise written by one of his Edinburgh associates, the Rev. Robert Wallace - that Europe's population had reached its peak sometime during the flourishing of ancient Greek and Roman civilization and had since greatly declined.¹⁸ Hume felt that it was by no means certain that this was the case; his suspicion of any form of glorification of the past made him lean towards the view that it was in fact modern Europe which was the more populous. But above all else, in Of the Populousness of Ancient Nations he sought to demonstrate that the state of the evidence was such that dogmatic assertions had to be avoided at all costs; he stressed that the prevailing ignorance concerning the populousness of the kingdoms and cities of the modern world, let alone the even greater lack of evidence concerning the populousness of the ancient world, meant that all comparisons between them in this respect were bound to be highly imperfect. This being so, Hume felt compelled to talk in terms of 'causes' as well as 'facts'; he felt compelled to adopt a conjectural approach. Given what we know about their respective social and political structures, he in effect asked, is it probable that the world of the ancient Greeks and Romans could have contained more people than Europe does at present? Human beings multiply rapidly only when their situation is easy and secure; 'wherever there (is) most happiness and virtue, and the wisest institutions,

¹⁸ 'Of the Populousness of Ancient Nations', *ibid.*, iii, pp. 56-59, 382-383; HL, i, pp. 140, 177-178. The demographic opinions of Montesquieu which Hume had uppermost in his mind here were those expressed in Lettres Persanes, lettres cxii-cxxii; see Montesquieu, Lettres Persanes, ed. Paul Vernière, Paris, 1965, pp. 232-259. For Wallace's ideas see his Dissertation on the Numbers of Mankind in Ancient and Modern Times, second ed., Edinburgh, 1809, especially pp. 11-14, 32-33, 81-82, 84-85, 148-149; 161-163; for the course of the (extremely amicable) controversy he conducted with Hume over matters demographical see HL, i, pp. 177-178 and NHL, pp. 28-35 as well as Mossner, Life of Hume, pp. 260-268. For general assessments of Hume the demographer see James Bonar, Theories of Population from Raleigh to Arthur Young, London, 1931 and Ernest Campbell Mossner, 'Hume and the Ancient-Modern Controversy, 1725 to 1752: A Study in Creative Scepticism', University of Texas Studies in English, XXVIII (1949), pp. 139-153.

there will also be most people'. The rate at which men propagate the species can thus be seen as an accurate reflection of the quality of 'their whole police, their manners, and the constitution of their government'.¹⁹

When Hume came to speculate as to how far the social and political structure of the classical world was likely to have been conducive to the happiness of its inhabitants, the first factor which he took into account was the key role which slavery had played in its economic life. At first glance, he contended, slavery, with all its accompanying misery and degradation, would seem to be absolutely inimical to human happiness and so ought unhesistatingly to be classed as one of the great impediments to the propagation of the species.²⁰ But Hume was also aware that in his treatment of this very same question Montesquieu had implied that slaveowners had an economic interest in encouraging their slaves to breed.²¹ He obviously had to discredit such a notion, and in fact he was able to mount a formidable case against it. In terms of making a profit, he argued, the slaveowners of ancient Greece and Rome could do no better than to discourage or prevent the slaves they already owned from breeding and to buy any new slaves they might need from the barbarians. Slavery in the classical world was thus no exception to the rule that happiness and populousness were inseparable.²² Moreover, Hume was convinced that it became even more difficult to uphold the notion that the classical world had been extremely populous once its whole economic life was taken into account. The primitive state of their agriculture, trade and industry indicated that the ancient Greeks and Romans had

¹⁹ Phil. Works, iii, pp. 383-384.

²⁰ *ibid.*, iii, pp. 385-387.

²¹ *ibid.*, iii, pp. 387-388; for Montesquieu's belief that the slaveowners of the classical world had every incentive to encourage their slaves to breed see Lettres Persanes, lettre cxv (pp. 242-243).

²² Phil. Works, iii, pp. 388-395.

never enjoyed the easy subsistence so characteristic of populous countries.²³

When he turned to the political structure of the classical world, Hume found further reasons for doubting that it had ever been thickly populated. His line of reasoning here is once again extremely interesting. Men are most happy when they live in civil societies enjoying widespread political liberty and social equality. It is thus fair to assume that the ancient Greeks and Romans, renowned for their republican and egalitarian spirit, bred prolifically.²⁴ But this still does not necessarily mean that the classical world was extremely populous. For one thing, the host of city-states into which it was divided had a propensity for indulging in extremely fierce and destructive warfare amongst themselves.²⁵ Again, political life within these same city-states was dominated by excessive violence and turmoil. Political instability was chronic. Ferocity and brutality were never far from the surface of party strife; successful factions invariably massacred or exiled their beaten opponents. Clamorous in asserting their rights in a desperate bid to differentiate themselves from the slaves, the common people were extremely turbulent and licentious. For this reason, the possession of property was very precarious; men of property had to govern with the utmost rigour if they wished to preserve their status.²⁶ In the classical world 'every man of rank was rendered a petty tyrant (as a result of being) educated amidst the flattery, submission, and low debasement of...slaves';²⁷ this meant that little store was put upon

²³ *ibid.*, iii, pp. 410-413.

²⁴ *ibid.*, iii, pp. 397-400.

²⁵ *ibid.*, iii, pp. 400-402.

²⁶ *ibid.*, iii, pp. 402-410.

²⁷ *ibid.*, iii, p. 385.

self-restraint, the only true foundation of order and therefore of liberty. For Hume, indeed, the men of the classical world 'were extremely fond of liberty; but seem not to have understood it very well'.²⁸

Thus, when we find him arguing in Of the Populousness of Ancient Nations that 'it seems impossible to assign any just reason, why the world should have been more populous in ancient than in modern times',²⁹ we have good reason for assuming that, if called upon to expressly do so, Hume would have denied that the civil societies of the Europe of his day were in any way inferior to the city-states of the classical world in terms of social and political organization. Moreover, given his belief that true liberty was best seen as an aspect of good government, such a denial would have virtually amounted to the contention that not only the populousness but also the freedom of the classical world had been greatly exaggerated by subsequent ages. Indeed, we have already seen that, being of the opinion that order and liberty were inseparable, Hume was inclined to believe that the ancient Greeks and Romans, for all their passionate republicanism, had lacked the self-restraint so necessary for the enjoyment of real liberty. He certainly was convinced that the Europe of his day was a far freer place in which to live than the classical world had ever been. For one thing, he felt that the decline of slavery in Europe alone meant that this was so. Domestic slavery was far more cruel and oppressive than all forms of civil subjection: 'The more the master is removed from us in place and rank, the greater liberty we enjoy; the less are our actions inspected and controlled; and the fainter that cruel comparison becomes between our own subjection, and the

²⁸ *ibid.*, iii, p. 403.

²⁹ *ibid.*, iii, p. 413.

freedom, and even dominion of another'.³⁰

A further reason for believing that the ancient Greeks and Romans had never enjoyed true freedom was the primitive state of their economic life. Because they had been unacquainted with luxury, because their trade and industry had always been 'more feeble and languishing' than was the case in modern Europe,³¹ the social structure of their republics had lacked that middling rank of prosperous peasants, tradesmen and merchants which formed the social prop of political liberty; the only effective political choice the inhabitants of the typical ancient republic had had was between 'a severe, jealous Aristocracy, ruling over discontented subjects; and a turbulent, factious, tyrannical Democracy'.³² Despite their ardent love of liberty, then, the ancient Greeks and Romans had never possessed the proper sociological conditions necessary for its enjoyment. In marked contrast, '(trade), manufactures, industry, were no where, in former ages, so flourishing as they are at present in EUROPE'; technological development, improved communications, enlarged commerce and such commercial devices as bills of exchange had all produced the most economically sophisticated civil societies the world had ever seen.³³ Hume felt, in short, that he was living in the first great age of luxury; he believed that he was living in the first era in human history in which sociological conditions were such that the inhabitants of civil society could enjoy to the full all the benefits of good government. He felt, indeed, that it was already possible to

³⁰ 'Of the Populousness of Ancient Nations', *ibid.*, iii, p. 385.

³¹ 'Of the Populousness of Ancient Nations', *ibid.*, iii, p. 413.

³² 'Of the Populousness of Ancient Nations', *ibid.*, iii, p. 409.

³³ 'Of the Populousness of Ancient Nations', *ibid.*, iii, pp. 410, 413.

claim that 'all kinds of government, free and absolute, seem to have undergone, in modern times, a great change for the better'.³⁴

Believing as he did that liberty and order were inseparable, Hume felt that there was yet another sense in which it could be said that the Europe of his own day was far freer than the classical world had been; he felt that in fact modern Europe was clearly a more orderly place in which to live than had ever been the case in ancient Greece and Rome. Hume believed that most of the civil societies of the Europe of his day could rightfully claim that they enjoyed the rule of law.³⁵ Interestingly enough, he accounted for this fact not so much in terms of the rise of free states like Holland or England but rather in terms of what he called 'civilized monarchy', the civilized monarchy par excellence being in his estimation contemporary France. Hume was quite convinced that the rule of law originated solely in free states; 'it is impossible, but, in time, the necessity of restraining the magistrates, in order to preserve liberty, must at last appear, and give rise to general laws and statutes'. But he also felt that the rule of law was extremely hardy; although it arose only in free states, it could be transplanted to absolute monarchies, where it was perfectly capable of taking root and flourishing. Men had to enjoy security against arbitrary exertions of power before they could begin to refine their taste and reason, and personal security was best buttressed by the rule of law; this meant that free states soon became the scene of bustling economic, intellectual and cultural activity. Absolute monarchs, however, eventually came to emulate them in this respect; as soon as they came to realize just how many benefits flowed from the

³⁴ 'Of Liberty and Despotism' (1741), *ibid.*, iii, p. 160. It should be noted that in 1758 Hume retitled this essay 'Of Civil Liberty'.

³⁵ 'Of Liberty and Despotism', *ibid.*, iii, p. 161.

rule of law, they felt compelled to place their ministers and servants - but not themselves - under the yoke of general laws. Such was the origin of a French-style civilized monarchy, a form of polity which, despite outward appearances, effectively enjoyed most of the advantages possessed by free states:

The people depend on none but their sovereign, for the security of their property. He is so far removed from them, and is so much exempt from private jealousies or interests, that this dependence is scarcely felt. And thus a species of government arises, to which, in a high political rant, we may give the name of Tyranny, but which, by a just and prudent administration, may afford tolerable security to the people, and may answer most of the ends of political society.³⁶

Hume considered that the rise of civilized monarchy in modern Europe threw into sharp relief the limitations of the ancient republics so far as the preservation of law and order was concerned. In the classical world law and order had always been 'more loose and irregular' than was the case in modern Europe.³⁷ Violence, lawlessness and anarchy had never been far from the surface in all the various aspects of its way of life and so personal security had always been extremely precarious. In this respect, modern Europe was plainly superior: 'We are informed by SALLUST, that CATILINE's army was much augmented by the accession of the highwaymen about ROME; though I believe, that all of that profession, who are at present dispersed over EUROPE, would not amount to a regiment'.³⁸

Personal freedom and security being inseparable from good government, it followed that the enjoyment of liberty had never been so widespread and secure; indeed, Hume was inclined to suspect

³⁶ 'Of the Rise and Progress of the Arts and Sciences', *ibid.*, iii, pp. 178-180, 184-186.

³⁷ 'Of the Populousness of Ancient Nations', *ibid.*, iii, p. 413.

³⁸ 'Of Liberty and Despotism', *ibid.*, iii, p. 161.

that in many ways it was no longer necessary to attempt to buttress personal liberty by means of constitutional government, by means of political liberty. The rise of civilized monarchy, the most spectacular manifestation of the general improvement in politics and government which was occurring throughout modern Europe, afforded sufficient reason to believe that this was the case; the example of France, the civilized monarchy par excellence, clearly indicated that a civil society need no longer possess political liberty if it wished to reap the benefits which flowed from widespread personal security: '(Civilized monarchies) are found susceptible of order, method, and constancy, to a surprising degree. Property is there secure; industry encouraged; the arts flourish; and the prince lives secure among his subjects, like a father among his children'. Absolute monarchies were still inferior to free states in terms of 'gentleness and stability', but with the spread of 'humanity and moderation' the gap had narrowed to such an extent that staunch Whigs like Addison, with their rant about human civilization and absolute monarchy being incompatible, sounded positively anachronistic.³⁹ Given this conception of civilized monarchy, Hume's calmness when confronted with the prospect that the growth of influence might perhaps convert England into an absolute monarchy becomes entirely explicable; to live in an age of luxury was to be assured of most of the benefits of freedom, irrespective of how far the outward appearance of political forms suggested the contrary.

³⁹ 'Of Liberty and Despotism', *ibid.*, iii, pp. 158, 161-162.

CHAPTER V

THE RANCOUR OF FACTION

(i)

Notwithstanding all the claims he made to the effect that the eighteenth century was the first era in human history in which it was possible for the inhabitants of civil society to enjoy to the full all the various benefits of good government, Hume did not feel inclined to sit back and wait for this desirable state of affairs to take shape of its own accord. He was eager to push the trend of events along, no doubt fearing that favourable opportunities and propitious circumstances might be squandered. He certainly had nothing to be complacent about. His sociology might tell him that Englishmen ought to be secure in the peaceful enjoyment of all the advantages which followed in the train of social and political order, but in many ways the brute facts of history conveyed a totally different message. For more than a century, if increasing luxury and good government were truly inextricable, England ought to have been the scene of steady and inexorable progress towards political stability and civil peace. But of course Hume was well aware that a cursory examination of the history of the previous century indicated that this had simply not happened; Of the Parties of Great Britain is very largely a catalogue of revolution, civil war and unrestrained party zeal, intrigue and spite. In truth, irrespective of how far broad social forces were favourable to the growth of political stability, what really mattered was that the behaviour of individuals and groups in the political scene had to be such as to bring about the crystallization of this process, and when he examined the modern history of England, it must have seemed to Hume that its inhabitants were simply incapable of acting

in such a way.¹

As we have already seen, Hume's strong commitment to political peace can be adequately explained purely in terms of the political circumstances of early and mid eighteenth-century Scotland; in itself an awareness of the turmoil of the seventeenth century could only have strengthened this already pre-existing commitment. But we need to bear in mind here that in purely English terms political instability was not only the dominant theme of the country's immediate past; it was also something which seemed to be endemic, even inevitable, so far as contemporary politics was concerned. Early eighteenth-century England, unlike contemporary Scotland, was never the scene of armed rebellions, but its political strife was still persistent enough to give Hume cause for concern. From his reading of history he had become convinced that the difference between party warfare and actual warfare was always a very thin line, so that he was inevitably disturbed by the fact that post-Revolution politics just as much as pre-Revolution history clearly vindicated all the ideas he held to the effect that unrestrained party conflict was deeply rooted in English politics. Far from leading to the growth of political stability, the Revolution was in many ways inimical to such a development, for it ensured that the traditionally unruly and turbulent House of Commons would occupy an entrenched position in the constitution.² The subsequent protracted warfare with France brought about a rapid expansion in the complexity of public finance and the size of the

¹ For a clear account of the divergence between political events and the general drift towards stability in late seventeenth-century England see J.H. Plumb, The Growth of Political Stability in England 1675-1725, London, 1967, chap. i.

² *ibid.*, chap. ii.

bureaucracy, and as a result backbench fear of corruption was exacerbated and the struggle between the politicians for control of the distribution of jobs and places became even more intense.³

After 1714 the Tories went into eclipse, but the Whigs immediately began to indulge in fierce factional strife amongst themselves.⁴

By the late 1720's, it is true, Sir Robert Walpole had entrenched himself as chief minister, and it has been suggested that by this time the political structure of the country was already beginning to assume massive stability.⁵ However, from Hume's standpoint, it was by no means self-evident that Walpole's period in office would mark a radical break with the past; the whole course of England's recent history taught him that periods of political peace were invariably mere gaps between far longer periods of chaos and instability. Moreover, when he made his first appearance as an essayist in 1741-42, political circumstances were far from propitious; indeed, on the surface of things the course of events suggested that the political peace which had characterized much of Walpole's period in office might perhaps be coming to an end. By 1741 Walpole's star was clearly in the descendant, which meant that there was a corresponding increase in political controversy; with the decline in Walpole's fortunes parliamentary politics heated up, while at the extra-parliamentary level political discontent was rife. It was no mere coincidence that Hume should have chosen to make his debut as an essayist in the winter of 1741-42, the period when the parliamentary opposition's attack on Walpole finally

³ ibid., chaps. iv-v; Kramnick, Bolingbroke's Circle, chaps. ii-iii.

⁴ J.H. Plumb, Sir Robert Walpole, 2 vols., London, 1956-60, i, chaps. vi-vii.

⁵ Plumb, Growth of Political Stability, chap. vi.

culminated in success.⁶

That the political crisis accompanying the fall of Walpole was the main reason why Hume chose to make his first appearance as an essayist in the winter of 1741-42 becomes clear when we consult the preface he attached to the first volume of Essays Moral and Political. In it we find him stating openly that the chief intention of many of the essays is to help bring about a cooling of party passion:

...I must confess, I feel some Anxiety concerning the Success of my Work: But one Thing makes me more secure; That the READER may condemn my Abilities, but must approve my Moderation and Impartiality in my Method of handling POLITICAL SUBJECTS,...Public Spirit, methinks, shou'd engage us to love the Public, and to bear an equal Affection to all our Country-Men; not to hate one Half of them, under Pretext of Loving the Whole. This PARTY-RAGE I have endeavour'd to repress, as far as possible; and I hope this Design will be acceptable to the moderate of both Parties; at the same Time,⁷ that, perhaps, it may displease the Bigots of both.

But the fact that Hume had specifically English conditions very much to the fore in his thinking in his early political essays meant that he had to modify the approach he had taken in Of Morals in a very important direction. It has previously been argued that Hume's advocacy of a de facto theory of political obligation becomes understandable when we take into account his Scottish background. But when we view Hume the essayist in relation to the state of contemporary English politics, we find that if he wished to be effective in helping contribute to the formation of an era of good feeling, he had to do more than simply expatiate upon the benefits of a whole-hearted acceptance of the existing structure of political power. After all, in the early 1740's few politically articulate

⁶ For accounts of the events surrounding Walpole's decline and fall see William Coxe, Memoirs of the Life and Administration of Sir Robert Walpole, 3 vols., London, 1800, iii, chaps. 50-60 and Owen, Rise of the Pelhams, pp. 1-40, 87-110.

⁷ Phil. Works, iii, pp. 41-42.

Englishmen cared to be classed as anything other than a true friend of the essential principles of the British constitution. This did not, of course, necessarily result in political peace; fundamental constitutional principles need not be at stake for politicians to indulge in party strife, and there was certainly nothing much involved in the conflict which accompanied the fall of Walpole other than a struggle for place.⁸ This state of affairs interested Hume deeply. In his early political essays his attention is very much focused upon the question of the relationship between party conflict and broad political consensus; in them we find him softening the sternly neo-Hobbesian stance which he had adopted in Of Morals to the extent of indulging in speculation concerning how far it was possible for political strife to occur within an overall context of civil peace. Hume never considered that he could take it for granted that such a state of affairs was bound to occur in the England of his day; but this did not mean that he despaired of ever seeing it come about.

(ii)

Up till now we have simply assumed that, as a result of the chronic political stability which plagued the seventeenth and early eighteenth-century English-speaking world, Hume automatically classed party conflict as a political evil. This was in fact the case; in such essays as Of the Parties of Great Britain and Of the Populousness of Ancient Nations Hume took it for granted that party conflict was undesirable and spent most of his time in outlining in

⁸ 'An essentially personal attack was met at length by an essentially personal acceptance of defeat', Owen, Rise of the Pelhams, p. 35.

dramatic detail the actual harm which it had caused in specific civil societies. But Hume's dislike of party did not always remain an unexpressed assumption; one of the essays published in 1741-42, Of Parties in General, contains a florid set piece in which a fundamental opposition to the very existence of party strife is expressed. The existence of party conflict, we find Hume contending, is completely incompatible with that of political order and stability. 'Factions subvert government, render laws impotent, and beget the fiercest animosities among men of the same nation, who ought to give mutual assistance and protection to each other'; once these 'weeds' take root in a civil society, its 'total dissolution' is inevitable.⁹

Being a formal expression of his elemental hatred of faction, this tirade against party conflict was no mere piece of empty rhetoric on Hume's part; he was to spend much of his time as an essayist in giving it substance and detail, a process which was to culminate in his depiction in Of the Populousness of Ancient Nations of the baleful effects of party conflict in the city-states of the classical world. Hume in fact considered that the party strife of the ancient world was easily the worst manifestation of faction which had ever broken out in civil society. In his opinion, the 'inveterate rage' and 'bloody maxims' characteristic of parties in the classical world could be found in modern Europe only amongst religious parties. Moreover, even in Ireland, where the worst outbreaks of sectarian conflict occurred, political parties were still unable to match the ferocity and brutality of the factions depicted by a Thucydides or an Appian.¹⁰ But for Hume the difference here was essentially one of degree, not kind; he never assumed that party conflict could be anything else than an evil. In Of the Parties Of Great
9 Phil. Works, iii, pp. 127-128.

¹⁰ 'Of the Populousness of Ancient Nations', *ibid.*, iii, pp. 402-404.

Britain he could point to the chaos which it had caused in seventeenth-century England, while in Of Parties in General he was able to further expatiate upon its worthlessness, taking care to point out the 'spite' and 'ill-nature' of the Jacobites,¹¹ the 'frivolous' and yet at the same time 'furious and enraged' character of the sectarian conflict brought about by the Reformation¹² and the frequently 'trivial' issues at stake in the party conflict of the classical world and Renaissance Italy.¹³

But we need to recall here that Hume's fundamental aim throughout the whole of his science of man was to build up a picture of the essential framework of man's mental and social activity by discovering recurring patterns of human behaviour. Now if the essays he wrote on party did nothing else, they at least pointed up the ubiquity of party conflict in civil society; no matter how they may have differed in other ways, ancient Greece and Rome, Renaissance Italy, Reformation Europe and seventeenth-century England had all shared the common characteristic of being racked by fierce strife between parties and sects. Faced with all the examples of destructive party conflict which he had so carefully culled from history, Hume was forced to conclude that party conflict was inevitable in civil society. In Of Parties in General he conceded that the frequently trivial character of party differences indicated that 'mankind had...a strong propensity to such divisions',¹⁴ while we have already seen that in Of the Parties of Great Britain he had to acknowledge that the mixed government of England was extraordinarily fecund as a source of party

¹¹ *ibid.*, iii, p. 133.

¹² *ibid.*, iii, pp. 129-133.

¹³ *ibid.*, iii, pp. 128-129.

¹⁴ *ibid.*, iii, p. 129. This concession was not included in the text of this essay as it was initially published in 1741, but it was included in the form in which the essay appeared in 1742, in the second edition of the first volume of Essays Moral and Political; it certainly represents the logical outcome of the drift of the argument initially put forward.

strife. In other words what Hume was in effect saying in these two essays on party was that, human nature in general and the British constitution in particular being what they were, there was rooted in the very nature of England's public life a political phenomenon - faction - which had led to the collapse of all previous highly-developed civil societies.

Hume, it is true, was not prepared to accept the notion that party politics was inevitable in civil society without putting up at least some show of resistance. We should recall in this context that he saw the model form of government which he delineated in Idea of a Perfect Commonwealth as a way to bring about the extinction of all forms of party conflict.¹⁵ However, when Hume did succumb to the perfectionism inherent in the concept that skilfully arranged laws and constitutions could compel men to act in politically virtuous ways, the resulting outbreak of utopian sentiment was a very mild affair; in Idea of a Perfect Commonwealth he took pains to stress that it was essential that a perfect form of government should be introduced 'by such gentle alterations and innovations as may not give too great disturbance to society'.¹⁶ Hume never deviated from the view that party was an evil, but he ultimately came to the conclusion that the party conflict which arose whenever a civil society's institutional arrangements were arranged in an imperfect fashion - and we must never forget that for Hume the mixed government of England was very much an imperfect form of government - was practically ineradicable.¹⁷ To understand why Hume's utopianism was such a very diluted affair, all we have to do is to recall once again that his fundamental political attitude was loyalty to de facto power, a commitment

¹⁵ And in particular conflict between court and country. See *ibid.*, iii, p. 491.

¹⁶ 'Idea of a Perfect Commonwealth', *ibid.*, iii, p. 481.

¹⁷ 'Of Parties in General', *ibid.*, iii, pp. 128, 130.

which reflected a deeply-rooted scepticism as to the power and importance of human reason. Because this was the case, Hume was incapable of subscribing to a radical or messianic kind of utopianism; his perfect form of commonwealth, his partyless state, was a model which actual civil societies might seek to gradually approach, but which they could not hope to reach by a sudden leap. Hume's basic loyalty was to established power, irrespective of how 'botched and inaccurate' its current manifestation might happen to be; he reserved the right to suggest improvements which could be carried out with a minimum of fuss and disorder, but he consciously sought to avoid giving the impression that he was imbued with any kind of reformist zeal. Of all the 'artificial contrivances' in the world government alone did not thrive upon ceaseless innovation; to disturb an established set of political arrangements was to break the web of custom and habit and thereby put political stability in jeopardy. The prudent civil magistrate was indeed a friend of political improvement; but he always sought to 'adjust his innovations, as much as possible, to the ancient fabric, and (to) preserve entire the chief pillars and supports of the constitution'.¹⁸

Hume's overall attitude towards party is now clear. At its most elemental, that attitude was one of complete hostility; as far as Hume was concerned, all previous history indicated that the existence of party conflict and the existence of civil society were in the long run completely incompatible. So deep was his hostility that he indulged in utopian speculation concerning the possibility of abolishing faction by means of the skilful arranging of institutions. However, Hume's hostility to party conflict was but one aspect of an overall commitment to the maintenance of the status quo, and being a good de facto theorist, he ultimately came to the conclusion

¹⁸ 'Idea of a Perfect Commonwealth', *ibid.*, iii, p. 480.

that it was imprudent to seek some radical alternative to the status quo in politics irrespective of how rough and ready its institutional arrangements might happen to be. The status quo in politics for Hume was the mixed constitution of England, which in his opinion was imperfect as a form of government. Although it commanded the loyalty of most Englishmen and thereby ensured the existence of an overall climate of political harmony, it partitioned political power out in an extremely delicate fashion and as a consequence it was a veritable breeding-ground of party strife. Nevertheless, this mixed government still formed the status quo, and Hume stoically accepted it as such, along with all the evils to which it gave rise - for example, the struggle between court and country. Moreover, the fact remained that most Englishmen were in general agreement concerning the excellence of their constitution; this was a state of affairs which Hume hoped to exploit in the interests of compromise and mediation. He accepted party conflict as an ineradicable fact in English politics, but his support of de facto power was never so rigid as to prevent him from looking for ways in which political improvement could be gradually effected; as an essayist he set out to work towards achieving a gradual fading away of the more extravagant aspects of party conflict, towards helping suffuse English political opinion with humanity and moderation, thereby ensuring that the party strife endemic in English politics would never become so fierce as to imperil the continued existence of social and political order. Our next task is to find out how he actually went about trying to achieve this goal.

(iii)

Of all the essays published by Hume in the winter of 1741-42 That Politics may be reduced to a Science is the one which contains his most elaborate attempt to help cool the party passions of the time. We have already seen that in this essay Hume set out to prove that the real worth of a constitution could only be assessed by discovering the degree to which its institutions were able to compel men to act according to the public good. Now once he had proved this point to his own satisfaction, he immediately went on to postulate that in a civil society which met this requirement there was a strong inducement to maintain the existing constitution, seeing that it was the means by which 'liberty is secured, the public good consulted, and the avarice or ambition of particular men restrained and punished'.¹⁹ Having established this doctrine, he then sought to draw from it 'a lesson of moderation with regard to the parties, into which our country is at present divided'.²⁰ He sought, in other words, to convert it into a means of deflating the rhetoric which was being thrown around as the attack on Walpole grew stronger and stronger;²¹ his whole line of reasoning here was designed to show that in a civil society like England, with its extensive freedom of expression, political debate tended to become unduly heated. Not content with arguing that Walpole's conduct is pernicious in itself, the country-party contends that he has subverted the constitution, thereby jeopardizing the safety of future generations. The court-party, on the other hand, is not content with maintaining that Walpole

¹⁹ ibid., iii, p. 106.

²⁰ ibid., iii, p. 107.

²¹ For a sample of the rhetoric employed by court and country in the winter of 1741-42 see Parliamentary History, xii, cols. 290-319, 332-373, 416-446.

has upheld the honour of the present generation; it also insists that he has strengthened the constitution, thereby putting England's freedom upon an impregnable foundation. Because they resort to such extravagant language, both parties throw each other into a ferment and fill the nation with violent animosities.²²

Hume hoped to rectify this situation by exploiting for the purpose of irony all the ambiguities inherent in the fact that the crisis of 1741-42 essentially involved a personal attack on Walpole in which no fundamental constitutional principles were at stake. Country-party spokesmen, he argued, have for years echoed Bolingbroke in denouncing Walpole while at the same time lauding the constitution. However, if the constitution is deserving of their praises, Walpole cannot be deserving of their strictures, for a good constitution would never have allowed a corrupt minister to stay in power for as long as he has. This being so, if Walpole is really wicked and weak, he again cannot in all fairness be accused of corrupting an excellent constitution, it being of the essence of such a constitution to keep wicked and weak ministers in check. The court-party, on the other hand, lauds both Walpole and the constitution. However, if the constitution is really excellent, a change of ministry is nothing to get worked up about, for no matter how bad the new ministers may be, the constitution, being excellent, will prevent them from abusing their power. But if the constitution should not in fact be as excellent as it is universally depicted, a change of ministry still ought not to cause members of the court-party too much concern, for under a bad constitution an outbreak of the various political evils is inevitable, no matter how vigilant or able ministers may be. When they become acquainted with the great truth of political science - that a constitution is only as good as the degree to which

²² Phil. Works, iii, pp. 107-108.

it makes maladministration impossible - both sets of partisans will come to realize just how misplaced all their passion is.²³

It is unquestionable that Hume's argument here is in many ways nothing more than mere quibbling and cleverness; but it is still important in that it shows us how effectively he could turn irony and an almost ostentatious impartiality into formidable weapons to be used against all forms of extravagant rhetoric. Hume's moderation, we must never forget, was always a political stance; it was never an attempt to avoid commitment. In his hands, indeed, it was a form of polemic. Believing in the virtues of peace and acquiescence, he naturally considered moderation to be true zeal for the public good; a zealous proclamation of patriotic fervour, in contrast, was, so far as he was concerned, invariably nothing more than mere pretence, a mere cynical attempt to hide narrow and base partisan spirit behind a smokescreen of florid rhetoric, a smokescreen which was best dissipated by cool and detached analysis of political debate. In Hume's opinion, true moderation was never a matter of moderation so far as 'the industry and passion, with which every individual is bound to pursue the good of his country' was concerned:

I would not be understood to mean, that public affairs deserve no care and attention at all. Would men be moderate and consistent, their claims might be admitted; at least might be examined. The country-party might still assert, that our constitution, though excellent, will admit of mal-administration to a certain degree; and therefore, if the minister be bad, it is proper to oppose him with a suitable degree of zeal. And, on the other hand, the court-party may be allowed, upon the supposition that the minister were good, to defend, and with some zeal too, his administration. I would only persuade men not to contend, as if they were fighting pro aris & focis, and change a good constitution²⁴ into a bad one, by the violence of their factions.

²³ *ibid.*, iii, pp. 108-109.

²⁴ *ibid.*, iii, pp. 107-109.

Being well aware of the fact that this very question of the worth of Walpole as a minister had been canvassed for more than twenty years, Hume was determined that there should be at least one item written about him which was characterized by judgement and impartiality rather than by party passion. Accordingly, he took care to include in Essays Moral and Political a brief assessment of Walpole's character and deeds, which he entitled A Character of Sir Robert Walpole. In this piece he firstly sought to show that Walpole the man was neither as exemplary nor as heinous as court and country respectively depicted him. He maintained, for example, that Walpole was a man of ability but not a genius. Similarly, he was good-natured but not virtuous. But when Hume considered Walpole solely as a minister, he found that the country-party had the better of the argument; the time had come for Walpole to go. Although in expressing this view Hume was inclined to slip into loose country-party rhetoric, he never forgot the basic lesson of moderation he was seeking to inculcate; at a time when impeachment or the threat of it was still considered to be a useful political tactic Hume took care to insist that Englishmen had to see to it that the element of sheer physical danger was removed from party strife:

(Walpole's) ministry has been more advantageous to his family than to the public, better for this age than for posterity, and more pernicious by bad precedents than by real grievances. During his time trade has flourished, liberty declined, and learning gone to ruin. As I am a man, I love him; as I am a scholar, I hate him; as I am a BRITON, I calmly wish his fall. And were I a member of either house, I would give my vote for removing him from ST. JAMES's; but should be glad to see him retire to HOUGHTON-HALL, to pass the remainder of his days in ease and

pleasure.²⁵

But although scrupulously striving to be impartial in That Politics may be reduced to a Science and actually siding with the parliamentary opposition in his Character of Sir Robert Walpole, Hume was convinced that the country-party was inherently more violent and dangerous than the court-party. He felt that country-party spokesmen like Bolingbroke tended to be dogmatic and imperious in their approach to political questions because they enjoyed the advantage of advocating established and popular opinions. Because of their rabid espousal of the cause of political liberty, they had succeeded in convincing the public at large that they were 'the true WHIGS' and that the court-party, in contrast, represented 'the true TORIES'. For this reason, they could count upon being called zealous patriots whenever they became warm and passionate; court-party men, on the other hand, were inevitably regarded as shameless mercenaries whenever it was their turn to become

²⁵ *ibid.*, iv, pp. 395-396. Walpole's political opponents did in fact make an attempt to subject him to a political trial. The course and eventual failure of this attempt is outlined in Coxe, Walpole's Life and Administration, iii, pp. 266-278, 306-307 and Owen, Rise of the Pelhams, pp. 101, 105-109. It should also be pointed out here that in an advertisement attached to the second volume of Essays Moral and Political. Hume says that his character of Walpole was 'drawn some months ago, when that Great MAN was in the Zenith of his Power'; this would suggest that it was written some time after 13 February 1741, when Walpole, in what was to be his last great parliamentary triumph, easily brushed aside an opposition censure move (see Coxe, Memoirs of Walpole's Life and Administration, iii, pp. 180-181 and Owen, Rise of the Pelhams, p. 3). He goes on in the advertisement to say the following: 'I must confess, that, at present, when (Walpole) seems to be upon the Decline, I am inclin'd to think more favourably of him, and to suspect, that the Antipathy, which every true born Briton naturally bears to Ministers of State, inspir'd me with some Prejudice against him'. See Phil. Works, iii, p. 45 and Mossner, Life of Hume, pp. 142-143. For a sequel to this whole venture see Robert C. Elliott, 'Hume's "Character of Sir Robert Walpole": Some Unnoticed Additions', The Journal of English and Germanic Philology, XLVIII (1949), pp. 367-370.

heated.²⁶ Believing this to be the case, Hume made sure that it was the country-party's pretensions which bore the full brunt of the deflating impact of his irony and quizzical impartiality. We have already seen how he sought to use these weapons against the country-party's traditional demand for the passage of a Place Bill. He adopted a similar approach when he came to examine the merits of another item of the country-party's stock programme - the demand for the binding of members of parliament to their constituents by means of instructions. The country-party's claim was that such a reform would greatly lessen the dependence of the Commons upon the crown, thereby strengthening the foundations of England's mixed government. But in Essays Moral and Political Hume specifically rejected this whole line of reasoning; he instead sought to show that such a reform would weaken rather than strengthen England's mixed government. It would, he argued, weaken the influence of the crown to such an extent that England's mixed government would wither away, to be replaced by a Dutch-style pure republic. Believing as he did that the form of government enjoyed by the Dutch was superior to that of England, Hume felt that such a change would involve no great hardship; it would not lead to the rise of a direct democracy, for the people would remain scattered throughout the constituencies and would thus be more susceptible to reason and order and less exposed to demagoguery.²⁷ It was the demand for a Place Bill alone which Hume saw

²⁶ 'Of the Independency of Parliament', Phil. Works, iii, pp. 117-118; 'Of the Parties of Great Britain', ibid., iii, p. 143.

²⁷ 'Of the First Principles of Government' (1741), ibid., iii, pp. 112-113. For general assessments of the role which the demand for the introduction of instructions played in eighteenth-century politics see Kemp, King and Commons, pp. 2, 43-47 and Kramnick, Bolingbroke's Circle, pp. 124-127, 172-177. It should be pointed out that it was the country-party's demand for the introduction of instructions which drove Burke into advancing his famous definition of the role of the member of parliament.

as a move towards anarchy; he no doubt assumed that instructions would keep the Commons dependent upon an extra-parliamentary power whereas the passage of a Place Bill could conceivably bring about a situation in which such restraint was totally lacking.

But for all his concern about country-party extravagance, Hume could not but have been heartened by the fact that he could depict the political crisis of 1741-42 solely as a clash between court and country; nowhere in Essays Moral and Political does he give any indication that he saw the struggle between Walpole and his opponents as a clash between Whigs and Tories. All this must have suggested to him that this struggle was either a mere scramble for place or a difference of opinion between two groups who were nevertheless both completely committed to the constitution; a clash between Whigs and Tories was another matter altogether, involving at it did such a fundamental political question as the succession issue. In the years immediately after 1742, however, Hume was compelled to more and more direct his attention towards this clash between Whigs and Tories at the expense of his interest in the clash between court and country. Within a few years of Walpole's resignation Henry Pelham had firmly entrenched himself as his successor, and as a result there was a marked cooling off in parliamentary politics.²⁸ On the other hand, the Jacobite uprising of 1745 indicated in a dramatic fashion that the succession issue was not wholly moribund. In the 1741 edition of Essays Moral and Political Hume had rather unguardedly given his opinion that Jacobitism had 'almost entirely vanish'd',²⁹ but following the '45 such an attitude obviously stood condemned as unrealistically

²⁸ Owen, Rise of the Pelhams, pp. 318-320.

²⁹ 'Of the Parties of Great Britain', Phil. Works, iii, p. 144.

complacent. As we have already pointed out, Hume's whole political stance reflected an underlying fear of anarchy and lawlessness and so it is not being overly tendentious to dismiss a single complacent reference to the Jacobites as but an example of loose talk. In the 1748 edition of Essays Moral and Political he naturally removed the offending remark. But he did more; this edition included three new essays in which Hume set out to thoroughly canvass the whole succession issue. In Of the Protestant Succession he sought to debate the respective merits of the claims of Hanover and Stuart; in Of the Original Contract and Of Passive Obedience he set out to discuss the worth of the respective ideologies canvassed by the Whigs and the Tories, the two great parties which he always associated with the succession issue.³⁰

In the event, Of the Protestant Succession did not get to be published in 1748. Rigorously upholding his policy of adhering to the strictest impartiality whenever discussing political questions, Hume sought to discuss the succession issue 'as coolly and indifferently' as if he were examining 'the dispute betwixt Caesar and Pompey'.³¹ However, many of his friends were convinced that, given that it was barely two years since the '45 had been put down, it would be extremely dangerous for a Scotsman to adopt such an attitude when treating so touchy a question, and eventually they managed to persuade him to suppress publication of the essay until 1752, when it appeared in Political Discourses.³² When we analyse the argument Hume advanced, we find that his friends were right to query his prudence; in Of the

³⁰ For the history of the writing and publication of these three essays see HL, i, pp. 111-113, 167 and Mossner, Life of Hume, pp. 174, 179-180, 268-269.

³¹ HL, i, p. 111.

³² For the reaction of Hume's friends to this essay see *ibid.*, i, pp. 111-113.

Protestant Succession we find him in effect contending that, in terms of abstract argument, the respective advantages and disadvantages involved in submission to either the House of Hanover or the House of Stuart very much cancel each other out.

Hume's real aim in this essay was to show that the only way the defenders of the political status quo in England could clearly justify their position was by insisting that de facto control of political power was the decisive argument in settling all really serious political disputes, in this case the succession issue. He first set out to show that it was impossible to settle this question by means of pure argument. The Jacobites can argue that from the point of view of political stability tremendous benefits flow from the strict maintenance of hereditary succession. The Hanoverians can reply to this by pointing out that the only way in which the high monarchical principles of the Stuarts were effectively discredited was by the creation of an essentially parliamentary monarchy and by departing from strict hereditary succession. The Jacobites can point to the foreign dominions of the House of Hanover; the Hanoverians to the notorious bigotry of the Stuarts. The inconveniences caused by the foreign dominions of the House of Hanover fade into utter insignificance when compared with the inconveniences which would occur should the Popish House of Stuart, along with its train of priests and friars, be restored. Moreover, even from the point of view of political stability, the Hanoverians can mount a formidable case. Under the Stuarts England was plagued with chronic political instability; since 1714 there has been uninterrupted harmony between crown and parliament. Nevertheless, violations of hereditary succession rarely go unchallenged; since 1714 the Jacobites have launched two armed rebellions as well as countless plots and conspiracies. By tampering with the succession Englishmen have ensured

that the struggle between court and country - which is perfectly compatible with continued civil peace - will be complicated by disputes over who is to occupy the throne - and '(among) contending titles, the question can only be determined by the sword, and by devastation, and by civil war',³³

Hume was convinced that the only way to cut through this Gordian knot and put forward a convincing reason for continued rejection of the Jacobite cause was by falling back upon neo-Hobbesian principles; the House of Hanover was ultimately deserving of support because it had proved itself capable of doing an effective job:

...the settlement in the House of HANOVER has actually taken place. The princes of that family, without intrigue, without cabal, without solicitation on their part, have been called to mount our throne, by the united voice of the whole legislative body. They have, since their accession, displayed, in all their actions, the utmost mildness, equity, and regard to the laws and constitution. Our own ministers, our own parliaments, ourselves have governed us; and if aught ill has befallen us, we can only blame fortune or ourselves.

In reality, it was simply too late in the day to hope to secure political stability by means of a rigid commitment to hereditary succession. From custom and habit a great part of the nation had come to regard the Hanoverians as being worthy of obedience on grounds other than sheer present possession of power; it was no longer possible to avoid a disputed title by reverting back to the House of Stuart.³⁴

When we turn to Of the Original Contract and Of Passive Obedience and examine what Hume has to say concerning the differing political ideas of the Whigs and the Tories, the two great parties of the succession issue, we find him very largely repeating ideas he had already canvassed in Of Morals, albeit in a less rigorously

³³ Phil. Works, iii, pp. 470-479.

³⁴ ibid., iii, p. 479.

philosophical fashion. Hume's line of reasoning amounts to the contention that the ideological quarrel between the Whigs and the Tories is completely pointless and wrong-headed, a thesis which he had in effect already expounded in Of Morals, so that his ideas inevitably have a familiar ring. The Tories, we find him arguing, are right when they stress that subjects should put great store upon paying strict obedience to the commands of the state; but they are misguided whenever they become so extravagant as to claim that subjects have absolutely no right at all to resist egregious tyranny. The Whigs are right when they point out that political power is created by consent alone; but they are wrong whenever they claim that all governments currently existing in the world draw the whole of their moral authority from the consent of the governed.³⁵ As was the case in Of Morals, the writings of Locke were uppermost in Hume's mind when he set out to criticize what he took to be the Whig theory of political obligation. Instead of seeing it as 'the last refuge in desperate cases, when the public is in the highest danger, from violence and tyranny', Locke had looked upon revolution with such complacency that his whole political philosophy, with its shrill insistence upon the necessarily conditional character of political obedience, was a positive danger to peace and order.³⁶

Seen from the point of view of Hume's commitment to de facto power, the most important fact to be noted about these two essays is that in them he extensively exploits history for avowedly

³⁵ 'Of the Original Contract', *ibid.*, iii, pp. 443-456, 460; 'Of Passive Obedience', *ibid.*, iii, pp. 460-461.

³⁶ 'Of Passive Obedience', *ibid.*, iii, pp. 461-462.

polemical purposes, Of the Original Contract being especially noteworthy in this respect. In Of Morals Hume had already sought to give his theory of political obligation extra persuasiveness by appealing to history. The past being very largely a saga of usurpation and rebellion, it was simply pointless to quibble about legality or right when confronted with usurped power; subjects were best advised to submit with good grace to whoever happened to be the present possessor of power. In Of the Original Contract Hume took this theme up again; as part of his overall effort to discredit what he saw as Locke's undue stress upon the importance of consent, he sought to make use of what he took to be the basic message of history. In his opinion, Locke's poor grasp of reality was dramatically revealed when his theories were viewed in the light of historical fact: the study of history revealed that most governments currently existing in the world had sprung from 'usurpation or conquest, or both, without any pretence of a fair consent, or voluntary subjection of the people'. The licence and disorder of the popular assemblies of Athens, 'the most extensive democracy, that we read of in history', clearly indicated that the common people were incapable of accepting the self-restraint which constructive political activity demanded. Whenever they were released from the grip of authority, politics became largely a matter of lawlessness and anarchy; in such a situation prudent men felt compelled to follow Roman practice by placing themselves in the service of a military dictator. The Glorious Revolution indicated that a popular election led to the establishment of a stable form of government only when it was controlled by 'the combination of a few great men'. There was only one thought which could occur to any observant student of history: 'Is there any thing discoverable in all these events, but

force and violence?',³⁷

(iv)

In any discussion of the role which history played in Hume's thinking as a political scientist it is always helpful to recall that 1752, the year when he largely ceased his work as an essayist, was also the year when he began working upon what was to become a multi-volume general history of England. The reason why he followed such a course becomes explicable when we recall the overriding importance in his essays of his interest in the question of the relationship between political liberty and public authority in the England of his day. One great lesson of Hume's political essays was that the mixed constitution of England was not a perfect form of government; it did not absolutely ensure the continued existence of social and political peace, being instead a veritable hot-bed of party strife, of conflict between court and country. If it were a truly perfect form of government, it would not suffer from such a weakness and England would be a partyless state. Not being a perfect commonwealth, England as a civil society was subjected to constant stress and strain, to flux and instability, to force and violence; it was, in other words, inextricably rooted in the sphere of history. By way of contrast, a perfect commonwealth, being wholly rational in form, would enjoy the happy condition of having no history worth speaking of. In short, the mixed constitution of England being imperfect as a form of government, its workings had to be studied from a decidedly historical point of view.

In any civil society there was bound to be tension between authority and liberty, but under a mixed constitution, with its countervailing republican and monarchical elements, this tension assumed a highly-developed form, being tightly woven into the very fabric of politics. Moreover, a British-style mixed constitution

³⁷ *ibid.*, iii, pp. 447-450, 453-454.

led to a spirit of watchful jealousy springing up amongst the partisans of liberty, a development which also ensured that under it politics would be inherently unstable, with country-party extravagance giving rise in turn to court-party extravagance. That Hume was quite capable of viewing the effects of these flaws from a decidedly historical standpoint should by now be perfectly clear. The essay in which he sought to delineate the essential framework of the clash between court and country - Of the Parties of Great Britain - was also the essay in which he set out the ideas he held at the time concerning the immediate historical origins of the eighteenth-century constitution. In this same essay - and in Of Superstition and Enthusiasm as well - we also find him linking this struggle between court and country to the struggle between Anglicanism and evangelical Protestantism, between superstition and enthusiasm, the second great set of concepts which he employed whenever studying the course of English party politics. Furthermore, the fact remained that the republican element of a mixed constitution was itself a distinctively historical product; it had to be seen as accident, not as essence, and as such it had to be studied in terms of the historical experience and social structure of specific civil societies. In short, a third concept was needed if it were to be explained why England had a mixed constitution in the first place. It was in Of Luxury that Hume hit upon this concept - it was because of the rise and spread of luxury that England enjoyed a mixed constitution. In Hume's opinion, the rise of luxury, along with the division between court and country and the rivalry of enthusiasm and superstition, represented the central theme of seventeenth-century history; together they formed the three great concepts which he was to employ when he came to examine the immediate historical origins of the eighteenth-century constitution, that is to

say, when he first began to put his History of England together.

But we need to note here that our discussion of the appeals Hume made to history in Of Morals and Of the Original Contract has already revealed that his interest in the past was strongly polemical in form; whenever he looked back upon the past, he did so in an effort to discover evidence which would back up the particular political stance he had adopted or which would help discredit rival ideas and concepts. In Of Morals he appealed to history in an effort to add colour and substance to concepts he had canvassed in his capacity as a de facto theorist of political obligation; he sought to show that history was a tale of conquest and usurpation in order to enforce the notion that prudence dictated that present possession should be regarded as the decisive argument in disputes concerning the true grounds of political obedience. In Of the Original Contract he once again played upon this theme, this time in order to head off what he saw as the unsettling effects of Locke's stress upon the importance of consent. All this clearly indicates that his interest in history has to be seen as an aspect of his overall commitment to de facto power, as an aspect of his overall attempt to inculcate a mood of complete acquiescence in the settled structure of political arrangements. This being so, it necessarily follows that our next immediate task is to discover why he should have considered that in the interests of peace and order he had to produce a multi-volume study of English constitutional history.

PART III

THE HISTORIAN

CHAPTER VI
COURT AND COUNTRY POLITICS AND
ENGLISH HISTORIOGRAPHY

(i)

At the same time as he was developing his science of politics through his work as an essayist, Hume was striving to achieve the financial independence without which he could never hope to attain the 'peace of mind,...Liberty & Independancy on Fortune, & Contempt of Riches, Power & Glory'¹ which he always cherished. The sale of Essays Moral and Political provided him with a tidy windfall, but his regular income still remained inadequate,² so that he was forced to once again enter 'a more active Scene of Life'. In the summer of 1744 he allowed himself to become a candidate for a professorship at Edinburgh University, but after several months of intense politicking he was forced to withdraw his candidacy, partly because of opposition from the presbyterian clergy; the unfavourable reviews which had greeted the Treatise of Human Nature, with their accusations of dogmatic scepticism, had not been forgotten.³

Hume's next bid to secure regular employment proved to be even more disastrous. Early in 1745 he became tutor to the Marquess of Annandale, a young nobleman who lived near St. Albans. But unfortunately Lord Annandale was a madman; his family proved equally troublesome, picking quarrels with Hume over pay and working conditions. After putting up with these difficulties for several months, Hume

¹ HL, i, p. 10.

² Mossner, Life of Hume, p. 145.

³ For an account of this affair see Mossner and Price's introduction to A Letter from a Gentleman to his Friend in Edinburgh; Hume wrote this pamphlet during the controversy provoked by his candidacy.

felt compelled to throw up his post.⁴ This unfortunate experience marked a kind of nadir; never again were Hume's fortunes to be so low. Immediately after leaving the Marquess's service, he befriended Lieutenant-General James St. Clair, a distant kinsman of his, who at varying times between 1746 and 1748 employed him either as a private secretary or as his judge-advocate. England was at war with France at this time, so that while in St. Clair's service Hume was able to obtain first-hand experience of military and diplomatic affairs. In 1746 he saw active military service for the first and last time when he accompanied St. Clair on a raid upon the French coast, while in 1748 he went with the general on a military mission to the courts of Vienna and Turin. At the end of 1748, his period as St. Clair's client having brought him financial independence as well as a wider acquaintance with the world, he returned to Ninewells and actively resumed his career as a man of letters.⁵

In the late 1740's and early and mid 1750's Hume was able to see a veritable spate of works through the press. Apart from the first revised edition of both volumes of Essays Moral and Political, two editions of Political Discourses and the first two volumes of what was to become his History of England, this period also saw the first appearance of his Philosophical Essays concerning Human Understanding (1748) and his Enquiry concerning the Principles of Morals (1751), in which he sought to recast in a more popular and attractive form certain sections of the argument of the Treatise of Human Nature, as well as the first edition of his Essays and Treatises on Several Subjects (1753-54), in which he gathered together all of his important essays and philosophical writings, with the exception of

⁴ Mossner, Life of Hume, chap. 13.

⁵ *ibid.*, chaps. 15-16.

the Treatise, whose unfortunate reception he was now anxious to forget.⁶ It was also during this period that Hume at last became a man of property; in 1751 he left Ninewells and moved to Edinburgh, where he bought a house and threw himself into the bustling cultural and social life which the Scottish capital enjoyed.⁷

A few months after Hume moved to Edinburgh, an attempt was made to secure his appointment to Glasgow University's Chair of Logic, which was about to be vacated by Adam Smith. It was blocked, however, by 'the violent and solemn remonstrances of the clergy'.⁸ But not long after this rebuff in Glasgow, Hume enjoyed a triumph in Edinburgh. In January 1752 the Keepership of the Faculty of Advocates' Library fell vacant, and Hume's friends immediately nominated him for the post. A 'violent cry of Deism, atheism, and scepticism' was at once raised, but after what was virtually a tumultuous political campaign, Hume's supporters were able to secure his appointment, thereby making him 'master of 30,000 volumes'.⁹ Once comfortably ensconced in the Advocates' Library, Hume began work upon what were to become the Stuart volumes of his History of England.

(ii)

In My Own Life Hume puts forward the following account of the precise circumstances under which he became a historian:

⁶ For the essential facts concerning Hume's literary activity at this time see My Own Life, HL, i, pp. 3-4; Jessop, Bibliography of Hume, pp. 5, 7, 19, 22-23; Mossner, Life of Hume, pp. 174-175, 223-224. For his attitude to the Treatise see HL, i, p. 158.

⁷ ibid., i, pp. 161-162; Mossner, Life of Hume, pp. 240-247.

⁸ HL, i, pp. 163-164; Mossner, Life of Hume, pp. 247-250.

⁹ HL, i, pp. 164-167; Mossner, Life of Hume, pp. 250-252.

In 1752, the Faculty of Advocates chose me their Librarian, an Office from which I received little or no Emolument, but which gave me the Command of a large Library. I then formed the Plan of writing the History of England; but being frightened with the Notion of continuing a Narrative, through a Period of 1700 years, I commenced with the Accession of the House of Stuart; an Epoch, when, I thought, the Misrepresentations of Faction began chiefly to take place.¹⁰

Unfortunately, the facts of the matter are in many ways not so straightforward as this account would suggest. Had Hume had a punctilious concern for his subsequent reputation as a serious historian, he might have expended more thought before penning it; by suggesting that he 'formed the Plan of writing the History of England' only after he happened to gain 'Command of a large Library', he undoubtedly gives the impression that it was somewhat by chance that he ever became a historian. Professor Trevor-Roper presumably has this comment in mind when he suggests that Hume became a historian 'almost by accident'.¹¹ This implies that Hume's activity as a historian was distinct from, and in some way incidental to, his activity as a philosopher. But from Hume's point of view no such division existed; he was a moral philosopher, and in the eighteenth century the moral philosopher was concerned with the totality of man's mental and social activity, a line of study in which Hume saw history playing an extremely important role. To be worthwhile, moral philosophy had to be based upon experience and observation. But should the moral philosopher merely rely upon personal experience and observation, he would never gain the breadth of knowledge needed for the formulation of sound generalizations about human behaviour. History greatly helped him here, providing him as it did with a

¹⁰ HL, i, p. 41.

¹¹ H.R. Trevor-Roper, 'Hume as a Historian', D.F. Pears (ed.), David Hume: A Symposium, London, 1963, p. 89.

wealth of information about many facets of human endeavour. Hume had arrived at this opinion a full decade before he became a historian; it can be found expressed in Essays Moral and Political, in Of the Study of History.¹²

It is well-established, furthermore, that Hume's wish to undertake actual historical research easily predated his appointment to the Advocates' Library. In 1745, while he was in the service of Lord Annandale, he seems to have found time to start sketching out the narrative framework of a general history of England.¹³ Similarly, he looked upon his service with General St. Clair as an excellent means of obtaining the sort of experience which he believed historians had to have; in two letters written in 1747 and 1748 we find him stating that the military and diplomatic knowledge which he could expect to pick up as the general's client would become invaluable should he ever undertake 'historical Projects'.¹⁴ By 1749 Hume had composed some 164 pages of historical memoranda, which covered English history from the Roman invasion down to the reign of George II.¹⁵

Hume's decision to become a historian was no bolt from the blue; what his appointment to the Advocates' Library did was to provide him with the means of putting into effect an intention which he had long harboured. In our review of Hume's examination

¹² Phil. Works, iv, p. 390.

¹³ Mossner, Life of Hume, pp. 175-176.

¹⁴ HL, i, pp. 108-109; NHL, p. 23. Hume did in fact produce a historical narrative as a direct result of his service with St. Clair; in 1756 he put together a manuscript account of the general's raid on the French coast. It is printed in Burton, Hume's Life and Correspondence, i, pp. 441-456; why Hume wrote it is explained in Mossner, Life of Hume, pp. 199-202.

¹⁵ Ernest Campbell Mossner, 'An Apology for David Hume, Historian', Publications of the Modern Language Association of America, LVI (1941), pp. 675-676.

in his essays of the relationship between public authority and political liberty in England's mixed constitution we contended that he assumed that such a topic had to be approached from a decidedly historical point of view; the more recondite evidence we have cited above suggests that, apart from making frequent references to history in the essays themselves, Hume was also thinking about composing a general political history of England from at least 1745 onwards. But for all the comprehensiveness of his early historical memoranda, the concepts which most attracted his interest as a political scientist - court and country, superstition and enthusiasm, luxury and liberty - were such as to focus his attention upon the constitutional crisis of the seventeenth century, the immediate historical matrix of the mixed government of the England of his day, the compatibility of which with the ends and purposes of civil society was ever his chief concern as a political scientist.

But given the strongly polemical character of Hume's political science, given his propensity for working out his ideas in conscious opposition to other ideas being canvassed at the time, it would seem that we have reason enough for accepting at face value his claim in My Own Life that disgust at 'the Misrepresentations of Faction' was the ultimate reason why he decided to make himself the historian of the seventeenth century. His decision to become a historian was a wholly logical step; but to find out what actually drove him into the study of history, we need to discover if it is in fact correct to assume that he was so irked by the view which eighteenth-century Englishmen had of their country's past that he felt compelled to write a multi-volume political history by way of rebuttal. For Hume himself, history was of value only in so far as as it was written in a spirit of 'Candor, Disinterestedness, & Humanity'; he was convinced that '(the) first Quality of an Historian

is to be true & impartial'.¹⁶ But we have already seen enough of his notion of impartiality to realize that it was never an attempt to avoid political commitment; it was very much a political stance, very much an aspect of a commitment to peace and acquiescence. For Hume there could be no such thing as neutrality where political peace was concerned. His concept of impartiality only came into play when he began applying his neo-Hobbesian values to concrete political situations; he considered that the best way he could contribute to the growth of political peace in England was by means of a cool and sceptical examination of the language used by the various political groupings of the day in order to expose and deflate all forms of extravagant rhetoric.

(iii)

The debilitation and collapse of the Whig interpretation of English history has perforce led modern historians to reassess the reasons why the parliamentary opponents of the four Stuart princes acted as they did. We are no longer permitted to view the parliamentarians of the seventeenth century as a group of disinterested patriots manfully resisting the attempts of a short-sighted and incompetent dynasty to circumvent constitutional government and the rule of law. Instead, we have to see them as a bunch of 'sturdy reactionaries' who were devoid of any positive forward-looking programme, being motivated mainly by an old-fashioned dislike of 'efficient, centralised government', a dislike which reflected an obscurantist wish 'to restore the 'ancient constitution' of a century, perhaps even two or three centuries before' as well as a desire to secure 'the maintenance of their own class power'. The various

¹⁶ HL, i, pp. 210, 242.

constitutional crises of the Stuart period culminating in the Revolution 'stamped England as a wildly eccentric country outside the mainstream of European political development'.¹⁷

It was in their very conservatism, it was in their staunch commitment to the 'ancient constitution', that the strength of the parliamentary opponents of the Stuarts lay. They were certain in their own minds that the legal and constitutional structure inherited by the Stuarts was no mere royal concession which could be abolished at will. It had not been created by a sovereign; it had instead existed unchanged in England since remotest antiquity, since, indeed, time immemorial, and as such its existence necessarily predated that of any single individual lawmaker. The peculiar strength of this belief was an aspect of the tremendously important role which the common law concept of custom played in shaping the political thought of Englishmen in the early seventeenth century.¹⁸ This meant that the myth of the ancient constitution was never the sole preserve of a single party; it was instead a real and vital aspect of the way in which the politically articulate Englishman of this time thought about the existing constitution. Throughout the early seventeenth century supporters as well as opponents of royal policy subscribed to it; members of both groups claimed to be loyal defenders of the ancient constitution, a constitution of which both prerogative and parliament were deemed to be essential ingredients.¹⁹

This is not to say that in the first half of the seventeenth century belief in the unbroken continuity and extreme antiquity of the English constitution was universal and absolute; this period

¹⁷ J.P.Kenyon (ed.), The Stuart Constitution 1603-1688, Cambridge, 1966, pp.1, 3-4,7.

¹⁸ J.G.A. Pocock, The Ancient Constitution and the Feudal Law, Cambridge, 1957, chaps. i-iii.

¹⁹ Kenyon, Stuart Constitution, pp. 9-11; Pocock, Ancient Constitution and Feudal Law, pp. 54-55, 148-151.

produced a number of chroniclers and antiquarians who were perfectly capable of writing accounts of English history based upon the premise that the Norman invasion of 1066 - always the great bugbear of the myth of the ancient constitution - had led to a complete restructuring of political power in the country.²⁰ During the Civil War and Interregnum doubts about the political worth as well as about the historical veracity of the myth of the ancient constitution began to proliferate. As we have already seen, during this period a school of de facto theorists of political obligation sought to spread a mood of quiescence by contending that history - and English history was no exception²¹ - revealed that political power was invariably obtained through force and violence alone rather than through the observation of constitutional niceties. For a completely different reason - in order to bring about the overthrow of 'the Norman yoke' - the Levellers, too, argued that the previous six centuries of English history had been a saga of conquest and tyranny rather than of liberty and legality.²²

In the wake of the violence of the 1640's some royalists began to recoil from appeals to an antiquity in whose name subversion and revolution had been carried on.²³ Sir Robert Filmer, for one, sought to direct royalist political thought away from appeals to antiquity and more towards a concept of sovereignty.²⁴ This process rapidly

²⁰ Skinner, 'History and Ideology in the English Revolution', pp. 154-155, 156-160. See also Pocock, Ancient Constitution and Feudal Law, chaps. iv-v.

²¹ Skinner, 'History and Ideology in the English Revolution', pp. 165-167.

²² Christopher Hill, 'The Norman Yoke', John Saville (ed.), Democracy and the Labour Movement, London, 1954, pp. 11-66, especially pp. 11-38.

²³ For a specific example see J.G.A. Pocock, 'Robert Brady, 1627-1700. A Cambridge Historian of the Restoration', Cambridge Historical Journal, X(1951), pp. 186-191.

²⁴ See his 'Freeholder's Grand Inquest Touching our Sovereigne Lord the King and his Parliament' (1648), Patriarcha and Other Political Works, pp. 127-184. See also Pocock, Ancient Constitution and Feudal Law, pp. 151-162.

crystallized in the 1680's, during the Exclusion crisis, when a school of distinctively royalist historians set out to expose the elaborate historical fantasies which the parliamentary opposition - this time in the guise of the early Whig party - had to fall back upon when arguing that the House of Commons was an essential part of the ancient constitution. Led by the Cambridge don Dr. Robert Brady and making use of techniques of historical scholarship pioneered by the antiquarians, this school set out to show that the Commons was in no sense immemorial nor even particularly ancient. They began their attack by contending that the real significance of the Norman invasion was that it had led to the introduction of feudal tenure into England. This meant that the House of Commons could not be immemorial; under feudal law parliament was a council of the crown's feudal tenants and definitely not an assembly of freeholders' representatives. Believing that to acknowledge that this had been the case would amount to conceding that the Commons had been created by a sovereign prince and was thus forever dependent upon the crown for its existence, the Whig antiquarians were forced more and more to openly assert that the English constitution was in no way a product of history, that it had in no way been exposed to flux and change.²⁵

But as matters turned out, Brady and his followers proved to be only too successful in showing just how effective an ally of absolute monarchy scientific historiography could be; with the fall of James II their ideas, for all their analytical value, were immediately discredited as being those of a beaten and despised political cause. The Revolution in fact administered a sharp setback

²⁵ For the arguments canvassed by Brady and his associates see *ibid.*, pp. 193-228; for the basic presuppositions of the Whig antiquarians see *ibid.*, pp. 51-53, 186-193, 229-235. See also David C. Douglas, English Scholars, London, 1939, chap. vi.

to the development of English historiography, succeeding as it did in propping up the fantasies of the Whig antiquarians and putting a deep stain of political heterodoxy upon a critical and iconoclastic approach to the study of constitutional history.²⁶ Buttressed by its massive authority, the myth of the ancient constitution as it had been expressed through the propaganda of the parliamentary opponents of the Stuarts lingered on throughout the eighteenth century, its influence strongly pervading the orthodox interpretation of the political events from which the country's constitution had emerged. The parliamentary opponents of the Stuarts had claimed to have had 'no thought to alter government', being perfectly satisfied with their 'ancient liberties' and the 'ancient government'.²⁷ Consequently, as late as the 1790's Edmund Burke, as part of his overall effort to assert the English political tradition in opposition to all the forces let loose by the French Revolution, was still prepared to claim that the various crises which had culminated in the Revolution represented attempts 'to preserve our ancient indisputable laws and liberties, and that ancient constitution of government which is our only security for law and liberty'; the Bill of Rights thus joined Magna Carta in the long line of reaffirmations or confirmations of the ancient constitution that had occurred since remotest antiquity.²⁸

The parliamentary opponents of the Stuarts had been convinced that 'the form of government in any state could not be altered without

²⁶ For a perceptive contemporary assessment of the effects of power politics upon English historiography following the Revolution see Edmund Burke, 'An Essay towards an History of the Laws of England', Works, 14 vols., London, 1815-22, x, pp. 549-566.

²⁷ This was the opinion of Sir Arthur Haslerigg when he looked back in 1659 upon the events of 1642. It is quoted in Kenyon, Stuart Constitution, p. 7.

²⁸ Reflections on the Revolution in France, Works, v, pp. 74-76. For a more detailed assessment of the significance of the stand Burke took here see J.G.A. Pocock, 'Burke and the Ancient Constitution: A Problem in the History of Ideas', The Historical Journal, III (1960), pp. 125-143.

apparent danger of ruin to that state'; the polity was only healthy when the pristine integrity of the ancient constitution was intact.²⁹ But of course at various times in the seventeenth century England had quite plainly been in 'apparent danger of ruin'; this obviously meant that somehow the ancient constitution had become corrupted or undermined. For all the disagreement at the time,³⁰ the eighteenth century had little permissible scope for speculation concerning who was responsible for this state of affairs occurring. After all, did not the Bill of Rights say that the Revolution was essentially a matter of Englishmen 'vindicating and asserting their ancient rights and liberties' which the House of Stuart, with 'the assistance of divers evil counsellors, judges, and ministers', had sought to 'subvert and extirpate'?³¹

When Hume came to the study of the constitutional crisis of the seventeenth century, the authoritative expression of the orthodox interpretation of the period was to be found in the History of England of Paul Rapin de Thoyras (1661-1725), a French Protestant man of letters who fled his country following the revocation of the Edict of Nantes and who thereafter spent a life of exile in England, Holland and Germany.³² Written in French and published in ten volumes

²⁹ This was the opinion of John Pym in 1628. See Kenyon, Stuart Constitution, pp. 16-18.

³⁰ Rival opinions concerning the source of England's political troubles expressed during 1640-42 may be found in *ibid.*, pp. 204, 206-207, 213-216 (Pym), 211-213 (Strafford), 222-223, 229, 231-232 (the House of Commons), 240-241 (Charles I).

³¹ See Williams, Eighteenth-Century Constitution, pp. 26, 28.

³² For an account of Rapin's life, writings and subsequent reputation see the DNB.

between 1723 and 1727, this work was originally intended by its author to meet the requirements of continental readers, but upon becoming translated into English, it became accepted by Englishmen as the standard general history of their country, a status which it still enjoyed in the early 1750's. Rapin felt himself to be a 'good neuter Historian',³³ and he was always keen to detect distortion or bias in his sources.³⁴ But his treatment of English history would never have become accepted as the standard account had it not been suffused with the dominant myths of the day; when we consult his interpretation of the constitutional crisis of the seventeenth century, we find that it is markedly Whiggish in tone.

Rapin frequently stressed the difficulty of determining with any degree of precision the constitutionality of the respective stances taken by the early Stuarts and their parliaments in the course of their disputes,³⁵ but at the same time he felt that the sheer fact that such disputes had broken out at all clearly indicated that James I and Charles I had harboured evil intentions. A wise and prudent English monarch could not but be aware that the surest way of obtaining a steady flow of power and revenue was by respecting 'the restraint which the Laws, Customs, and Privileges of the English Nation had lain on his Predecessors'; prudence and good policy dictated that he should scrupulously avoid getting involved in constitutional disputes: 'the Kings of England, who were most famous, and most esteemed, as Edward I, Edward III, Henry V, Henry VIII and Elizabeth, constantly followed (this) maxim, and thereby rendered their Reigns prosperous and happy'.

³³ Paul Rapin de Thoyras, The History of England, trans. N. Tindal, 2 vols., London, 1732-33; ii, p. 347.

³⁴ See e.g. *ibid.*, ii pp. 347-349.

³⁵ See e.g. *ibid.*, ii, pp. 185, 189, 212-213.

In contrast, princes 'least eminent for their prudence and capacity, such as Henry III, Edward II, Richard II, were ruined, for raising such sort of disputes'. For Rapin, both James and Charles clearly fitted into the latter category; they stirred up totally unnecessary constitutional disputes, thereby making their reigns miserable and inglorious.³⁶ James was 'the first cause of the troubles which afflicted England'; ceaselessly proclaiming the virtues of absolute monarchy, he gave the Commons just cause to fear that his principles, if implemented, would lead 'to no less than arbitrary power, and of course to the subversion of the English constitution'.³⁷ His son outdid him in this respect, seeking from the very outset of his reign 'to carry the Regal Authority much higher than the King his Father, or any of his Predecessors had done'.³⁸ Faced with all this provocation on the part of their monarch, the Commons knew just what course it had to follow: 'There was...no medium: his pretensions were either to be complied with, or opposed with open force'.³⁹

(iv)

When he is viewed as a de facto theorist of political obligation, the general framework within which Hume's attitude towards the myth of the ancient constitution took shape becomes clear. As we have already noted, some of the fiercest seventeenth-century critics of the view of English history subscribed to by the parliamentary opponents of the Stuarts were the de facto theorists

³⁶ *ibid.*, ii, pp. 163, 213, 238, 284-285.

³⁷ *ibid.*, ii, pp. 160-161, 168, 178.

³⁸ *ibid.*, ii, p. 237.

³⁹ *ibid.*, ii, pp. 238-239.

of the 1650's. As part of their overall effort to spread the notion that the loyalty of subjects was best directed towards all de facto rulers, irrespective of how they had got their power, these writers contended that the study of history indicated that successful use of force, and not the observation of legal and constitutional niceties, was the decisive argument in all disputes to do with political obedience. This line of reasoning represented a direct attack upon the myth of the ancient constitution; belief in the unbroken continuity of English institutions necessarily involved a denial that violence and conquest had played decisive parts in shaping the nature of the constitution. Hume was perfectly capable of emulating the de facto theorists of the Interregnum in this respect; in both Of Morals and Of the Original Contract we find him stressing the importance of conquest and usurpation in human history in an effort to enforce the idea that subjects ought always to support de facto power.

In both Of Morals and Of the Original Contract the thrust of Hume's appeal to history, his insistence that the past was a saga of force and violence, was directed against what he took to be the Lockean concept that government drew its moral authority entirely from the consent of the governed. But anyone seeking to refute Locke by means of an appeal to history in general and English history in particular faces insuperable problems. Our brief examination of the myth of the ancient constitution has to a large extent revealed the reason why in the English-speaking world of the eighteenth century Lockean political doctrines tended to attract the attention not so much of the whole-hearted supporters of the existing constitution but rather of groups who felt alienated from it. We have previously seen that Locke's theory of political obligation was worked out in terms of a set of abstract concepts concerning the essential principles

of human sociability. But in this respect he was well out of step with the constitutionalist tradition of seventeenth and eighteenth-century England; the continued strength of the myth of the ancient constitution throughout this period suggests a persistent refusal by English constitutionalists to use abstract concepts in political debate. In Locke's lifetime and for many years after most of them would have agreed with one of his fellow early Whigs, the antiquarian William Atwood, when he claimed that the rights of Englishmen were but mere 'naked Rights', mere 'thin and metaphysical Notions, which few are Masters or Judges of' unless they had enjoyed an unbroken existence since the remotest antiquity.⁴⁰

This way of thinking lingered on well after the Revolution, as our previous reference to Burke's anti-French Revolution propaganda has already revealed. Burke's commitment to the myth of the ancient constitution had as one of its corollaries an insistence that a central element in the English way of conducting politics was 'the principle of reference to antiquity'. Burke saw Englishmen 'claiming their franchises not on abstract principles "as the rights of men," but as the rights of Englishmen, and as a patrimony derived from their forefathers'; they rejected 'that vague speculative right, which exposed their sure inheritance to be scrambled for and torn to pieces by every wild litigious spirit'.⁴¹ But Locke, let us repeat, did not subscribe to such a line of thinking; he made few attempts to buttress the teachings of his political philosophy by means of an appeal to antiquity. When he came to outline a case on behalf of the idea that government was a matter of trust, he could have easily made use of the concept of an

⁴⁰ Atwood's opinion is quoted in Pocock, 'Robert Brady', p. 190.

⁴¹ Burke, Reflections on the Revolution in France, pp. 75, 76-77.

ancient constitution. But he made no sustained effort to do so, choosing instead to confine himself to exploring the implications of a set of abstract concepts concerning the essential principles of human sociability. Had he subscribed to the notion of an original contract, he would have inevitably resorted to the flourishing of ancient parchments and records; at the end of the seventeenth century Englishmen were apt to define an original contract as an oath to preserve the ancient constitution.⁴² But his notion of trust was an assumption about basic human nature and his arguments were unfolded with but slight reference to antiquity.⁴³ However much the myth of the ancient constitution retained its destructive force in the eighteenth century - and the history of the previous century showed that revolutionary political action and belief in the overriding authority of antiquity were perfectly compatible - Locke could not be blamed.

But we do not have to restrict ourselves to saying that most supporters of the eighteenth-century British constitution lacked a truly Lockean political outlook. We can also say that throughout much of the eighteenth century the most important current of political thought working against the development of a mood of complacency and contentment in England was no offshoot of Lockean political philosophy either; as our discussion of his concept of luxury has already revealed, Hume was very much aware that it was in fact the country-party's fear of corruption which formed the most important stream of radical political thought in eighteenth-century England. In terms of political developments within the English-speaking world of the

⁴² Pocock, Ancient Constitution and Feudal Law, pp. 229-231.

⁴³ The problem of Locke's indifference to the ancient constitution is noted but not explained by Laslett in his introduction to Two Treatises, pp. 75-78, 114-115 and Pocock, Ancient Constitution and Feudal Law, pp. 235-238.

eighteenth century, events in Ireland and to a lesser extent in America were to vindicate Hume's fears concerning the inherently anarchical character of Locke's theory of political obligation;⁴⁴ but within England itself the greatest potential threat to political stability throughout much of the century was not posed by an ahistorical or rationalistic form of radicalism. The equilibrium of the constitution was most in jeopardy whenever political stress and strain resulted in the country-party's fear of corruption proving especially attractive to the independent country gentlemen, a process which we find exemplified in the rise of Christopher Wyvill's Yorkshire Association during the great political crisis of 1779-80.⁴⁵ Far from rejecting the established constitution - had they done so, they would have automatically debarred themselves from effective political action - independent country gentleman of Wyvill's ilk yearned rather to see its true principles restored to full operation, to see its pristine integrity refurbished, to see it cleansed of the dross of executive tyranny and corruption; they yearned, in short, to see the ancient constitution restored to its full glory. Whenever the country-party advocated parliamentary reform as a means of curbing corruption, it invariably denied that it was indulging in either innovation, subversion or radicalism; parliamentary reform was of value only in so far as it represented an attempt to place the constitution back upon its true and ancient foundations.⁴⁶

⁴⁴ For Locke's Irish followers see Robbins, Eighteenth-Century Commonwealthman, chap. v; for two sceptical appraisals of Locke's reputation amongst the Americans see Bailyn, Ideological Origins of American Revolution, pp. 26-30 and Dunn, 'The Politics of Locke', pp. 69-80.

⁴⁵ For accounts of the events surrounding the rise of the Yorkshire Association see Butterfield, George III, North and People, chaps. v-vi and Christie, Wilkes, Wyvill and Reform, chap. iii.

⁴⁶ The conception of English history subscribed to by Wyvill and his colleagues is examined by Butterfield, George III, North and People, pp. 343-352.

In their efforts to portray themselves as the defenders of the traditional virtues and ancient liberties of Englishmen, country-party critics of corruption enjoyed the tremendous advantage of being able to take over the official interpretation of the immediate historical origins of the constitution and exploit it for polemical purposes; this was the reason, if any, why the country-party was able to convince the public at large that its members were 'the true WHIGS'. That it was the opponents rather than the supporters of the settled order of things who were best able to make use of orthodox historiography in party warfare throughout much of the eighteenth century will not appear paradoxical when we recall that, as expounded by Rapin, official historiography was in many ways country-party history, being a lineal descendant of the political myths and attitudes of the parliamentary opponents of the Stuarts. Rapin provided the eighteenth-century country-party with ideal polemical ammunition. By in effect explaining the constitutional crisis of the seventeenth-century in terms of a clash between an evil intentioned court on the one hand and the great bulk of Englishmen who were loyal to the ancient constitution on the other, he enabled the opponents of the eighteenth-century court-party to plausibly depict themselves as the direct heirs of the patriots of the previous century. The writings which Bolingbroke directed against Walpole's ministry exemplify this process. According to Bolingbroke, the struggle by the country-party to protect England's traditional virtues from all the forces of luxury and corruption at loose in Walpole's England had to be seen in a broad historical context; it was yet another episode in the perennial struggle between the supporters and the enemies of the ancient constitution, a struggle which formed the basic underlying theme of all recorded English history. The ancient constitution was the political embodiment of all the traditional virtues of Englishmen -

their manly love of independence, their hatred of slavery and tyranny, their austere rejection of effete enervating luxury - so that its continued existence could not but be gravely threatened by the methods of government which Walpole employed; if they were truly the descendants of the patriots of the seventeenth century and indeed of every generation of Englishmen which had ever leapt to the defence of the ancient constitution in times of trouble, eighteenth-century Englishmen would support the country-party in its opposition to Walpole and his court-party henchmen.⁴⁷

Faced with this attack, the eighteenth-century court-party was driven into denying that references to antiquity had any place in political debate, into asserting that history was irrelevant so far as all true defenders of the existing constitution were concerned. By the time Hume turned to the study of English history in the early 1750's, it was already clear that this was so. Provoked by the extravagantly Whiggish history peddled by Bolingbroke in the 1730's, court-party journalists and pamphleteers soon discovered that the best way they could set about refuting him was by simply rejecting the notion that the past was a model or guide which eighteenth-century Englishmen were obliged to slavishly copy. England's liberties, they contended, were not the product of remote antiquity; they were instead completely modern in origin, having only come into existence since the Revolution. There was no ancient free constitution for Walpole to corrupt, English history up till 1688 being very largely a saga of tyranny, oppression, slavery; conquest, brutality and degradation; Walpole's England stood out in comparison as a positive paradise of

⁴⁷ Bolingbroke's Remarks on the History of England (1730-32) is very largely an attempt to depict English history as a perpetual struggle between the court and the nation, with the former attacking, and the latter defending, the country's liberties. See e.g. letters iv-viii, Works, i, pp.313-354; for his Whiggish interpretation of the troubles of the seventeenth century see letters xvii-xxiii, ibid., i, pp.438-521.

freedom and happiness.⁴⁸

This whole line of reasoning amounted to a total rejection of official historiography. But in their efforts to discredit Bolingbroke's politics of nostalgia Walpole's court-party journalists and pamphleteers found that they had no option but to subscribe to it. Indeed, they had to do more; they soon discovered that the refutation of Bolingbroke necessarily entailed reviving the ideas of the Tory historians of the 1680's. They found that if they wished to refute Bolingbroke, they had to echo Brady; they had to contend that in 1066 the English constitution had become a feudal constitution under which the vast majority of Englishmen had lacked any effective political voice, being instead the vassals of the King and his feudal tenants, who alone were entitled to political rights and privileges. The true friends of the constitution had to recognize that the Revolution Settlement represented - thankfully - a radical break with the past; England's liberties were ultimately rooted not in antiquity but in extra-historical principles of reason and human nature.⁴⁹ Walpole's scribblers, in short, rediscovered the great lesson of the 1680's: the best way the country-party's pretensions could be deflated was by means of a critical and iconoclastic approach to English constitutional history. Our major task in examining Hume's activity as a historian will be to discover how successful he was in following up this lead. Being a supporter of de facto power, he was implacably opposed to the radical-reactionary style of politics which flowed from the country-party's concern with corruption, an opposition which, as we have already seen, comes through strongly in his essay Of Luxury, in which he sought to discredit this fear of corruption by stressing the essential modernity of England's liberties. The complete establishment of this concept was to be his major aim as a historian.

⁴⁸ Isaac Kramnick, 'Augustan Politics and English Historiography: The Debate on the English Past, 1730 - 1735', History and Theory, VI (1967), pp. 33-56, especially pp. 40-46.

⁴⁹ *ibid.*, pp. 42-43, 45-46.

CHAPTER VII

THE SPIRIT OF INNOVATION UNMASKED

(i)

Looking back in later life to the period when he first became a historian, Hume was to confess that, despite his protestations of impartiality, he had in fact been thoroughly infected with 'the plaguy Prejudices of Whiggism'; he had been so 'corrupted with Whig Rancour' as to have 'really deserv'd the Name of a party Writer'.¹ If by all this he meant that in 1752 his view of the constitutional crisis of the seventeenth century was heavily influenced by Rapin's account of the period, then he was not being unduly self-critical. For all his scepticism as to the worth of country-party criticism of the existing structure of political arrangements, at no time before 1752 did he give any indication that he was seriously dissatisfied with the official interpretation of the seventeenth century in general - even though it formed a vital aspect of the rhetoric used by the country-party- and with Rapin in particular, being 'carry'd away with the usual Esteem pay'd to that Historian';² in 1752 he was still prepared to go on record as stating that he considered Rapin to be the most judicious of historians.³ In Of the Parties of Great Britain, Hume, with his stress upon the evil consequences flowing from the 'misguided' attempts by the Stuarts to undermine 'the ancient government', was certainly very

¹ NHL, pp. 69-70.

² HL, i, p.258.

³ 'Of the Protestant Succession', Phil. Works, iii, p.473.

much under the spell of the Frenchman.⁴

But for all his willingness to fall in with the views of orthodox historiography, Hume had, at the time he became a historian, just discovered that if he wished to discredit country-party rhetoric, and in particular the campaign against corruption, he had no choice but to frame an interpretation of seventeenth-century history at variance with that put forward by Rapin. He had just discovered that the best way the country-party's pretensions could be deflated was by stressing the modernity of England's mixed government; 1752 was the year in which he published Of Luxury. This brings us to the question of what may be called Hume's Harringtonianism. During our discussion of Idea of a Perfect Commonwealth we noted in passing that Hume considered Oceana to be a 'valuable model of a commonwealth'. This outburst of praise should be seen as merely the tip of the iceberg in terms of the esteem in which Hume held Harrington's ideas. In the present context it is especially important to note that Hume's belief in the inseparability of luxury and liberty - the key concept which he employed whenever discussing the rise of mixed government in England - formed easily the most important aspect of his Harringtonianism. Furthermore, we should recall that in his essays Hume showed himself perfectly capable of

⁴ This is not to say that in his essays Hume was incapable of expressing opinions which clashed with individual aspects of orthodox historiography. Thus, his reference to Rapin's judicious scholarship appeared in a passage in which he contended that the early Stuarts could be partially excused for their behaviour on the grounds that their political principles were very common at the time. Similarly, we have previously noted that in 'That Politics may be reduced to a Science' Hume classed Elizabethan England as an absolute monarchy and that in 'Of the Original Contract' he stressed the importance of force and violence in bringing about the Revolution. See *ibid.*, iii, pp. 98-99, 448-449, 473. But these are isolated expressions of opinion. 'Of the Parties of Great Britain', the most considered statement of opinion concerning English history which Hume made as an essayist, is, as we have stated above, strongly orthodox.

converting this concept of luxury, his Harringtonianism, into a critique of the country-party's fear of corruption; the reasoning put forward in Of Luxury - the essay in which his contempt for this phobia stands out most clearly - reveals in a paradigmatic way the extent to which he expressed his opposition to the radical-reactionary politics of the country-party in Harringtonian terms.

We can reveal the way in which Hume used Harringtonian concepts in his criticism of country-party rhetoric by restating the basic principles of the argument advanced in Of Luxury. Only men of property - notably tradesmen, merchants and prosperous peasants - can enjoy political freedom. To be a man of property is to escape the fate of being dependent upon another for one's subsistence; to be dependent in this way is to be a vassal, and vassals are fit only for slavery and subjection. To be rich, to own property, is to be independent, to be politically autonomous. In contrast, poverty, lack of property, is inseparable from meanness of spirit and submission to slavery; those who lack property lack political independence, having instead no choice but to serve the political cause of their master, of the person who provides them with their livelihood. Once these ultimately Harringtonian⁵ concepts had been posited, the rest of Hume's case against the country-party's fear of corruption followed easily along. Encouraging the growth of agriculture, industry and commerce and thereby swelling the power of the men of property, the rise of luxury contributes to the growth of a free society and thus prepares the way for the rise of political liberty, whose existence is now called for because of the incompatibility of arbitrary power and security of property. Luxury

⁵ The concept of property Harrington bequeathed to the eighteenth century is outlined in Pocock, 'Civic Humanism and Anglo-American Thought', pp. 90-93 and 'Machiavelli, Harrington and English Ideologies', pp. 106-115, 126-128.

is a wholly modern phenomenon - it is incompatible with the power which the Gothic barons wield over their tenants - so that political liberty itself is wholly modern in origin; it is the height of sociological naivety to claim that England's liberties are rooted in an ancient constitution and that they are being corrupted as a result of the concentration upon private economic gain so characteristic of modern England.

In itself the notion that property conveyed freedom and power was a commonplace in the English-speaking world of the eighteenth century.⁶ Hume himself was the first to admit this; he believed that 'all the world' acknowledged that the power of parliament sprang from the extensive property possessed by the social groups its members represented.⁷ Indeed, Hume was inclined to suspect that too many of his contemporaries were uncritical in their Harringtonianism; he felt that an occasional dose of scepticism was called for in order to ensure that a more balanced appraisal prevailed.⁸ But the fact that Harringtonian ideas concerning the role of property in politics were conventional to the point of banality posed no real inconvenience to Hume the historian, for should he succeed in developing a coherent interpretation of the events which had made a Harringtonian conception of citizenship relevant in English conditions, he could count upon unfolding an argument whose central concern would not be queried, irrespective of how iconoclastic its findings might happen to be. Moreover, we need to realize that the country-party of his day possessed what has been described as an essentially neo-Harringtonian political outlook. The set of traditional

⁶ For Harrington's reputation at this time see H.F. Russell Smith, Harrington and his Oceana, Cambridge, 1914, chaps. vi-viii.

⁷ 'Of Luxury', Phil. Works, iii, p. 307.

⁸ See 'Of the First Principles of Government', *ibid.*, iii, p. 111; 'Whether the British Government inclines more to Absolute Monarchy, or to a Republic', *ibid.*, iii, pp. 122-123; 'Idea of a Perfect Commonwealth', *ibid.*, iii, pp. 481-482.

virtues which it attributed to Englishmen - their manly love of independence, their austere rejection of luxury and so on - was derived from the classical-minded conception of citizenship which Harrington had subscribed to; the country-party tended to depict the ancient constitution as a Harringtonian commonwealth, as a polity in which landownership was distributed amongst a host of independent country gentleman and sturdy yeomen, whose representatives in the House of Commons formed part of a mixed or balanced type of constitution, Harrington's immortal commonwealth in effect.⁹

There was an obvious difficulty facing the neo-Harringtonians of the country-party here: Harrington himself had depicted the pre-Tudor constitution not as 'the only invention whereby at once to maintain the Soverainty of a Prince, and the Liberty of the People', but as 'no other than a wrestling match'.¹⁰ Harrington was keenly aware of the importance of feudal tenure in English history. He rejected the notion that medieval England had enjoyed genuine liberty on the grounds that it had instead been the scene of endless scuffling between the crown and a feudal nobility which could call upon its tenants to support it in its broils; the way had been cleared for the rise of a genuine free state in England only at the end of the fifteenth century, following the dismantling of feudal dependence by Henry VII.¹¹ In the 1730's Walpole's court-party apologists pointed up the discrepancy between Harrington and the neo-Harringtonians of the country-party concerning the antiquity or otherwise of England's liberties,¹² and in this respect

⁹ Pocock, 'Machiavelli, Harrington and English Ideologies', pp. 126-137.

¹⁰ The Oceana of James Harrington, and his Other Works, ed. John Toland, London, 1700, p.68.

¹¹ See 'The Second Part of the Preliminarys', *ibid.*, pp. 63-70. The importance of feudal scholarship in shaping Harrington's thought is pointed out in Pocock, Ancient Constitution and Feudal Law, chap. vi.

¹² Kramnick, Bolingbroke's Circle, p. 133.

Hume was to follow up their lead. As a historian of seventeenth-century England he was to contend that the constitution inherited by the Stuarts was in reality nothing more than Harrington's wrestling match and that therefore England's mixed government was wholly modern in origin, being the offspring of a set of factors whose relevance in any discussion of how the power of the Commons rested upon property the neo-Harringtonians of the country-party could scarcely query - factors such as 'the alienations of the barons' estates', 'the progress of trade', and the inability of the Stuarts to replace 'the old Gothic militia' with a professional standing army (the eighteenth-century country-party's fear of a standing army was an aspect of its neo-Harringtonianism: a professional soldier was not a true citizen, for he depended upon his commander to supply him with food; he was politically corrupt, having renounced his autonomy in favour of economic dependence upon executive power).¹³ The country-party knew that it was exposed along this front. No less a personage than Bolingbroke sought to shore up its defences here by contending that the only important change brought about by the increase in the amount of property held by the commons in Tudor times was that England's ancient liberties were put upon a sound sociological foundation.¹⁴ What Hume had to do here was to show that changes in landownership in Tudor times had in fact created England's liberties by bringing the confused scuffling of medieval politics to an end and thereby clearing the way for an entirely new phenomenon -

¹³ Hume cites the above three factors in the course of explaining why 'the privileges of the people have, during near two centuries, been continually upon the increase'. See 'Of the Protestant Succession', Phil. Works, iii, p. 472. For the neo-Harringtonian roots of the country-party's fear of a standing army see Pocock, 'Machiavelli, Harrington and English Ideologies', pp. 115-128.

¹⁴ See his Remarks on the History of England, letters xi-xii, Works, i, pp. 369-389 and Dissertation on Parties, letter xvi, ibid., ii, pp. 207-219.

mixed government.

Once Hume actually took up the study of the seventeenth century, his Harringtonianism rapidly undermined his respect for orthodox historiography. When he came to examine Rapin closely, he soon found him 'altogether despicable';¹⁵ he discovered that adherence to the notion that the widespread enjoyment of liberty was a wholly modern phenomenon in England entailed disowning Rapin's account of the early seventeenth century, based as it was upon the premise that the events of the period revolved around an attempt on the part of the nation to prevent its traditional liberties being subverted by the Stuarts. If liberty were an entirely modern element in the constitution, it followed that in the early seventeenth century its partisans had had to set about engrafting it upon the established political structure of the country. This meant that the parliamentary opposition and the country-party generally had been the restless and aggressive element in the politics of the time. This in turn meant that the real defender of the ancient constitution had in fact been the House of Stuart. Within a few months of having been appointed to the Advocates' Library Hume had already decided to make such a line of reasoning - which was the real cutting edge of his iconoclasm, for the court-party had long since disowned the notion of ancient liberties - the thesis of his account of the early seventeenth century; we find him endorsing it in a letter written to Adam Smith on 24 September 1752:

I confess, I was once of the same Opinion with you, & thought that the best Period to begin an English History was about Henry the 7th. But you will please to observe, that the Change, which then happen'd in public Affairs, was very insensible, and did not display its Influence till many Years afterwards. Twas under James that the House of Commons began first to raise their Head, & then the Quarrel betwixt Privilege & Prerogative commenc'd.

¹⁵ HL, i, p.258.

The Government, no longer opprest by the enormous Authority of the Crown, display'd its Genius...¹⁶

The more Hume studied the period, the more did his esteem for orthodox historiography ebb away. By the beginning of 1753, having covered the reign of James I, he had come to the conclusion that Rapin was 'extremely deficient',¹⁷ while six months later, having come down to 1640, he was firmly convinced that the Frenchman was 'totally despicable', being guilty of the grossest forms of ignorance and partiality.¹⁸ In October, having reached the execution of Charles I, Hume ceased his labours, being eager to pause for some time in order to read, think and revise.¹⁹ A year later, in the autumn of 1754, his account of the reigns of James and Charles was published; Hume intended it to form the first part of a three volume History of Great Britain which would cover the period from 1603 to 1714.²⁰ As adumbrated in Of Luxury and as actually unfolded in this first volume of the History of Great Britain, the fundamental purpose behind Hume's approach to English history was a desire to show that it was crass sociological ineptitude to talk about English history being dominated by a struggle between the supporters and opponents of the country's ancient liberties. We must now examine the actual arguments he employed in an effort to establish this point.

(ii)

As we have already indicated, if Hume wished to develop a critique of the orthodox interpretation of the constitutional crisis

¹⁶ *ibid.*, i, pp. 167-168. For Adam Smith's version of the rise of the House of Commons see Lectures on Justice, Police, Revenue and Arms, pp.39-44.

¹⁷ *HL*, i, p.170.

¹⁸ *ibid.*, i, p.179.

¹⁹ *ibid.*, i, p.180.

²⁰ *ibid.*, i, p.170; Mossner, Life of Hume, pp. 302-304.

of the seventeenth century based upon sound Harringtonian principles, the first thing he had to do was to show that the constitution inherited by the Stuarts in 1603, the ancient constitution in effect, was indeed the wrestling match of Harrington's account. Certainly, Hume felt that his analysis of the disputes between the early Stuarts and their parliaments would be deficient if he failed to prove this point; we can find him defending just such a proposition, and doing so with considerable relish. Under the ancient constitution, that is to say, under 'the antient Gothic constitution, of which the English partook with other European nations', the exact boundary between privilege and prerogative was indeed extremely hazy and ill-defined. But this did not mean that the ancient constitution could be described as a precursor of eighteenth-century mixed government. For one thing, it lacked any regular republican element. Composed of ignorant rustic barbarians and meeting rarely and briefly, parliament at that time was incapable of participating in the regular administration of the country. It was of so small weight in the balance of the constitution that the crown enjoyed the sole direction of affairs in the ordinary course of events. Nevertheless, taxes could not be raised and new laws enacted without at least some show of common consent. But this state of affairs was not an effect of the regular and methodical operation of laws and institutions. It was instead a reflection of the violence and lawlessness of the times; under the ancient constitution the crown was checked not by liberty but by anarchy. The laws of the land and parliamentary institutions being imperfect and unformed, great stretches of prerogative were apt to occur during the reign of an able, fortunate or popular prince. But 'by the nature of the feudal tenures' the power of the sword belonged not to the prince but to the people, or to be more precise, to the barons. At all times, therefore, the crown had

to maintain some show of legality, while under a weak or unpopular king the barons could resort to armed force in order to extort privileges from the monarchy. The ancient constitution thus bestowed upon both sides in the disputes of the seventeenth century a variety of precedents to appeal to.²¹ It is only necessary to add here that in Of Luxury Hume had already adumbrated the sociological underpinning of the politics of the ancient constitution: a population consisting mainly of poverty-stricken and ignorant feudal tenants who were absolutely dependent upon, and who therefore had to fight for, their landlords, the barons.

But as we have already seen, Hume considered that by 1603 the crown had well and truly 'thrown' the nobility; in the late sixteenth century the constitution was 'opprest by the enormous Authority of the Crown'. The increase in the political weight of the commons was 'insensible'. It was the outcome of a set of broad sociological forces which did not begin to affect politics until the early seventeenth century; it was not a development which crystallized under Elizabeth following upon an outburst of anti-feudal legislative activity on the part of Henry VII. In Hume's opinion, the power and influence of the old Gothic nobility was broken up more by careless prodigality induced by the first stirrings of luxury than by the disappearance of their 'extensive jurisdictions'; while the growth of luxury was still in its early stages, there was an interval between the decline of the nobility and the rise of the commons during which time the Tudors assumed exorbitant power and almost annihilated the constitution under the weight of their prerogative. Hume did not accept Harrington's notion that Elizabeth had had to resort to 'perpetual Lovetricks' in order to keep the commons at bay, while in an obvious allusion to

²¹ HGB, i, pp. 11, 79-80, 91.

Bolingbroke he disassociated himself from such 'pamphlets, and daily writers' as depicted Elizabethan government as a model of liberty. The last of the Tudors was instead an almost unlimited monarch; she was possessed of 'a very extensive authority: An authority, in the judgement of all, not exactly limited; in the judgement of some, not limitable'.²²

In 1603 England's established political system was still the old Gothic constitution, but in a form which greatly reflected a century of Tudor success in keeping anarchy at bay. By vigorously seizing the opportunities presented by the break with Rome and the dissipation of the economic and social power of the old Gothic nobility, the Tudors were able to assert to the full the already ill-defined powers of the crown; had they but controlled a standing army, England would have been as pure a monarchy as Turkey. Under Elizabeth the country's spirit of liberty reached its nadir. The combined authority of the prerogative courts alone was enough to make the power of the crown arbitrary and unlimited. The monarchy had at its disposal a whole host of discretionary powers which for more than a century had been constantly exercised without ever once having been called into question; it also claimed possession of a limitless fund of latent powers. Its attitude towards the early Tudors having been one of 'great complaisance', parliament had become degraded and obscured; constitutional lawyers regarded it as an excrescence in a constitution whose essence was prerogative. The sanction of religion was also applied, with churchmen zealously preaching the sinfulness of rebellion. When the Elizabethans examined the history of their country, they found the

²² *ibid.*, i, pp.34, 106, 121, 124. For Harrington's view of Elizabethan government see 'Second Part of the Preliminarys', pp.69-70; for Bolingbroke's see Remarks on the History of England, letters xii-xvi, Works, i, pp.379-437.

teachings of their lawyers and preachers vindicated to the full; they discovered that the alternative to a strong monarchy was not constitutional government but rather 'violence, convulsion, civil war, and disorder'.²³

Succeeding the glorious Elizabeth, 'the most renowned and most popular of all the princes, who had ever filled the throne of England', James I naturally sought to take up her principles and methods of government. But he was aware that he cut a poor figure in comparison with his predecessor, and so he was all the more jealous of his formal royal authority, establishing within his own mind a speculative system of absolute government. Yet he never considered that he had to set about imposing this ideology upon his English subjects; he saw it as merely a description of the existing constitution. Wherever he looked, he found abundant proof for believing that his political principles were in complete accord with the settled order of things - and so he felt little inclined to exert himself on their behalf. Studying the behaviour of his continental colleagues, he observed the contempt which they exhibited for the old Gothic government, forgetting all the time that they had standing armies and that he did not. Examining the political practices of his predecessor, he noted her extensive authority. But he failed to observe that the power of the Tudors - which he ascribed to their royal birth alone - was an aspect of their prudence and spirit as well as of the particular circumstances of their day. Furthermore, he was slow in realizing that, lacking either a sizable fund of revenue and patronage or a standing army, the Tudors had depended for their power upon no more secure a source than the opinion of their subjects, influenced by precedent and history, while he was unaware

²³ HGB, i, pp.34, 36, 80-81, 116-121.

that in his own day a general if gradual revolution occurring within English political opinion was making the maxims of Tudor government increasingly anachronistic.²⁴

In short, Hume believed that the death of Elizabeth would have precipitated a constitutional crisis no matter who her successor had been; by the beginning of the seventeenth century England was in need of sweeping political changes, for the major prop of its form of government - opinion - was in a state of flux. With the spread of learning and letters and the growth of commerce and industry which followed in the wake of the Renaissance and the discovery of the New World, a universal fermentation broke out in Europe and the ideas of men expanded on all sides. In England the social group which benefited most from the economic and social changes caused by the rise of luxury was not the old Gothic nobility or the small proprietors but rather the gentry - 'or that rank which composed the house of commons'; landownership passed into the hands of men who were rich enough to afford fashionable expenses but who were not exempted from some care and attention in their domestic expenditure. This development had important political consequences. Wealth and prosperity engendered a spirit of freedom and independence amongst the gentry; their growing economic and social power meant that they no longer had to pay much heed to the entreaties or menaces of their sovereign. As their political consciousness expanded as a result of their increasing wealth and education, they came to realize just how precarious personal liberty and security had become after a century of Tudor government. They came to realize that if personal security were to be preserved, it would have to be put upon a far stronger foundation

²⁴ *ibid.*, i, pp.15-16, 81, 121.

than it had ever enjoyed under the ancient constitution; in short, it would have to be buttressed by political liberty, by mixed government. The gentry did not hesitate to commit themselves to the cause of liberty; love of freedom was inseparable from the cultivated understanding which was beginning to prevail amongst them. They enjoyed, moreover, every opportunity of bringing about the creation of a truly constitutional form of government. The discovery of the New World's gold and silver sparked off an unprecedented outburst of inflation throughout Europe. In England itself inflation meant that the traditional financial independence of the crown came to an end. Parliament's power to grant supply thus became of supreme political importance; the gentry could count upon bringing the crown to heel in an entirely regular fashion.²⁵

Elizabeth managed to keep the first stirrings of gentry restlessness within narrow bounds by steadfastly pursuing a policy of severity and frugality. But her successor totally lacked such qualities. James was not a Nero - 'Could human nature ever reach happiness, the condition of the English gentry, under so mild and benign a prince, might merit that appellation'. The very opposite was the case; his real trouble was that he suffered from an excess of humanity. Showering a constant stream of gifts upon his friends and favourites, James caused the inevitable quarrel between crown and parliament over financial matters to flare up much sooner than it would have done otherwise; had he been more frugal, he might have warded off this crisis for a time, thereby maximizing his chances of increasing and fixing his revenue and securing the extensive authority he had inherited. But despite this and other advantages - the art of parliamentary

²⁵ *ibid.*, i, pp. 15, 33-34, 123-124.

management was necessarily primitive and James was a despised Scotsman - the parliamentarians acquitted themselves poorly. They were completely unaware of how a mixed government actually worked and were thus unable to turn James's necessities to good account by bribing him into departing from the more exorbitant of his powers. They were apt to be thrown into an alarmed recalcitrance by the increasing interest which the crown inevitably took in parliamentary affairs. Similarly, not yet being accustomed to the regular voting of taxes, they were invariably unduly parsimonious when voting supply.²⁶

This did not mean that the Commons was any the less insistent in the demands it made upon the crown. Possessing too little dignity to command respect and too much goodness to impress fear, James was not the person to frighten its members into abandoning their schemes of curbing prerogative. Beginning in 1604, when they secured control of their own membership, and culminating in 1621, when they proceeded to interest themselves in the conduct of foreign policy, his parliaments became increasingly restless, dissatisfied and aggressive. Faced with their provocation, James found it necessary to have the maxims of Tudor government 'more openly inculcated and more strenuously insisted on'; lacking both money and a standing army, he was all the more jealous of prerogative. But he conducted his propaganda campaign in so rash and indiscreet a fashion that he only succeeded in fully alerting the Commons to the fact that the constitution was full of all kinds of ambiguity; its zeal for political liberty thus became all the more strong and articulate. In 1610 its attachment to liberty, 'tho' strongly supported by (its) present situation as well as disposition, was too new and recent to be as yet founded on systematical principles and opinions'; but by 1621 a strong country-party had taken

²⁶ *ibid.*, i, pp.2, 15, 18-19, 29, 34, 52-53, 124-126.

shape, with leaders who knew just what had to be done: 'From long practice, the crown was now possessed of so exorbitant a prerogative, that it was not sufficient for liberty to remain on the defensive, or endeavor to secure the little ground, which was left her: It was become requisite to carry on an offensive war, and to circumscribe, within narrower, as well as more exact bounds, the authority of the sovereign'.²⁷

Since he saw it as an effect of underlying patterns of social and ideological change, Hume was not surprised by the fact that the tension which characterized relations between crown and parliament under James I did not abate when his son came to the throne. When he examined Charles I as a private man, he found it difficult to imagine anyone more respectable and amiable. Furthermore, Charles excelled in the external qualities demanded of a monarch, while he was not deficient in the essential ones. Had his position been unchallenged, his humanity and good sense would have resulted in his having a happy reign and a precious memory. Had the limitations upon prerogative been fixed and rigid in his day, his integrity would have resulted in his being an excellent constitutional monarch. But unfortunately he became king at a time when England was changing from an almost pure monarchy into a mixed government; he simply lacked the qualities of leadership needed at a time when the precedents of many former reigns smacked of arbitrary power while the genius of the people ran towards liberty. Lacking suppleness and dexterity, he refused to depart from some of his powers in order to keep the rest. From his father he had derived lofty ideas of monarchical power, ideas which seemed wholly plausible when viewed in the light of the country's history and constitution; he looked upon any attempt to trim prerogative as little better than open

²⁷ *ibid.*, i, pp.11-15, 38, 81, 85-89, 91, 120-121.

rebellion. But he lacked prudence and vigour; he never had any real idea as to how he should subdue his parliamentary opponents. A good but not a great man, he was overwhelmed by a set of problems which would have tried a masterly genius. Few Englishmen were aware of the great power the commons had recently attained, whereas the whole weight of the country's past indicated that parliament was a peripheral part of the constitution; 'nothing less than fatal experience could engage the English princes to pay a due regard to the inclinations of that formidable assembly'.²⁸

But at this stage we have to qualify our account of Hume's treatment of the early seventeenth century in that we have to take note of the fact that he considered that settled monarchical power was brought to heel by the rising spirit of liberty only because James and Charles allowed themselves to get involved in other than strictly political disputes. Hume certainly considered that by the time Charles came to the throne the rise and spread of luxury and the subsequent growth of country-party sentiment had created the sociological and ideological foundation upon which a mixed government could rest. But he also considered that throughout the four decades preceding 1640 the majesty of the crown, with all its ancient powers and prerogatives, was such that in the struggle between court and country there was an inbuilt bias favouring the former and hampering the latter. Notwithstanding all the advantages acquired by liberty in this period, royal authority was so extensive and firmly established that the country-party would probably have despaired of attacking it had it been governed solely by political motives. But then Hume did not believe that this had been the case; as we have seen in our examination of his

²⁸ *ibid.*, i, pp.148, 155, 198-199, 238, 468-469.

essays, he considered that the struggle between liberty and authority in Stuart England was as much a religious as a political affair, with tension between superstition and enthusiasm occurring alongside tension between court and country. The parliamentarians launched a determined bid to curb prerogative only because they were 'stimulated by religious motives, which inspire a courage, unsurmountable by any human obstacle'. This was a European theme; the history of Scotland, the Netherlands and Bohemia, as well as that of England, proved that the only seventeenth-century nations capable of resisting the rise of absolute monarchy were those which were animated with a zeal for religious as well as political freedom; the exceptional strength of the spirit of liberty in the dominions of the House of Stuart signified that 'of all European nations, the British were, at that time, and till long after, sunk into the lowest and most odious bigotry'.²⁹

Hume believed that the constitutional crises out of which England's mixed constitution had arisen could not be adequately explained purely in terms of Harringtonian and neo-Harringtonian ideas concerning the relationship between property and liberty; movements within religious opinion had to be taken into account as well. Harrington, it has been said, 'habitually underestimates the dynamic power of religious conviction',³⁰ a natural enough state of affairs, however, if he truly was 'primarily a historian of feudalism and only in a most rudimentary sense an observer of contemporary social processes'.³¹ In this respect Hume differed from Harrington; as a historian of seventeenth-century England his interest lay in social processes in

²⁹ *ibid.*, i, pp.9, 31, 76-77, 81-82, 150, 245.

³⁰ R.H. Tawney, 'Harrington's Interpretation of his Age', Proceedings of the British Academy, XXVII (1941), p.221.

³¹ Pocock, Ancient Constitution and Feudal Law, p.141.

general rather than in the decay of feudal dependence in particular. When he came to cast around for these broad social forces, he made sure that he used one of his favourite concepts as a political scientist - the political consequences of religious belief. From personal experience alone - we need only recall here the successful presbyterian opposition to his two attempts to secure a university appointment as well as the furore surrounding his election to the Advocates' Library - he had gained a vivid awareness of the unsettling effects of religious zeal. His experience was such that he was incapable of adopting anything other than a deeply unsympathetic attitude towards the enthusiasts of the seventeenth century; when we find him talking about the 'rustic severity' and 'mysterious jargon' of the Puritans and the 'barbarous zeal' and 'theological fervor' of their Scottish allies,³² we naturally wonder whether he is really referring to the Calvinists of his own day. But for all this, his personal experience of the unsettling effects of zealous religiosity meant that as a historian of the seventeenth century he was always particularly aware of the power of religious fanaticism.³³ He was of the opinion, indeed, that it was the struggle between the monarchy and the Anglican hierarchy on the one hand and the Puritans and the Presbyterians on the other which formed the decisive aspect of the constitutional crisis of Stuart England. The rise of luxury and the birth of the country-party created the foundation upon which a mixed government could rest; but it was the rise of enthusiasm which created most of the energy and zeal needed to bring about the triumph of liberty in the sphere of actual political

³² HGB, i, pp.9, 266, 290.

³³ And not only with respect to the activity of enthusiasts. See his vivid accounts of the Gunpowder Plot, *ibid.*, i, pp.20-25 and of the Irish rebellion of 1641, *ibid.*, i, pp.293-302.

conflict. '(The) same lofty pretensions, which attended them in their familiar addresses to their Maker, of whom they believed themselves the peculiar favorites, induced (the enthusiasts) to use the utmost freedoms with their earthly sovereign';³⁴ this meant that the country-party was far more formidable than it otherwise would have been.³⁵

Hume's belief that the decisive factor in the crisis of the early seventeenth century was tension between superstition and enthusiasm, and not tension between court and country, can be found clearly expressed in his denial that the period 1629-40 was an eleven years' tyranny. By the late 1630's with the last parliament having met in 1629, the country-party was longing for a new parliament to be summoned. Being 'almost intirely governed by a set of men of the most uncommon capacity and the largest views', it was well aware that the raising of revenue through the revival of obsolete laws and the violation of the nation's privileges could not but culminate 'in a total disuse of parliaments, and in the establishment of arbitrary authority'. But the great bulk of the nation scarcely shared the fears and apprehensions of the country-party. The way Charles used his power was not in itself particularly burdensome or inhumane; only the consequences of his method of government were inimical to liberty - which meant that Charles 'dreaded no opposition from the people, who are not commonly much affected with consequences'.³⁶ The spirit of liberty got out of hand only when Charles and Archbishop Laud set about with all the intemperate zeal of sectaries to add a dash of ritualism

³⁴ *ibid.*, i, p.9.

³⁵ For the most incisive statement Hume made to this effect see *ibid.*, i, p.266.

³⁶ *ibid.*, i, pp. 147, 205, 219, 220.

to the worship of Englishmen and Scotsmen; 'the people are always most affected by what is external and exposed to the senses'. Moreover, Charles and Laud were only undone when they inflamed the Scots, the most bigoted and turbulent section of Calvinist opinion. The collapse of their Scottish policy precipitated the summoning of the Long Parliament. For Hume political liberty in England was very much the offspring of religious bigotry - and of Scottish bigotry at that.³⁷

Meeting in the wake of the revolt of the Scots and dominated by the 'zealous innovators' of the country-party, the Long Parliament at once set about launching 'a revolution in the government', 'an innovation in the constitution': its members 'disarmed the crown; they established the maxims of rigid law and liberty; and they spread the terror of their own authority'.³⁸ Hume was well aware that men like Pym claimed that what parliament had to do was to put the enemies of the ancient constitution to rout;³⁹ but he was certain that his self-proclaimed commitment to ancient liberties was either delusion or pretence. The summoning of the Long Parliament marked the beginning of the death throes of the old Gothic constitution inherited by the Stuarts in 1603. By the autumn of 1641, following the abolition of many of the prerogative courts and the securing of regular meetings of parliament, this process was in full swing; the Commons had moved from the periphery to the very centre of the constitution. The early legislation of the Long Parliament amounted to an 'experiment'.

³⁷ For Hume's account of the attempt on the part of Charles and Laud to curb the enthusiasts see *ibid.*, i, pp.200-205, 207-210, 213-217, 220-236, 242-243; for his assessment of Laud's character see *ibid.*, i, pp.393-396.

³⁸ *ibid.*, i, pp. 250-252, 256-257, 266, 270.

³⁹ *ibid.*, i, pp.253, 255, 261.

Before 1641 there had never been a civil society 'which subsisted without the mixture of some arbitrary authority, committed to some magistrate' and which instead sought 'to support itself with no other control, than the general and rigid maxims of law and equity'; but in 1641 a totally new type of polity took shape in England - a mixed government in which the republican and libertarian element predominated at the expense of executive authority. The Long Parliament did not preserve the old Gothic constitution; it crippled it, and this was the reason why it was deserving of 'very ample praises from all lovers of liberty'.⁴⁰

Hume's stress upon the revolutionary nature of the early reforms of the Long Parliament amounted to a direct rejection of the country-party's fear of corruption; if mixed government in England were an entirely modern phenomenon, it necessarily followed that the country-party's canvassing of the cause of parliamentary reform in the name of the ancient constitution, in the name of England's ancient liberties, was either an example of crass sociological ineptitude or a mere pretence, a mere verbal smokescreen designed to conceal the fact that, as in the seventeenth century, the country-party, and not the court-party, was the party of subversion and innovation. England's liberties were not ancient; the reason why England had the sort of government it had could only be explained in terms of a set of completely modern factors. A consistent reading of Harrington indicated that under the ancient constitution England had never enjoyed true freedom; politics under the Gothic constitution was largely a matter of confused scuffling between the crown and a feudal nobility. The existence of republican elements in the country's constitution had to be explained in terms of a set of factors which had not come into play until after the House

⁴⁰ *ibid.*, i, pp. 258, 268- 270, 287-288.

of Tudor had come to the throne and which had only begun to gather momentum following the accession of the Stuarts. The rise of luxury and the absence of a standing army led to the House of Commons becoming dominated by a restless and aggressive country - party. The rise and spread of Calvinist religion meant that the country-party could count upon attracting a far more formidable level of support than would otherwise have been the case. These broad sociological developments finally came into line with the trend of political events in the late 1630's, when the revolt of the Scots led to a political crisis which culminated in the collapse of the ancient constitution, thereby clearing the way for the rise of mixed government.

Critical analysis of the origins of the eighteenth-century constitution revealed, then, that, despite its self-proclaimed adherence to the ancient constitution, the county-party was in reality a party of innovation and radicalism. It revealed, furthermore, just how dangerous innovation and radicalism could be; it showed that those who set about to effect sweeping political change usually had to go beyond 'mere force of argument and reasoning', having instead to resort to measures savouring 'often of artifice, sometimes of violence'.⁴¹ For Hume this process was exemplified by the fate of that great prop of order, Lord Strafford: 'it may safely be affirmed, that the sentence, by which he fell, was an enormity, greater than the worst of those, which his implacable enemies prosecuted with so much cruel industry'.⁴² But this was only a foretaste of all the violence which occurred once the spirit of innovation was no longer kept in check by settled monarchical power. Charles's imprudent handling of the Short as well

⁴¹ *ibid.*, i, p.288.

⁴² *ibid.*, i, p.286.

of the Long Parliament plus the lack of a sizable fund of patronage and revenue at the disposal of the crown meant that no strong court-party took shape within the Commons,⁴³ and so its newly won power soon went to its head. By 1642 it was clear that the country-party wished to completely abolish monarchical power - when civil war broke out, Charles, and not the parliamentarians, was defending mixed government.⁴⁴ Following the breakdown of the traditional structure of authority, the country-party had to resort to increasingly despotic methods of government in order to keep lawlessness in check as well as to prosecute the war: 'Never in this Island, was known so severe and arbitrary a government, as was generally exercised, by (these) patrons of liberty'.⁴⁵ Feeling that the holiness of their cause justified any action, no matter how extravagant, the Puritans became increasingly fanatical and unruly; this culminated in the rise of the Independents.⁴⁶ These two developments fused in that 'height of all iniquity and fanatical extravagance' - the public trial and execution of the king.⁴⁷ But by 1649 parliament had lost power to the army: 'The sacred boundaries of the laws being once violated, nothing remained to confine the wild projects of zeal and ambition. And every successive revolution became a precedent for that which followed it'.⁴⁸ For Hume, the events of the

⁴³ For Hume's attitude towards Charles's handling of the Short Parliament see *ibid.*, i, pp. 241-242; for his attitude towards his handling of the Long Parliament up till 1642 see *ibid.*, i, pp. 268-271, 282, 316-324. For Hume's stress upon the importance of the absence of influence at this time see *ibid.*, i, pp. 243-245.

⁴⁴ *ibid.*, i, pp. 329-335.

⁴⁵ *ibid.*, i, pp. 356-358, 359-360, 430-432, 449, 456.

⁴⁶ *ibid.*, i, pp. 380-383.

⁴⁷ *ibid.*, i, pp. 460-468.

⁴⁸ *ibid.*, i, pp. 424-425.

period 1641-49 vindicated the great lesson of Roman history: when unrestrained by authority, liberty degenerates into anarchy, thereby necessitating the creation of military despotism. The fate of its predecessors in the 1640's indicated to the eighteenth-century country-party that it was well advised to curb its excessive libertarianism; it showed that to drastically weaken settled monarchical power was to expose oneself to 'the madness of the people, the furies of fanaticism, and the danger of mercenary armies'.⁴⁹

(iii)

Hume's readiness to expatiate upon what he saw as the rather sordid events which followed in the wake of the first stirrings of mixed government in England, it should be pointed out, in no way reflected a less than wholehearted commitment to the mixed government of England as it stood in his own day. Being a *de facto* theorist of political obligation, Hume considered that history had absolutely no role at all to play in determining where his political obedience should rest; if the eighteenth-century constitution upheld peace and order, it was deserving of total obedience, no matter how sordid its origins might be. Hume was well aware that, if allowed to become firmly entrenched, political systems began to attract an increasing level of support as a result of the passage of time and that therefore history was twisted for polemical purposes; he was well aware of the country-party's propensity for advocating innovation in the name of the ancient constitution. In ideal circumstances, Hume believed, the prudent man would willingly accept the fact that the passage of time tended to make subjects overlook the importance of violence and injustice in

⁴⁹ *ibid.*, i, p.471.

history; prudence would tell him that the natural affection which subjects had for well-established royal dynasties and forms of government was extremely conducive to political peace.⁵⁰ But Hume did not consider that these ideal circumstances prevailed in the England of his day. An idealized conception of the country's past was in fact associated with political radicalism; the country-party was able to avoid having recourse to the opprobrious concept of innovation by depicting the various parliamentary reforms it canvassed as attempts to reinvigorate traditional virtues and ancient liberties. Confronted with this state of affairs, Hume was forced to come out and make explicit the insistence upon the essential irrelevance of history which flowed from the *de facto* theory of political obligation. Hume's radically iconoclastic, sceptical, demythologizing approach to English history was a profoundly conservative stance politically; his insistence upon the utter modernity of political liberty in England amounted to an outright attack upon the country-party's fear of corruption and the whole radical-reactionary style of politics which flowed from it. In Hume's opinion, a 'philosophical', that is to say, a scientific approach to English constitutional history revealed that it was improper for any political party to exploit history in party warfare. To relate political narrative to 'the state of the kingdom, with regard to government, manners, finances, arms, trade, learning' was to show that the events of the past were wholly explicable if not inevitable and that therefore it was naive to discuss them in terms of moral excellence and opprobrium, which in turn meant that it was improper for history to be dragged into political debate:

⁵⁰ 'Of the Protestant Succession', Phil. Works, iii, pp.471-472.

The philosophy of government, accompanying a narration of its revolutions, may render history more intelligible as well as instructive. And nothing will tend more to abate the acrimony of party-disputes, than to show men, that those events, which they impute to their adversaries as the deepest crimes, were the natural, if not the necessary result of the situation, in which the nation was placed, during any period.⁵¹

But we need to remember that the English reading public of the 1750's lacked any acquaintance with the argument Hume had put forward in Of Morals, which meant that it was ignorant of the fact that his political science was underpinned by a de facto theory of political obligation. It was unaware that he was of the opinion that subjects should not allow their loyalty to be affected by the attractiveness or otherwise of the historical origins of the civil magistracy governing them; it was not aware that his radically iconoclastic attitude towards English constitutional history in no way reflected a radical rejection of the eighteenth-century constitution and that in fact it sprang from extreme political conservatism. We need to bear in mind here that the myth of the ancient constitution was never the sole possession of any single political party; the belief that England's institutions had enjoyed unbroken historical continuity was ever a truly national outlook, as Burke and later commentators have pointed out.⁵² In the late 1750's, as much as in the 1690's, iconoclastic historiography was associated with political heterodoxy. Taking up Brady's assertion that political liberty in England was not rooted in remote antiquity, Hume similarly found himself relegated to an unpopular area of the political spectrum. His stress upon the traditional insignificance of the pre-Stuart House of Commons and his subsequent insistence that the efforts of James and Charles to prevent the rise of political liberty represented

⁵¹ HGB, i, pp.116, 245-246; HL, i, p.193.

⁵² See H. Butterfield, The Englishman and His History, Cambridge, 1944.

'the natural, if not the necessary result of the situation, in which the nation was placed' stirred up a veritable hornet's nest; within a few weeks of his account of their reigns being published Hume found himself 'assailed by one Cry of Reproach, Disapprobation, and even Detestation'. The reading public considered that the work was vitiated by pro-Stuart bias; Hume was especially denounced for having dared 'to shed a generous Tear for the Fate of Charles I, and the Earl of Strafford'.⁵³ This pro-Stuart bias was accounted for in varying ways. Hume found himself initially depicted as a 'candid Tory',⁵⁴ a charge which, because of his nationality, soon became transmuted into an allegation of Jacobitism,⁵⁵ while within a few years he was being openly denounced as a brazen apologist for absolute monarchy;⁵⁶ his iconoclastic conclusions could thus be shrugged off on the grounds that they were meant to serve a politically subversive end. Such talk was completely misguided; in terms of practical political obedience, Hume totally supported the eighteenth-century constitution. But he did so solely on the grounds that it happened to be the status quo of the day, the current present possessor of power. His conservatism was not based upon reverence for the English past; being based upon a de facto theory of political obligation, it was perfectly compatible with

⁵³ My Own Life, HL, i, p.4.

⁵⁴ ibid., i, pp.185, 214, 222, 237.

⁵⁵ ibid., i, pp.214, 222, 264, 314. See also Mossner, Life of Hume, pp.309-311 and The Letters of Horace Walpole, ed. Mrs Paget Toynbee, 19 vols., Oxford, 1903-1925, iii, p.294.

⁵⁶ The most elaborate statement of this point of view was to be The History of England from the Accession of James I to that of the Brunswick Line of Mrs Catherine Macaulay, 8 vols., London, 1763-83; see in particular i, pp.vii-xviii. For accounts of Mrs Macaulay see the DNB and Lucy Martin Donnelly, 'The Celebrated Mrs Macaulay', The William and Mary Quarterly, 3rd. series, VI (1949), pp.173-207. For Hume's recognition that this work was directed against him see NHL, pp.80-82.

iconoclastic historiography. By way of contrast, however, most Englishmen tended to rationalize their support of the existing constitution in terms of what they saw as its antiquity; they therefore considered that Hume's repudiation of the constitution's antiquity amounted to a repudiation of the constitution itself.⁵⁷

The English reading public, then, completely misunderstood Hume's attitude towards the place of history in political debate. But at the same time it seems that Hume completely under-estimated the importance of 'the principle of reference to antiquity' in the English constitutionalist tradition. Believing as he did that a scientific and iconoclastic approach to the writing of history could in no way prejudice the defenders of an established government - their stance was completely justified in terms of the basic needs of human nature, the final court of appeal in matters of political obedience - Hume took up the study of the seventeenth century without paying due consideration to English sensibilities. He was quite confident that in his account of the troubles of the early Stuarts he had produced 'a History full of Candor & Disinterestedness'; having 'at once neglected present Power, Interest, and Authority, and the Cry of popular Prejudices', he 'expected proportional Applause'. Consequently, he was greatly discouraged when the work was instead 'torn in Pieces by Calumny'.⁵⁸

⁵⁷ The distaste which Hume invariably exhibited whenever examining the political activities of the various religious parties of the early seventeenth century also landed him in hot water, especially in Scotland. See Mossner, Life of Hume, pp.305-309, 344-352. It has to be pointed out, furthermore, that all this controversy did not result in the first volume of the History of Great Britain enjoying a succès de scandale in terms of sales. This was because Hume's publishing arrangements were not to the liking of the London booksellers. See Ernest Campbell Mossner and Harry Ransom, 'Hume and the "Conspiracy of the Booksellers": The Publication and Early Fortunes of the History of England', University of Texas Studies in English, XXIX (1950), pp.162-182.

⁵⁸ HL, i, pp.221-222; My Own Life, ibid., i, p.4.

It was with 'infinite Disgust & Reluctance' that he pressed on with the second volume of the History of Great Britain, which covered the reigns of Charles II and James II; he had already written much of this work by the autumn of 1754, and it was finally published in the autumn of 1756.⁵⁹ The main reason why Hume persevered with it was because he felt that it would be far less obnoxious to the English reading public than its predecessor had proved; writing to his publisher on 12 April 1755 he explained why he considered that this would be so:

I have always said to all my Acquaintaince that if the first Volume bore a little of a Tory Aspect, the second wou'd probably be as grateful to the opposite Party. The two first Princes of the House of Stuart were certainly more excusable than the two second. The Constitution was in their time very ambiguous & undetermin'd, & their Parliaments were, in many respects, refractory & obstinate: But Charles the 2d knew, that he had succeeded to a very limited Monarchy: His long Parliament was indulgent to him, & even consisted almost entirely of Royalists; yet he cou'd not be quiet, nor contented with a legal Authority. I need not mention the Oppressions in Scotland nor the absurd Conduct of K. James the 2d. These are obvious & glaring Points. Upon the whole, I wish the two Volumes had been publish'd together. Neither one Party nor the other, wou'd, in that Case, have had the least Pretext of reproaching me with Partiality.⁶⁰

But for all the less consciously iconoclastic spirit in which it was written, the second volume of Hume's History of Great Britain was scarcely a more Whiggish work than its predecessor; Hume's basic theme remained the same: mixed government in England was wholly modern in origin, only having come into existence in 1689, following the final collapse of the ancient constitution. The Revolution was not a matter of ancient liberties being vindicated and confirmed. The events of 1688-89 marked the final collapse of the old Gothic constitution inherited by the Stuarts in 1603; 'all the points, which had, of late years, been disputed between King and people, were finally

⁵⁹ *ibid.*, i, pp.170, 188, 189, 194, 231-232, 233-235, 242.

⁶⁰ *ibid.*, i, pp.217-218.

determined; and the powers of royal prerogative were more narrowly circumscribed and more exactly defined, than in any former period of the English government'.⁶¹ The abolition of the dispensing power exemplified this process. This power was an integral aspect of the old Gothic constitution, being derived from ancient and almost uniform practice; but it was completely incompatible with all 'the recent plans of liberty', with all the 'late innovations introduced into the government'. Only when it was abolished in 1689 did a regular mixed government finally appear.⁶² Sweeping away the last vestiges of the ancient constitution, the Revolution gave Englishmen an opportunity of developing a politics devoid of disputes over basic constitutional issues: 'To decry with such violence, as is affected by some, the whole line of Stuart; to maintain, that their administration was one continued encroachment on the incontestible rights of the people; is not giving due honor to that great event, which not only put a period to their hereditary succession, but made a new settlement of the whole constitution'. The Revolution marked the beginning of a new epoch in English history, for it gave such an ascendancy to popular principles as to put the nature of the constitution beyond all controversy.⁶³

But although he was convinced that the Revolution had cleared the way for the rise of a politics devoid of gaping ideological divisions, Hume still felt such a development had clearly failed to materialize; the division between Whigs and Tories still existed, which meant that such a fundamental aspect of the constitution as the succession to the throne was still involved in political controversy. This discrepancy troubled Hume. Such was his concern, indeed, that he

⁶¹ HGB, ii, pp.442-443.

⁶² *ibid.*, ii, pp.394-397, 401-402.

⁶³ *ibid.*, ii, p.443.

made one of his rare post - 1752 appearances as an essayist in order to account for it; in 1758 he published Of the Coalition of Parties, in which he set out to examine this problem of the continued existence of a division between Whigs and Tories. By this time Hume was well and truly reconciled to the existence of a division between court and country;⁶⁴ but in Of the Coalition of Parties, as in his previous essays on party, he made it clear that he considered the division between Whigs and Tories to be another matter altogether. In itself the division between court and country did not place political peace in peril; but by way of contrast, the division between Whigs and Tories was based upon irreconcilable differences of opinion concerning the very nature of the constitution:

To abolish all distinctions of party may not be practicable, perhaps not desirable, in a free government. The only dangerous parties are such as entertain opposite views with regard to the essentials of government, the succession of the crown, or the more considerable privileges belonging to the several members of the constitution; where there is no room for any compromise or accommodation, and where the controversy may appear so momentous as to justify even an opposition by arms to the pretensions of antagonists. Of this nature was the animosity, continued for above a century past, between the parties in ENGLAND; an animosity which broke out sometimes into civil war, which occasioned violent revolutions, and which continually endangered the peace and tranquillity of the nation.⁶⁵

It has been pointed out in recent years that by the middle decades of the eighteenth century a Whig could only be defined in terms of the prior existence of the Tory party: a Whig was a non-Tory.⁶⁶ Hume himself seems to have believed that this was the case; in Of the Coalition of Parties we find him depicting the disappearance of the quarrel between Whigs and Tories very much in terms of the disappearance of the Tory party. In Hume's opinion, the continued

⁶⁴ *ibid.*, i, p.91.

⁶⁵ Phil. Works, iii, p.464.

⁶⁶ Owen, Rise of the Pelhams, pp.69-70.

existence of the Tory party was a glaring anachronism. The spirit of political liberty had dissociated itself from religious fanaticism and had assumed a more genuine and engaging aspect; having retrenched exorbitant prerogative, it could afford to pay due respect to the monarchy, the nobility and all other ancient institutions. Moreover, by virtually behaving as a country-party the Tory party was acting in flagrant violation of its monarchical principles; it was no longer the leading defender of order and authority and the chief opponent of innovation and revolution, roles which had been assumed by the Whig party. But despite all this the blatant anti-Stuart bias of official historiography amounted to a continuing exclusion of the Tories from national politics. Should this bias be removed, the Tory party would soon be reintegrated within the political nation:

... this is certain, that the greater moderation we now employ in representing past events; the nearer shall we be to produce a full coalition of the parties, and an entire acquiescence in our present establishment. Moderation is of advantage to every establishment: Nothing but zeal can overturn a settled power: And an over-active zeal in friends is apt to beget a like spirit in antagonists. The transition from a moderate opposition against an establishment, to an entire acquiescence in it, is easy and insensible.⁶⁷

To fly in the face of historical fact by asserting that the Stuarts had sought to undermine the ancient constitution was to allow the Tory party to enjoy continuing dialectical success. The Whigs could best discredit the Tory party by pointing out that exorbitant prerogative was long since annihilated and that the oppression and violence to which it often gave rise were ills which the established liberty of the current constitution happily prevented.⁶⁸ The Whigs were in fact best advised to eschew all forms of high country-party rhetoric. England's mixed constitution was settled and stable; it

⁶⁷ Phil. Works, iii, pp.469-470.

⁶⁸ ibid., iii, p.470.

did not need the support of revolutionary ideologies. Being a court-party, the Whigs, if they were to be consistent, had to adopt a sympathetic attitude towards those Englishmen who had defended the established order of things in Stuart England. The seventeenth-century country-party had undoubtedly been large and noble in its outlook; but at the time it was not apparent that any worthwhile benefits would accrue from its agitation. In the early seventeenth century the defenders of the status quo were in a position to mount a formidable case:

The only rule of government, they might have said, known and acknowledged among men, is use and practice: Reason is so uncertain a guide that it will always be exposed to doubt and controversy: Could it ever render itself prevalent over the people, men had always retained it as their sole rule of conduct: They had still continued in the primitive, unconnected, state of nature, without submitting to political government, whose sole basis is, not pure reason, but authority and precedent. Dissolve these ties, you break all the bonds of civil society, and leave every man at liberty to consult his private interest, by those expedients, which his appetite, disguised under the appearance of reason, shall dictate to him. The spirit of innovation is in itself pernicious, however favourable its particular object may sometimes appear: A truth so obvious, that the popular party themselves are sensible of it; and therefore cover their encroachments on the crown by the plausible pretence of their recovering the ancient liberties of the people.⁶⁹

(iv)

The popular party, knowing just how pernicious innovation is, depicts its attack upon prerogative as an attempt to recover ancient liberties: such indeed was the ultimate lesson of Hume's account of the early seventeenth century, the keystone of his achievement as a historian. During the four decades of tension preceding the Civil War the country-party, for all its self-proclaimed adherence to the ancient

⁶⁹ *ibid.*, iii, pp.465-466, 469.

constitution, zealously worked for innovation and change, while events in the period 1641-49 revealed just how pernicious the effects of innovation could be. This sceptical attitude towards the country-party's conception of English history also formed the unifying theme of Hume's account of the more remote periods of English history, the study of which occupied his attention from 1757 to 1761. Hume's original intention, we should remember, was to round off his History of Great Britain with a third volume dealing with the period 1689-1714. But after completing his account of the reigns of the latter Stuarts, he was at first undecided as to whether or not he should press on with this project, finally deciding, in the spring of 1757, to abandon it for the time being and to instead go back to the Tudors.⁷⁰ His reason for doing so was avowedly polemical, as he explained in a letter written to a friend on 3 September 1757:

... I am now very busily engaged in writing another volume of History, and have crept backwards to the reign of Henry the VII. I wish, indeed, that I had begun there: For by that means, I should have been able, without making any digression, by the plain course of the narration, to have shown how absolute the authority was, which the English kings then possessed, and that the Stuarts did little or nothing more than continue matters in the former tract, which the people were determined no longer to admit. By this means I should have escaped the reproach of the most terrible ism of them all, that of Jacobitism.⁷¹

By the summer of 1758 he had completed the manuscript of his account of the Tudor period, and in the winter of 1758-59 he had it published, entitling it The History of England under the House of Tudor.⁷²

Hume's account of Tudor history strongly reflected his original intention; his thesis was that, when seen in relation to their Tudor predecessors, the early Stuarts could in no way be accused of

⁷⁰ HL, i, pp.243, 246, 249.

⁷¹ *ibid.*, i, p.264.

⁷² *ibid.*, i, pp.278, 281, 294-295.

seeking to impose radically new methods of government upon their English subjects. Coming to the throne after a long and bloody civil war had decimated the nobility, who alone could resist his authority, Henry VII was able to exploit for his own purposes the country's deep longing for strong government. Prerogative had traditionally been somewhat irregular, but after 1485 it reached unprecedented heights; once firmly entrenched, the new king was able to indulge his natural rapacity to the full.⁷³ But if oppressive, his rule was so much the less burdensome in that, by curbing the nobles, he became the sole tyrant in the kingdom; depressing the nobility and exalting churchmen, lawyers, and men of new families, who were more dependent upon him, he cleared the way for the rise of the commons, whose power was beginning to wax following the first stirrings of luxury. Freed from the tyranny of the nobility, the people enjoyed, if not entire liberty, then at least many of its advantages.⁷⁴ But they still possessed scant political power; from the outset Henry VII's parliaments were obsequious, while under Henry VIII parliament's mood was one of abject servility.⁷⁵ Under Elizabeth, with the spread of Calvinism, the Commons began to display signs of spirit, but this invariably melted away when confronted with the queen's haughtiness and bitterness of expression. Despite this avowed contempt for the spirit of liberty, Elizabeth became the most popular sovereign England had ever known; her high monarchical maxims were in complete accord with the prevalent political principles of the day.⁷⁶

At the time of its publication Hume was convinced that his careful delineation of the extensive power wielded by the Tudors had

⁷³ The Tudors, i, pp.54-56, 60-61.

⁷⁴ *ibid.*, i, pp. 40, 63, 65-66.

⁷⁵ *ibid.*, i, pp. 6-9, 230.

⁷⁶ *ibid.*, ii, pp.507-509, 520-528, 726.

'effectually stopped the mouths of all those villainous Whigs' who had railed at his account of the early seventeenth century.⁷⁷ But this judgement was premature: 'The Clamour against this Performance was almost equal to that against the History of the two first Stuarts. The Reign of Elizabeth was particularly obnoxious'.⁷⁸ Whiggish opinion was set 'anew in a Rage'; believing that Hume had set out 'to conjure up the spirit of absolute power', it considered that 'he (had) judged it necessary to the charm, to reverse the order of things, and to evoke this frightful spectre by writing (as witches use to say their prayers) backwards'.⁷⁹ Hume was by now 'callous against the Impressions of public Folly', and his initial reaction was to simply ignore the fresh storm he had aroused: 'If my past Writings do not sufficiently prove me to be no Jacobite, ten Volumes in Folio never would'.⁸⁰ Nevertheless, this second hostile reception must have been one of the reasons why he decided, in the summer of 1759, to carry his stress upon the modernity of political liberty in England to its logical conclusion: he decided 'to write the History of England from the Beginning till the Accession of Henry the VII'.⁸¹ If the attacks upon his accounts of Tudor and Stuart history sprang from the conviction that mixed government had existed in England since the remotest antiquity, it obviously followed that the best way they could be refuted was by showing that the more the historian approached the very beginnings of English history, the more difficult did he find it to detect signs of constitutional government and the rule of law. Hume's labours in

⁷⁷ HL, i, p.294.

⁷⁸ My Own Life, *ibid.*, i, p.5.

⁷⁹ This opinion was expressed by Bishop Richard Hurd in his Moral and Political Dialogues of 1759. See *ibid.*, i, pp.313-314.

⁸⁰ My Own Life, *ibid.*, i, p.5; *ibid.*, i, p.314.

⁸¹ *ibid.*, i, p.314.

this field reached fruition in the autumn of 1761, when he published his History of England from the Invasion of Julius Caesar to the Accession of Henry VII.⁸²

From the very outset Hume's account of early English history takes the form of an insistent denial of the antiquity of constitutional government in England; his treatment of the Anglo-Saxon period revolves around this thesis. Hume did not deny that the Anglo-Saxons were 'extremely free';⁸³ but he insisted that this freedom took the form of licentiousness rather than of true liberty. In Anglo-Saxon England monarchical authority and the administration of justice were both extremely feeble, while the absence of any economic activity other than primitive agriculture meant that few men were occupied in honest industry; the country was thus plagued by wars, insurrections, convulsions and rapine.⁸⁴ Most Englishmen were either the slaves or the tenants of a few aristocratic families, whose abuse of this power was the cause of most of the prevailing unruliness. The inhabitants of the cities, being few in number, despised, unskilled, ignorant and poverty-stricken, had, if they were unable to secure protection through forming private confederacies, no choice but to become clients of the aristocrats. Notwithstanding the seeming liberty - or rather licentiousness - of its inhabitants, there was far less true freedom to be found in Anglo-Saxon England than in civil societies where the chief magistrate upheld the law and demanded the strictest subordination and obedience from his subjects. The Norman conquest was no great disaster; the Normans put Englishmen 'in a situation of receiving slowly from abroad the rudiments of science and cultivation, and of correcting their rough

⁸² For the history of the writing of this work see *ibid.*, i, pp.317, 321-325, 332, 335, 351-352 and Mossner, Life of Hume, pp.401-402.

⁸³ Caesar to Henry VII, i, p.141.

⁸⁴ *ibid.*, i, p.69.

and licentious manners'.⁸⁵

Having dealt with the Anglo-Saxons, Hume proceeded to employ the weapon which had been regularly used since the 1680's by all enemies of the notion that political liberty in England was rooted in antiquity: the feudal interpretation of medieval history. William of Normandy pushed the right of conquest to the utmost extremity; he carried out 'almost a total revolution in the landed property of the kingdom'. He confiscated the estates of the Saxon nobility and distributed them amongst his Norman followers on condition that they accepted the duties entailed by feudal law.⁸⁶ Englishmen thus remained exposed to the exactions of a rapacious aristocracy and continued to lack any political power; under feudal law only the immediate tenants of the crown were entitled to a say in the running of the country. Not until the late thirteenth century, when the feudal system began to decay, did the House of Commons take shape,⁸⁷ and even then its power was rudimentary and precarious; it occupied a modest place in the structure of power in comparison with the monarchy, with its extensive if ill-defined prerogative, the nobles, with their ability to resort to anarchy to get their way, and the church, with its skill in exploiting the credulity of the times.⁸⁸ Although personal freedom increased as the feudal system broke up, law and order was still precarious. The people were still exposed to the exactions of an oppressive aristocracy; they were most likely to be shielded from lawlessness not when the monarchy was weak - for it was then that the nobility

⁸⁵ *ibid.*, i, pp.141-153, 163.

⁸⁶ *ibid.*, i, pp.179-181, 200-202.

⁸⁷ For Hume's account of the feudal system and the causes and effects of its decay see *ibid.*, i, pp.397-424; ii, pp.46-47, 84-95.

⁸⁸ *ibid.*, ii, pp.240-241.

was most unruly - but when it was strong and able to keep anarchy at bay. Tudor rule thus marked a real step towards the development of liberty; with their exorbitant power the Tudors were able to pull down the disorderly and licentious nobility and establish an orderly execution of the laws, which in the following century enabled the people to erect a regular scheme of liberty.⁸⁹

(v)

Hume's account of medieval history marked the culmination of his historical labours; he never made any sustained effort to produce the third volume of the History of Great Britain, even though throughout the 1760's he was to repeatedly state that he intended to do so.⁹⁰ The reason why he wrote no more history after 1762 is clear. Given that his approach to the study of constitutional history was essentially polemical, his account of medieval history did in fact mark the completion of his activity as a historian. His basic intention as a historian was to discredit the mythology of the country-party by denying the antiquity of political liberty in England, and if he were incapable of establishing this point as the historian of the remoter periods of English history, it was obvious that he would never be able to establish it.⁹¹ Hume was certainly convinced that the study of the

⁸⁹ *ibid.*, ii, pp.281-282, 443-445.

⁹⁰ For Hume's wavering attitude concerning whether or not he should begin work upon this third volume see HL, i, pp.352, 359, 368-369, 370, 378, 380, 381-382, 385-387, 433, 465, 491-492; ii, pp.6, 83, 98, 106, 151, 162-163, 172, 174, 177, 188, 208, 223.

⁹¹ Hume's contemporaries certainly believed that his account of early English history marked the culmination of his attack upon the concept of an ancient constitution. See the Annual Register, IV (1761), pp. 301-302.

feudal period of English history provided ammunition which could be used to mount a devastating attack upon country-party rhetoric:

Under what pretence can the popular party now speak of recovering the ancient constitution? The former controul over the kings was not placed in the commons, but in the barons: The people had no authority, and even little or no liberty; till the crown, by suppressing these factious tyrants, enforced the execution of the laws, and obliged all the subjects equally to respect each others rights, privileges, and properties. If we must return to the ancient barbarous and Gothic constitution; let those gentlemen, who now behave themselves with so much insolence to their sovereign, set the first example. Let them make court to be admitted as retainers to a neighbouring baron; and by submitting to slavery under him, acquire some protection to themselves; together with the power of exercising rapine and oppression over their inferior slaves and villains. This was the condition of the commons among their remote ancestors.⁹²

Philosophical history revealed that at no stage in English history had there ever been a political system which could be regarded as the standard against which the current structure of political power had to be compared in order to determine the degree of its goodness with respect to freedom and happiness. It revealed instead that England's constitutional history had taken the form of a successive series of political systems, each of which had risen and then decayed, to be replaced by a qualitatively different political system, a process which had involved a gradual growth of personal and then political liberty. Philosophical history thus revealed that country-party condemnation of a corrupt modern England in the name of ancient liberties and traditional virtues was completely baseless:

In each of these successive alterations, the only rule of government, which is intelligible or carries any authority with it, is the established practice of the age, and the maxims of administration, which are at that time prevalent, and universally assented to. Those who, from a pretended respect to antiquity, appeal at every turn to an original plan of the constitution, only cover their turbulent spirit and their private ambition under the

⁹² 'Of the Coalition of Parties', Phil. Works, iii, p.467.

appearance of venerable forms; and whatever period they pitch on for their model, they may still be carried back to a more antient period, where they will find the measures of power entirely different, and where every circumstance, by reason of the greater barbarity of the times, will appear still less worthy of imitation.⁹³

In the last words he was to write as a historian of pre-Tudor England, that is to say, in the last words he was ever to write as a historian, Hume took pains to hammer this message home. Philosophical history revealed above all else that Englishmen ought not to waver in their support of the current structure of power, no matter how seductive the country-party's call for political action on behalf of the ancient constitution might seem; it showed that, in terms of freedom and happiness, modernity, the status quo, was altogether superior to antiquity:

... a civilized nation, like the English, who have happily established the most perfect and most accurate system of liberty, that ever was found compatible with government, ought to be cautious of appealing to the practice of their ancestors, or regarding the maxims of uncultivated ages as certain rules for their present conduct. An acquaintance with the history of the remote periods of their government is chiefly useful by instructing them to cherish their present constitution from a comparison or contrast with the condition of those distant times. And it is also curious, by showing them the remote, and commonly faint and disfigured originals of the most finished and most noble institutions, and by instructing them in the great mixture of accident which commonly concurs with a small ingredient of wisdom and foresight, in erecting the complicated fabric of the most perfect government.⁹⁴

In these his final words as a historian, with their insistence upon the usefulness of history in pointing up the prudence of falling in with the status quo, Hume makes no effort to conceal the inseparable connection between his historical labours and his de facto theory of political obligation; in 1761, as much as in 1752 or even 1740, his whole attitude towards history and historiography was irrevocably shaped by a desire to inculcate a mood of acquiescence in the current structure of political arrangements.

⁹³ Caesar to Henry VII, ii, p.446. See also NHL, pp.197-199.

⁹⁴ Caesar to Henry VII, ii, p.446.

CHAPTER VIII

CONCLUSION

Hume's account of the more remote periods of English history marked the culmination of his activity as a political scientist; it was the last sustained piece of writing which he produced as a student of civil society. Even before publishing it, he had already brought out a second edition of the History of Great Britain as well as a third edition of Essays and Treatises on Several Subjects,¹ and as has been already pointed out, he was still revising what he had written as a historian and essayist in the very last months of his life; it should also be noted that in 1762 he published his account of early English history along with his Tudor volumes and a third edition of his account of Stuart history under the title of The History of England from the Invasion of Julius Caesar to the Revolution in 1688.² Nevertheless, his period of creative activity as a political scientist had come to an end. After 1762 he was to strike out in no fresh directions in his study of the workings of civil society; as has been previously indicated, the only completely new individual piece of writing which he produced as a political scientist in the latter years of his life was to be one of the briefest if at the same time one of the most important of his essays, Of the Origin of Government.

This marked falling away in the intensity of Hume's activity as a political scientist reflected the fact that by the early 1760's, having at last 'become not only independant, but opulent',³ he could afford to think about an increased involvement on the affairs of the world. In 1763, following the end of the Seven Years' War and the subsequent resumption of diplomatic relations between London and Paris,

¹ Jessop, Bibliography of Hume, pp.6, 28-29.

² *ibid.*, pp.29-30.

³ My Own Life, HL, i, p.5.

he became secretary to the Earl of Hertford, the new British Ambassador to the French court. He remained attached to the British Embassy in Paris until 1766, eventually leaving the French capital with considerable regret, for in addition to his diplomatic duties he had led an extremely active and variegated social life.⁴ In 1767 Lord Hertford's brother, General Seymour Conway, who was Secretary of State in charge of the Northern Department, appointed Hume as his deputy, a post which he held for twelve months.⁵ In 1769 Hume returned to Edinburgh, determined to enjoy a restful and serene retirement. He spent the remaining seven years of his life in the Scottish capital enjoying the company of a wide circle of friends, relatives, acquaintances and admirers as well as devoting some time to literary activity, such as revising his History of England and Essays and Treatises on Several Subjects.⁶

But Hume's last years were by no means spent in complete autumnal serenity; in the years after 1763, just as much as in any previous period of his life, he found it a difficult task to attain peace of mind. In particular, he was greatly disturbed by the trend of English politics; his long-standing fear of anarchy and popular licentiousness was fanned into vigorous life by the political instability of the early years of the reign of George III. The rise to prominence of John Wilkes caused him particular distress; from the appearance of the North Briton in 1762-63 onwards, Hume's attitude towards Wilkes and his supporters was one of bitter hostility. His immediate reaction was one of disgust at the way in which Wilkes sought to exploit anti-Scottish bigotry in order to discredit Lord Bute; Wilkes' use of so 'low, vulgar, & ungenerous' a tactic as 'national Reflections' offended Hume both as a Scotsman and

⁴ Mossner, Life of Hume, chaps. 30-34.

⁵ *ibid.*, chap. 36.

⁶ My Own Life, HL, i, pp. 6-7; Mossner, Life of Hume, chaps. 37, 39.

as a would-be cosmopolitan man of letters.⁷ The prevailing anti-Scottish feeling which Wilkes was able to stir up, along with the memory of the indifference or hostility which had usually greeted his works in England, increasingly irked Hume, especially after his stay in Paris, where he was lionized by aristocrats and intellectuals alike.⁸

With the outbreak of the 'Wilkes and Liberty' campaign following Wilkes' return from exile in 1768, Hume's attitude towards the state of contemporary English politics became even more hostile. He became convinced that all his long-standing fears as to the dangerous weakness of executive power under England's mixed constitution were fully vindicated by the turmoil and confusion which followed in the wake of this outbreak of popular agitation. He considered that the inability or unwillingness of the ministry to put a stop to the 'Madness about Wilkes' indicated in a dramatic fashion that government in England had become dangerously vitiated by the large element of liberty in the constitution and was therefore powerless when confronted with mob licentiousness and the factious designs of the parliamentary opposition and the City of London. He was thus convinced that the strength of the agitation on Wilkes' behalf was no mere flash in the pan; it was instead indicative of a deep-seated structural weakness within the constitution. In a letter written to a friend on 21 February 1770 Hume expressed this opinion in the following straightforward fashion:

I am glad of (all ministerial) Victories; tho' I look upon them all as temporary and imperfect, like the fallacious Recoveries of a hectic Person who is hastening to his Dissolution. Our Government has become a Chimera; and is too perfect in point of Liberty, for so vile a Beast as an Englishman, who is a Man, a bad Animal too, corrupted by above a Century of Licentiousness. The Misfortune is,

⁷ HL, i, pp. 382-383, 470.

⁸ ibid., i, pp. 414-415, 417, 436-437, 491, 492, 497-499, 516-517, 521.

that this Liberty can scarcely be retrench'd without Danger of being entirely lost; at least, the fatal Effects of Licentiousness must first be made palpable, by some extreme Mischief, resulting from it. I may wish that the Catastrophe should rather fall on our Posterity; but it hastens on with such large Strides, as leaves little Room for this hope.

Confronted with a serious outbreak of lawlessness, Hume fell back upon a familiar line of reasoning: government in England having become vitiated by the excessive suspicion of prerogative harboured by Englishmen, the country could count itself lucky if it were able to escape the resulting outbreaks of popular licentiousness without falling into the clutches of a military despot.⁹

Believing as he did that the strength of the agitation on Wilkes' behalf reflected a fundamental weakness within the constitution, Hume was not surprised by the fact that 'the despicable London Mob' continued to strongly influence the trend of English politics even after the Wilkes and Liberty campaign had subsided; in 1771, while rejoicing at the 'total and deservd Contempt' into which 'the Wilkites and the Bill of Rights-men' had fallen, he was bitterly bemoaning what he saw as Lord North's weakness when confronted with yet another outbreak of popular licentiousness, this time in the form of a demand on the part of the bellicose City of London that England should go to war with Spain over the Falkland Islands. Such a war, Hume believed, would precipitate a general European war; this would lead to England being overwhelmed by a rapidly mounting national debt.¹⁰ Hume took these fears concerning the future course of English politics with him to the grave; he

⁹ For Hume's attitude towards the events surrounding the Wilkes and Liberty campaign see *ibid.*, ii, pp. 178, 180-181, 182, 184, 189, 197-198, 208-218, 221, 224, 226, 227. For an account of the events themselves see George Rudé, *Wilkes and Liberty*, Oxford, 1962.

¹⁰ *HL*, ii, pp. 234-235, 236-237, 240-242, 244-245, 248. For an account of the Falkland Islands agitation see S. Maccoby, *English Radicalism 1762-1785*, London, 1955, pp. 150-159.

considered that the country's willingness to go to war with the rebels in America was bound to produce a grave constitutional crisis. He felt that such a war was neither prudent nor winnable; once it was lost, the ministry, having already lost much of its credit, power and authority, would be unable to prevent a complete outbreak of anarchy and confusion, which would culminate in at best arbitrary government and at worst in total ruin and destruction.¹¹

In the years after 1763, on those occasions when he came to revise what he had written as a historian and essayist, Hume made no attempt to conceal his mounting concern at the apparent inability of the British constitution to curb popular licentiousness. When revising his History of England and essays, he made it his cardinal principle to 'either soften or expunge' all the 'villanous seditious Whig Strokes' he could find, seeking all the time, however, not to let his 'Indignation at the present Madness' drive him 'into the opposite Extreme'.¹² In 1758, the year in which he formally dissociated himself from the views of orthodox historiography,¹³ he had already begun to revise his account of the early seventeenth century in order to bring it into full conformity with his account of the extensive powers possessed by the Tudors,¹⁴ and he continued this task after 1763, having become convinced that a reading public disgusted by the excesses of the mob had at last come round to his way of thinking. Having 'maintained a due regard to magistracy and established government, suitably to the character of an historian and a philosopher', he found his authority 'growing daily'.¹⁵ He himself

¹¹ HL, ii, pp. 300-301, 303, 304-305, 307-308, 314.

¹² ibid., ii, p.216.

¹³ See 'Of the Parties of Great Britain', Phil. Works, ii, p.144.

¹⁴ HL, i, p.281.

¹⁵ ibid., ii, pp.191-192.

characterized the revisions he gave to his account of the early seventeenth century as being 'invariably to the Tory Side'; they were designed to show that it was ridiculous to depict the pre-Stuart constitution 'as a regular Plan of Liberty'.¹⁶ A similar process took place when Hume re-examined his essays; he took care to expunge any passages which smacked of a less than staunch commitment to settled authority. Consciously reacting against what he saw as the abuse of the freedom of the press perpetrated by Wilkes and his allies, he removed a passage from Of the Liberty of the Press in which he had rejected the notion that an unshackled press was an inherent source of political unrest.¹⁷ Similarly, when he came to re-examine Of Superstition and Enthusiasm, he made sure that he removed the passage in which he had suggested that the Church of England was still polluted by elements of popish superstition;¹⁸ he had always believed that the Anglican hierarchy was potentially one of the great props of monarchical authority, so that his heightened regard for the latter naturally caused him to display a heightened regard for the former.

The increasingly shrill insistence upon the importance of strict submission to government which came to dominate Hume's political stance in the years after 1763 was a clear reflection of his fundamental commitment to de facto power. But this ought not to blind us to the fact that Hume's neo-Hobbesianism also had a radically iconoclastic, liberating, affirmative side. In Hume's own day, it was the country-party's fixation with corruption which formed the most important matrix

¹⁶ My Own Life, *ibid.*, i, p.5. For a sample of the alterations Hume made to his account of the early seventeenth century see Burton, Hume's Life and Correspondence, ii, pp.73-81; Ernest Campbell Mossner, 'Was Hume a Tory Historian? Facts and Reconsiderations', Journal of the History of Ideas, II (1941), pp.225-236; NHL, pp.69-71.

¹⁷ HL, ii, pp.180-181; Phil. Works, iii, pp.97-98.

¹⁸ *ibid.*, iii, p.148.

of radical political thought. Derived from a classical-minded conception of citizenship which had been introduced into English political thought by way of the writings of Harrington, this fixation took the form of a fear that the increasing willingness on the part of Englishmen to pursue luxury, to pursue the satisfaction of private economic needs, was bound to lead to the corruption and decay of the freedom and independence of the community as a whole in that it was culminating in a growing propensity to seek luxury by means of economic and therefore political dependence upon executive power, as proved by the existence of stock-jobbers, placemen and professional soldiers. An obvious way of preventing such corruption, of preventing the House of Commons from becoming involved in lucrative yet degrading dependence upon executive power, was by means of parliamentary reform, by, for example, excluding placemen from the Commons and by tying its members more closely to their constituents through such devices as annual elections and instructions. These reforms were depicted by the country-party not as innovations but rather as attempts to restore and reinvigorate the ancient liberties of Englishmen; the ancient constitution which the patriots of the previous century had sought to preserve was in fact a mixed constitution of the type idealized by Harrington.

Committed as he was to de facto power and the preservation of the status quo, Hume naturally adopted a sceptical attitude towards the country-party's fear of corruption, given its implications in terms of radical politics. Throughout much of his political science Hume's basic aim was to undermine the country-party's pretensions and in particular its classicist and medievalist conception of the past by insisting upon the utter modernity of political liberty. In Of the Populousness of Ancient Nations he argued that, for all their republican ideals, the ancient Greeks and Romans had never possessed the sociological conditions

necessary for the enjoyment of true freedom. In Of Luxury he contended that the ancient constitution of England had in fact been a feudal constitution and that therefore the bulk of the inhabitants of medieval England had not been free citizens, being instead the brutalized tenants of an unruly and tyrannical Gothic nobility. A close reading of Harrington revealed that it was the height of crass sociological ineptitude to contend that England's freedom was rooted in antiquity. Having established this point, Hume went on his capacity as a student of the constitutional crisis of the seventeenth century to stress that the rise of mixed government in England marked a radical break with the past. The rise of luxury - which began under Henry VII but which did not begin to affect politics until the reign of James I - brought about the creation of a completely new type of civil society - one which possessed the sociological conditions necessary for the enjoyment of regular liberty. The increase in the power of the men of middling property meant that the House of Commons became both willing and able to work towards the establishment of the rule of law and constitutional government. The spread of Calvinism in England and Scotland meant that the parliamentarians were able to command a far more formidable level of support than would otherwise have been the case. By 1640, when these two developments finally fused, the way was cleared for the Commons to set about creating a polity in which political authority was circumscribed by regular constitutional forms and the rule of law. A wholly modern form of society - for neither the classical nor the feudal world had been acquainted with luxury - had as its corollary a wholly modern form of government.

Hume saw the rise of liberty in England as in itself a desirable development. 'Till they push'd their Advantages so far as to excite a civil War, so dangerous & unnecessary', Charles I's

parliaments pursued a 'laudable' course of action; they only sullied their 'noble Cause' when they allowed their 'low Bigotry', 'their furious Zeal for Presbytery', to get out of hand.¹⁹ Hume never denied that personal security was most secure when it was backed up by constitutional government and the rule of law; he never asserted that a civilized monarchy - which he saw as easily the most acceptable type of absolute monarchy - could be superior to a free state in terms of the stable enjoyment of good government. But being a good neo-Hobbesian, he considered that the difference between one particular civil society and another was dwarfed by the difference between any form of civil society and no form of civil society at all. Liberty did indeed constitute the perfection of civil society and as such was highly desirable; but authority alone formed the essential framework of civil society, and without civil society there could be no worthwhile form of liberty at all, given man's natural selfishness. If unchecked, authority could destroy itself by becoming excessive, so that the best form of civil society existed where authority was balanced by legal and constitutional restraints. But should authority become unduly circumscribed by liberty, the restraint upon man's natural selfishness was at once removed and civil society was exposed to the danger of being overwhelmed by popular licentiousness. Absolute monarchy and civil society were not necessarily incompatible and the mere existence of civil society ensured the existence of an irreducible amount of personal freedom; it was anarchy which formed the true antithesis of liberty.

Hume's attitude towards the eighteenth-century constitution was fundamentally ambivalent. He undoubtedly believed that since 1485 England had more and more come to possess the sociological conditions

¹⁹ HL, i, p.222.

necessary for the enjoyment of regular liberty. Yet he also felt that in the sphere of actual political conflict Englishmen had perhaps enjoyed too much success in bringing about the crystallization of this process. Civil society in England was no longer confronted with the danger that authority would destroy itself by becoming excessive. The very opposite was the case. The great danger was that liberty would overwhelm authority and degenerate into anarchy. This was a fear which Hume harboured long before the outbreak of popular unrest in the 1760's. As early as 1741, as our analysis of the argument advanced in Of the Liberty of the Press has revealed, he expressed himself of the opinion that fervent zeal on the part of the supporters of liberty, and not excessive prerogative, was the greatest potential source of unrest and turbulence in the politics of eighteenth-century England. Hume similarly expressed himself of the opinion that this situation was far from desirable well before the appearance of Wilkes on the scene. In the first volume of his History of Great Britain he contended that with the decay of Tudor despotism the greatest threat to order and therefore to liberty was posed not by royal authority but by the friends of liberty themselves: 'By the changes, which have since been introduced, the liberty and independence of individuals has been rendered much more full, intire, and secure; that of the public more uncertain and precarious'.²⁰ Believing this to be the case, Hume made sure that the country-party, rather than the court-party, attracted the cutting edge of his political science. He attacked the classical-minded notion that luxury and corruption were inseparable. He stressed the insignificance of liberty in Anglo-Saxon, medieval and Tudor England. He denied that the Stuarts had been innovators. He emphasized the radical nature of the demand

²⁰ HGB, i, p.121.

for the exclusion of placemen from the Commons and for the introduction of instructions. The deflating of the country-party's pretensions in order to prevent the element of liberty in England's existing mixed constitution degenerating into anarchy: this was easily the most important aspect of Hume's political science.

But in his struggle against country-party ideology Hume considered himself to be fighting very much of an uphill battle. He believed that the country-party was able to indulge in extravagance because, with its rabid espousal of liberty, it was advocating a cause which could arouse national as well as party spirit. It could count upon exploiting the pugnaciously libertarian spirit exhibited by the public at large; ever since 1603 the whole trend of English politics had favoured the partisans of liberty. Following the unrest of the 1760's Hume came more and more to believe that there was scant indication that this situation was about to come to an end, even though there was a distinct possibility that liberty was about to degenerate into anarchy. In his essays and in his account of the early seventeenth century he had looked upon the influence which the crown obtained through possessing a fund of revenue and patronage as the means by which authority could preserve itself against the encroachments of liberty. But by 1771 he was of the opinion that the spirit of liberty abroad amongst Englishmen simply could not be controlled; in a private letter written in that year we find him lamenting the growing restrictions upon all forms of political authority:

Only consider how many Powers of Government are lost in this short Reign. The right of displacing the Judges was given up; General Warrants are lost; the right of Expulsion the same; all the co-ercive Powers of the House of Commons abandon'd; all Laws against Libels annihilated; the Authority of Government impair'd by the Impunity granted to the Insolence of Beckford, Crosby, and the common Council: the revenue of the civil List diminishd. For God's sake, is there never to be a stop put to this inundation of the

Rabble? We shall have fine work... if the people above and below continue in the same dispositions, the one insolent and the other timid.²¹

In the England of George III, as much as in the England of Charles I, the basic fact which the political scientist had to take into account was that the country-party, and not the court-party, enjoyed the advantage of canvassing popular opinions. Hume expressed this belief in its most elaborate form in his History of Great Britain, in the following description of the mood of the Short Parliament:

(By 1640) the minds of men, thro'out the nation, had taken such a turn as to ascribe every honor to the refractory opposers of the king and the ministers. These were the only patriots, the only lovers of their country, the only heroes, and, perhaps too, the only true christians. A reasonable compliance with the court, was slavish dependance; a regard to the king, servile flattery; a confidence in his promises, shameful prostitution. This general cast of thought,... has, more or less, prevailed in England, during a century and a half, and... has been the cause of much good and much ill in public affairs...²²

English political opinion having retained the marked libertarian bias which it had taken on at the beginning of the seventeenth century, England would never pass willingly into the clutches of arbitrary authority; yet at the same time the lesson of the previous century was that it was precisely this fervent love of liberty, and not tyranny, which posed the greatest threat to England's peace and freedom. Writing to a friend in 1772 Hume noted that the British constitution 'is certainly happy, though probably not calculated for Duration, by reason of its excessive Liberty'.²³ Having in effect conceded that he had failed to alert the reading public in time to the dangers of an uncritical acceptance of country-party mythology, Hume was forced to acknowledge that in terms of the sole grounds of obedience which he as a supporter of

²¹ HL, ii, pp.244-245.

²² HGB, i, p.237.

²³ HL, ii, pp.260-261.

de facto power could recognize - the ability to preserve social peace - the support he extended to England's mixed government in the last resort lacked any element of confidence or firmness. He was forced to acknowledge that he could not hope to shield his Hobbesian commitment to de facto power behind a Harringtonian insistence upon the excellence of the political system that had taken shape in England since 1603.

BIBLIOGRAPHY

The following is a list of books which have been cited in this thesis or which have in some way materially shaped its argument.

I WORKS BY HUME AND HIS CORRESPONDENCE

An Abstract of a Treatise of Human Nature, eds. J. M. Keynes and P.

Sraffa, Cambridge, 1938.

Enquiries Concerning the Human Understanding and Concerning the Principles of Morals, ed. L. A. Selby-Bigge, Oxford, 1957.

The History of England, 8 vols., Oxford, 1826.

The History of England from the Invasion of Julius Caesar to the Accession of Henry VII, 2 vols., London, 1762.

The History of England under the House of Tudor, 2 vols., London, 1759.

The History of Great Britain, 2 vols., Edinburgh and London, 1754-57.

A Letter from a Gentleman to his Friend in Edinburgh, eds. Ernest Campbell Mossner and John V. Price, Edinburgh, 1967.

The Letters of David Hume, ed. J. Y. T. Greig, 2 vols., Oxford, 1932.

New Letters of David Hume, eds. Raymond Klibansky and Ernest Campbell Mossner, Oxford, 1954.

Philosophical Works, eds. T.H. Green and T. H. Grose, 4 vols., London, 1882.

A Treatise of Human Nature, ed. L. A. Selby-Bigge, Oxford, 1964.

II WORKS BY SEVENTEENTH AND EIGHTEENTH-CENTURY AUTHORS

Annual Register

Bentham, Jeremy. A Fragment of Government and an Introduction to the Principles of Morals, ed. Wilfrid Harrison, Oxford, 1948.

Blackstone, Sir William. Commentaries on the Laws of England, fifth ed., 4 vols., Oxford, 1773.

- Bolingbroke, Henry St John., Viscount. Works, ed. David Mallet, 5 vols., London, 1754.
- Burke, Edmund. Works, 14 vols., London, 1815-22.
- Filmer, Sir Robert. Patriarcha and Other Political Works, ed. Peter Laslett, Oxford, 1949.
- Halifax, George Savile, Marquess of. Complete Works, ed. J. P. Kenyon, Harmondsworth, 1969.
- Harrington, James. Oceana and Other Works, ed. John Toland, London, 1700.
- Hobbes, Thomas. De Cive, ed. S. P. Lamprecht, New York, 1949.
- Hobbes, Thomas. Leviathan, ed. Michael Oakeshott, Oxford, n.d.
- Locke, John. An Essay Concerning Human Understanding, ed. Alexander Campbell Fraser, 2 vols., Oxford, 1894.
- Locke, John. Two Treatises of Government, ed. Peter Laslett, Cambridge, 1960.
- Macaulay, Catherine. History of England from the Accession of James I to that of the Brunswick Line, 8 vols., London, 1763-83.
- Mandeville, Bernard. The Fable of the Bees, ed. F. B. Kaye, 2 vols., Oxford, 1957.
- Montesquieu, Charles de Secondat, Baron de la Brède et de. Lettres Persanes, ed. Paul Vernière, Paris, 1965.
- The Parliamentary History of England, ed. William Cobbett, 36 vols., London, 1806-20.
- Pope, Alexander. Poems, ed. John Butt, London, 1968.
- Rapin de Thoyras, Paul. The History of England, trans. N. Tindal, 2 vols., London, 1732-33.
- Robertson, William. The History of Scotland, eighteenth ed., 3 vols., London, 1809.
- Sidney, Algernon. Discourses concerning Government, third ed., London, 1751.

- Smith, Adam. Lectures on Justice, Police, Revenue and Arms, ed. Edwin Cannan, New York, 1956.
- The Somers Collection of Tracts, ed. Walter Scott, second ed., 13 vols., London, 1809-15.
- Tucker, Josiah. Selected Economic and Political Writings, ed. R. L. Schuyler, New York, 1931.
- Tyrrell, James. Bibliotheca Politica, London, 1718.
- Wallace, Robert. A Dissertation on the Numbers of Mankind in Ancient and Modern Times, second ed., Edinburgh, 1809.
- Walpole, Horace. Letters, ed. Mrs Paget Toynbee, 19 vols., Oxford, 1903-25.

III MODERN WORKS

(a) Books

- Bailyn, Bernard. The Ideological Origins of the American Revolution, Cambridge, Mass., 1968.
- Black, J. B. The Art of History, London, 1926.
- Blitzer, Charles. An Immortal Commonwealth: The Political Thought of James Harrington, New Haven, 1960.
- Bonar, James. Theories of Population from Raleigh to Arthur Young, London, 1931.
- Bowle, John. Hobbes and his Critics, London, 1951.
- Bryson, Gladys. Man and Society: The Scottish Inquiry of the Eighteenth Century, Princeton, 1945.
- Burton, John Hill. Life and Correspondence of David Hume, 2 vols., Edinburgh, 1846.
- Butterfield, H. The Englishman and His History, Cambridge, 1944.
- Butterfield, H. George III, Lord North and the People, London, 1949.
- Butterfield, H. The Whig Interpretation of History, London, 1950.

- Cannon, John. The Fox-North Coalition, Cambridge, 1969.
- Christie, Ian R. Wilkes, Wyvill and Reform, London, 1962.
- Courtney, C. P. Montesquieu and Burke, Oxford, 1963.
- Coxe, William. Memoirs of the Life and Administration of Sir Robert Walpole, 3 vols., London, 1800.
- Dictionary of National Biography
- Douglas, David C. English Scholars, London, 1939.
- Dunn, John. The Political Thought of John Locke, Cambridge, 1969.
- Fink, Z. S. The Classical Republicans, Evanston, 1962.
- Gooch, G. P. English Democratic Ideas in the Seventeenth Century, Cambridge, 1898.
- Gough, J. W. The Social Contract, Oxford, 1936.
- Green, T. H. Lectures on the Principles of Political Obligation, London, 1931.
- Greig, J. Y. T. David Hume, London, 1931.
- Halévy, Elie. The Growth of Philosophic Radicalism, trans. Mary Morris, London, 1949.
- Jessop, T. E. A Bibliography of David Hume and of Scottish Philosophy, New York, 1938.
- Jones, George Hilton. The Main Stream of Jacobitism, Cambridge, Mass., 1954.
- Kemp, Betty. King and Commons 1660-1832, London, 1957.
- Kemp, J. Ethical Naturalism, London, 1970.
- Kenyon, J. P. (ed.) The Stuart Constitution, Cambridge, 1966.
- Kramnick, Isaac. Bolingbroke and his Circle: The Politics of Nostalgia in the Age of Walpole, Cambridge, Mass., 1968.
- Kuypers, Mary Shaw. Studies in the Eighteenth Century Background of Hume's Empiricism, New York, 1966.
- Laird, John. Hume's Philosophy of Human Nature, London, 1932.

- Laski, Harold. Political Thought in England from Locke to Bentham, New York and London, 1920.
- Maccoby, S. English Radicalism 1762-1785, London, 1955.
- McCosh, James. The Scottish Philosophy, London, 1875.
- Macpherson, C. B. The Political Theory of Possessive Individualism, Oxford, 1962.
- Mintz, Samuel I. The Hunting of Leviathan, Cambridge, 1962.
- Mossner, Ernest Campbell. The Life of David Hume, Edinburgh, 1954.
- Owen, John B. The Rise of the Pelhams, London, 1957.
- Passmore, J. A. Hume's Intentions, Cambridge, 1952.
- Petrie, Sir Charles. The Jacobite Movement, 2 vols., London, 1948-50.
- Plamenatz, John. Man and Society, 2 vols., London, 1966.
- Plumb, J. H. The Growth of Political Stability in England, London, 1967.
- Plumb, J. H. Sir Robert Walpole, 2 vols., London, 1956-60.
- Pocock, J. G. A. The Ancient Constitution and the Feudal Law, Cambridge, 1957.
- Pollock, Sir Frederick. An Introduction to the History of the Science of Politics, London, 1890.
- Raab, Felix. The English Face of Machiavelli, London and Toronto, 1964.
- Raphael, D. D. (ed.) British Moralists 1650-1800, 2 vols., Oxford, 1969.
- Robbins, Caroline. The Eighteenth-Century Commonwealthman, Cambridge, Mass., 1959.
- Robertson, G. C. Hobbes, London, 1886.
- Rudé, George. Wilkes and Liberty, Oxford, 1962.
- Scott, William Robert. Francis Hutcheson, Cambridge, 1900.
- Sedgwick, Romney. The House of Commons 1715-54, 2 vols., London, 1970.
- Shackleton, Robert. Montesquieu: A Critical Biography, Oxford, 1961.
- Smith, H. F. Russell. Harrington and his Oceana, Cambridge, 1914.
- Smith, Norman Kemp. The Philosophy of David Hume, London, 1949.

- Stephen, Sir Leslie. History of English Thought in the Eighteenth Century, 2 vols., London, 1902.
- Stewart, John B. The Moral and Political Philosophy of David Hume, New York and London, 1963.
- Stourzh, Gerald. Alexander Hamilton and the Idea of Republican Government, Stanford, 1970.
- Watkins, J. W. N. Hobbes's System of Ideas, London, 1965.
- Willey, Basil. The Eighteenth-Century Background, London, 1940.
- Willey, Basil. The English Moralists, London, 1964.
- Williams, Basil. The Whig Supremacy, Oxford 1945.
- Williams, E. N. (ed.) The Eighteenth-Century Constitution, Cambridge, 1965.
- Zagorin, Perez. A History of Political Thought in the English Revolution, London 1954.
- (b) Articles
- Christie, Ian R. 'Veitch's 'The Genesis of Parliamentary Reform' ', Myth and Reality in Late Eighteenth-Century British Politics, London, 1970, pp. 214-222.
- Davies, Godfrey. 'Hume's History of the Reign of James I', Herbert Davis and Helen Gardner (eds.), Elizabethan and Jacobean Studies Presented to F. P. Wilson, Oxford, 1959, pp. 231-249.
- Donnelly, Lucy Martin. 'The Celebrated Mrs Macaulay', The William and Mary Quarterly, 3rd series, VI (1949), pp. 173-207.
- Dunn, John. 'The Politics of Locke in England and America in the Eighteenth Century', John W. Yolton (ed.), John Locke: Problems and Perspectives, Cambridge, 1969, pp. 45-80.
- Elliott, Robert C. 'Hume's "Character of Sir Robert Walpole": Some Unnoticed Additions', Journal of English and Germanic Philology, XLVIII (1949), pp. 367-370.

- Fieldhouse, H. N. 'Bolingbroke and the Idea of Non-Party Government', History, XXIII (1938-39), pp. 41-56.
- Grainger, J. H. 'The Deviations of Lord Bolingbroke', The Australian Journal of Politics and History, XV (1969), pp. 41-59.
- Hayek, F. A. 'The Legal and Political Philosophy of Hume', V.C. Chappell (ed.), Hume: A Collection of Critical Essays, Garden City, 1966, pp. 335-360.
- Hill, Christopher. 'The Norman Yoke', John Saville (ed.), Democracy and the Labour Movement, London, 1954, pp. 11-66.
- Kramnick, Isaac. 'Augustan Politics and English Historiography: The Debate on the English Past, 1730-35', History and Theory, VI (1967), pp. 33-56.
- Marshall, Geoffrey. 'David Hume and Political Scepticism', The Philosophical Quarterly, IV (1954), pp. 247-257.
- Mossner, Ernest Campbell. 'An Apology for David Hume, Historian', Publications of the Modern Language Association of America, LVI (1941), pp. 657-690.
- Mossner, Ernest Campbell. 'David Hume's "An Historical Essay on Chivalry and Modern Honour"', Modern Philology, XLV (1947-48), pp. 54-60.
- Mossner, Ernest Campbell. 'Hume and the Ancient-Modern Controversy, 1725-1752: A Study in Creative Scepticism', University of Texas Studies in English, XXVIII (1949), pp. 139-153.
- Mossner, Ernest Campbell and Ransom, Harry. 'Hume and the "Conspiracy of the Booksellers": The Publication and Early Fortunes of the History of England', University of Texas Studies in English, XXIX (1950), pp. 162-182.
- Mossner, Ernest Campbell. 'Hume's Early Memoranda, 1729-40: The Complete Text', Journal of the History of Ideas, IX (1948), pp. 492-518.

- Mossner, Ernest Campbell. 'Philosophy and Biography: The Case of David Hume', Philosophical Review, LIX (1950), pp. 184-201.
- Mossner, Ernest Campbell. 'Was Hume a Tory Historian? Facts and Reconsiderations', Journal of the History of Ideas, II (1941), pp. 225-236.
- Namier, Sir Lewis. 'Country Gentlemen in Parliament, 1750-1784', Personalities and Powers, London, 1955, pp. 59-75.
- Pocock, J. G. A. 'Burke and the Ancient Constitution: A Problem in the History of Ideas', The Historical Journal, III (1960), pp. 125-143.
- Pocock, J. G. A. 'Civic Humanism and its Role in Anglo-American Thought' and 'Machiavelli, Harrington and English Political Ideologies in the Eighteenth Century', Politics, Language and Time, London, 1972.
- Pocock, J. G. A. 'Robert Brady, 1627-1700. A Cambridge Historian of the Restoration', Cambridge Historical Journal, X (1951), pp. 186-204.
- Skinner, Quentin. 'History and Ideology in the English Revolution', The Historical Journal, VIII (1965), pp. 151-178.
- Skinner, Quentin. 'Hobbes's Leviathan', The Historical Journal, VII (1964), pp. 321-333.
- Skinner, Quentin. 'The Ideological Context of Hobbes's Political Thought', The Historical Journal, IX (1966), pp. 286-317.
- Tawney, R.H. 'Harrington's Interpretation of his Age', Proceedings of the British Academy, XXVII (1941), pp. 199-223.
- Trevor-Roper, H. R. 'Hume as a Historian', D. F. Pears (ed.), David Hume: A Symposium, London, 1963, pp. 89-100.