

Democratic Enlightenment

*Philosophy, Revolution, and Human
Rights 1750–1790*

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OXFORD
UNIVERSITY PRESS

Hume, Scepticism, and Moderation

1. HUME'S ENLIGHTENMENT

There were competing moderate and radical strands of Enlightenment in Britain just as elsewhere and a crucial element in their clash were their rival conceptions of 'reason'. Perhaps the only way a purely secular philosophy, detached from theology and making no appeal to any theological claims, but firmly conservative in social, moral, and political orientation, could check the logic of radical arguments, anchoring not just philosophy but men's hopes and schemes for reform, was by combining a vigorous new scepticism about reason's scope with a fresh insistence on experience, experimental philosophy, and the advantages of the status quo. Precisely this, first from a philosophical and then an economic, moral, political, and historical standpoint, was Hume's towering achievement as an Enlightenment thinker and commentator.

The most powerful philosophical genius of the mid eighteenth century, David Hume (1711-76) acquired on both sides of the Atlantic a mixed but (despite his reputation for irreligion and incredulity) ultimately splendid standing. Almost single-handedly, he can be seen in retrospect to have punctured the epistemological perspectives of Locke and Berkeley, on the one hand, and the wider schemes of the continental moderate reformers, on the other, developing an alternative conception of society and human nature, on the basis of his sceptical epistemology, a construction powerful enough if not to undermine the Radical Enlightenment altogether, then certainly to cast a giant question mark over it and seriously impede its progress both as a set of philosophical propositions and political goals. Philosophers and reformers reacting against the recipes of Helvétius, Diderot, and d'Holbach, like Alessandro Verri in Italy, and in Germany Rehberg, turned as a matter of course to Hume. Unmoved by the radical coterie's philosophy, morality, and equality, he challenged all their premisses, including their relatively optimistic conception of history as the maturing of human reason and their democratic republicanism, though he had a soft spot for aristocratic republics in small states like Venice and Geneva.

An inexhaustible fund of insights and ideas to those opposing radical notions, Hume posed an intellectual challenge, the formidable character of which some radical thinkers felt obliged to acknowledge. At the same time, though, he unwittingly refocused and helped sharpen aspects of the radical critique of existing

conditions through the very acuteness of his objections. Richard Price, for instance, readily acknowledged that in early life he was much influenced by Samuel Clarke and, 'strange though it may seem', Hume. 'Though an enemy to his skepticism, I have profited by it. By attacking, with great ability, every principle of truth and reason, he put me upon examining the ground upon which I stood and taught me not hastily to take anything for granted.'¹ Condorcet too tried to absorb strands of Hume's epistemology into his system.²

Among leaders of the Milanese Enlightenment, the *encyclopédistes*' most vehement critic, Alessandro Verri, was powerfully attracted by Hume's insight, modesty, and quiet style, which suggested to him that by 'making less noise than other philosophers', he was gaining more followers. By contrast, the 'pompous, intolerant, bold and sneering airs of some philosophers [i.e. the *encyclopédistes*] have provoked unbounded indignation'.³ In Paris, there was, indeed, too much militancy in the air, in Hume's view, and excessive personal animus in debate. Voltaire was someone, he assured Hugh Blair in April 1764, 'who never forgives and never thinks any enemy below his notice'.⁴ To his brother's enthusiasm Pietro Verri responded, in March 1768: 'you are very British and cannot stand the enthusiasm of the French. I agree with you'.⁵ He reminded him, though, that even if less attractive to them, and more prone to error, the French thinkers' very outspokenness and aggressiveness had reaped major benefits for mankind. Hume's calm tone and general style, indeed, differed markedly from those of the *coterie d'Holbachique*; but the gulf separating him from the *encyclopédistes* stretched far beyond mere differences of style. British Enlightenment, Alessandro's 'philosophical pilgrimage' of 1766–7 to Paris and London convinced him, was superior in every way to the French; and Britain's higher form of Enlightenment, as he conceived it, directly related to what he judged to be England's overall superiority as a society, constitution, and imperial power. Although he never met Hume, he entirely concurred with him that Diderot and his circle were simply not good thinkers. Rather they were drawing droves onto the wrong path through reasoning imprecisely and too boldly.

Much like Bayle, to whom the young Hume owed a greater debt than to anyone else—a debt Anglo-American historians have traditionally greatly underestimated—Hume 'degrades reason in appearance' but exalts her in reality.⁶ It filled Alessandro with indignation that just because Hume refrained from emulating the likes of Diderot in openly attacking religion and did not categorically embrace atheism, Diderot, d'Holbach, and their disciples considered him and his philosophy flabby and weak-minded. They gravely misjudged both the subtlety and power of his

¹ Price, *Political Writings*, 142.

² Baker, *Condorcet*, 139–40; Williams, *Condorcet and Modernity*, 97 n.

³ Mazza, 'Hume's "Meek" Philosophy', 216.

⁴ Quoted in Gay, *Voltaire's Politics*, 81.

⁵ Mazza, 'Hume's "Meek" Philosophy', 219.

⁶ Ibid. 216, 225, 230; Buckle, *Hume's Enlightenment Tract*, 328–9; on the Bayle factor, see Paganini, 'Hume, Bayle', 236–46, 248, 263.

scepticism. It was not just the discreet tone of Hume's irreligion that counted here but also its implications for moral philosophy. Despite his questioning of miracles and revelation, and religious truth more widely, Hume's thought does not finally exclude miracles as Spinoza does and nor attack—indeed, in a way it actually reinforces—acquiescence in divine governance of the world. The key point for Hume was that it seems so obvious to men that the world must have an intelligent Creator and supervisor, that our sense of morality in significant ways depends on this commonly shared perception. 'The whole frame of nature bespeaks an intelligent author; and no rational enquirer can, after serious reflection', affirm his *Natural History of Religion* (1757), 'suspend his belief a moment with regard to the primary principles of genuine Theism and Religion'.⁷ Here, Kant was to follow in his footsteps.

Read and admired throughout Europe, Hume's *Essays* (despite being banned by the papacy in 1761) and *History* became classic fare. Hume won a 'great reputation for himself in France', notes Rousseau, especially 'among the *encyclopédistes*, with his treatises on commerce and politics'.⁸ Characteristically, though much involved with him personally during 1765–7, Rousseau neither read his books nor took any interest in his philosophy. Others in France, though, were more willing to study his work but generally, noted Verri, remained more impressed with Hume the historical, political, and economic thinker than Hume the philosopher, a statement that holds equally true, as it happens, for the American colonies before the Revolution.⁹ Grimm expressly stated in 1759 that he thought Hume lacked the 'depth of genius of M. Diderot', a perception few today would agree with but widespread at the time.¹⁰ Hume's six-volume *History of England* published between 1754 and 1762 was especially admired and long remained a standard work in French as in English. It impressed above all for its calm objectivity and reasonableness: 'Mr Hume, in his *History*, seems neither a parliamentarian, nor a royalist', commented Voltaire in 1764, 'nor an Anglican, nor Presbyterian; in him we find only the fair-minded man'.¹¹ But while Voltaire ranked Hume high among his preferred writers, he nowhere seriously engages with his thought.

While Hume's philosophy as such was neither understood nor often cited in France, at least before the 1780s,¹² the Scottish thinker had a potent battery of social, moral, and political arguments on his side and made adept use of them during his Paris years not least at the Baron d'Holbach's table and other salons. He and they had a common starting point in one respect: 'the general societies of men', held Hume, 'are absolutely requisite for the subsistence of the species; and the public convention, which regulates morals, is inviolably established in the nature of man, and of

⁷ Hume, *Natural History*, 134; Gaskin, *Hume's Philosophy*, 120–31; Fogelin, *Defense*, 29, 62; Robertson, *Case*, 310.

⁸ Rousseau, *Confessions*, 527; Baldi, *David Hume*, 63; de Bujando, *Index*, 452.

⁹ May, *Enlightenment*, 38.

¹⁰ Naigeon, *Philosophie*, ii. 748–9; Mossner, *Life of David Hume*, 479; Bongie, *David Hume*, 27.

¹¹ Quoted in Bongie, *David Hume*, 13; Pomeau, *Religion de Voltaire*, 194, 388.

¹² Forsyth, *Reason*, 40.

the world in which he lives.¹³ He too dismissed the 'useless austerities and rigours, suffering and self-denial' of the theologians.¹⁴ But from there on, he and they diverged totally. Yet, such was his easy-going, good-natured temperament that there was little real tension between him and the *philosophes*, albeit neither was there any significant debate, just tacit mutual non-understanding—or perhaps worse. Hume in any case regarded what he considered the shortcomings of the Parisian radical *philosophes* as many and considerable, Helvétius in particular, one of the Parisian colleagues, besides d'Alembert, Marmontel, and Duclos whose company he found most congenial, striking him as superficial and lacking in proper rigour. But, equally, according to an Irish army officer in French service, Daniel O'Connor of Belenagare, writing in 1764, Helvétius (with whom he had just been conversing) judged Hume's ideas 'ill connected', convinced 'he never studied the all of anything, and that his treatise on the passions is a very superficial work'.¹⁵ Gibbon, describing his visit to Paris in early 1763, met Diderot, d'Holbach, and d'Alembert but later recalled mainly their 'intolerant zeal'. Although he enjoyed the baron's 'excellent dinners' which were given 'with great frequency', he was shocked to find the *philosophes* 'laughed at the skepticism of Hume, preached the tenets of atheism with the bigotry of dogmatists, and damned all believers with ridicule and contempt'.¹⁶

The differences of substance in social theory and moral thought were in fact vast. More amenable to enlightened despotism than Diderot and d'Holbach, Helvétius was no less scornful of the nobility's notion of themselves as a different species from other men. That all men are a single category means they belong to a single family and that there is no such thing as an elite elevated by birth: 'tous par conséquent sont nobles'.¹⁷ Hume's philosophy, he notes, equally demolishes the essence of nobility, the prejudice underpinning it; but Hume, as a conservative sceptic, neither could nor wished to push his critique further and assail also the de facto dominance of aristocracy in society. Reason has nothing to do 'with the regard paid to the rich and powerful', grants Hume, but this does not mean pretensions based on rank are fraudulent. Although we can expect no advantage from deference, and self-interest here is absent, 'the images of prosperity, happiness, ease, plenty, authority, and the gratification of every appetite' still have the effect that 'we naturally respect the rich, even before they discover any such favourable disposition towards us'. Proof of this is found in the fact that 'in all civilized nations' nobles are treated with a regard suited to their birth, condition, and riches. This is sheer prejudice and has no basis in reason or justice. Yet, insists Hume, it is powerful social reality. 'For what is it we call a man of birth, but one who is descended from a long succession of rich and powerful ancestors, and who acquires our esteem by his connection with persons whom we esteem?'¹⁸ Nobility presides over us both inwardly and outwardly.

¹³ Hume, *Enquiry Concerning the Principles*, 102–3.

¹⁴ Ibid. 153.

¹⁵ Helvétius, *CGdH* iii. 108; Mossner, *Life of David Hume*, 474, 480; Bongie, *David Hume*, 34.

¹⁶ Gibbon, *Autobiographies*, 204, 262, 301; Himmelfarb, *Roads*, 40.

¹⁷ Helvétius, *De l'homme*, ii. 821; Lough, 'Helvétius and d'Holbach', 377.

¹⁸ Hume, *Enquiry Concerning the Principles*, 129; Hume, *Essays*, 17–18, 95, 528; Stewart, *Opinion*, 290–301.

Just as 'regard or contempt' for others, contends Hume, is the 'natural consequence of those different situations in life', of possessing wealth or languishing in poverty, so it works with all moral distinctions—our natural feelings of esteem or aversion, sentiment, is what guides us in shaping our responses and social relations.¹⁹ Sentiment, held Hume, Ferguson, and Smith alike, is the true basis of morality in society and one must accept the consequences of this regarding the social order: 'upon this disposition of mankind to go along with all the passions of the rich and powerful, is founded the distinction of ranks, and the order of society'.²⁰ Nothing could be further removed from the radical outlook which contended, on the contrary, that reason displaces all other criteria, that men are equal and noble birth nothing, and that mitigating in some way the hegemony of rank, that is, better integrating the masses into society, law, and politics, is the philosopher's duty.

Hence, criticism of nobility in Helvétius, Diderot, d'Holbach, and their followers emerges as something entirely different from in Hume, Smith, Kames, and Ferguson. Furthermore, here again, the radical materialists' views were echoed by the radical Socinian fringe. One of the three chief perils threatening the nascent United States at its birth, admonished Price, in 1785, much like Brissot and the younger Mirabeau, was granting hereditary honours and titles of nobility. 'Persons thus distinguished though perhaps meaner than the meanest of their dependents, are apt to consider themselves as belonging to a higher order of beings, and made for power and government'.²¹ Where, for most, the poor summon up, comments Hume, 'disagreeable images of want, penury, hard labour, dirty furniture, coarse or ragged clothes, nauseous meat and distasteful liquor',²² in radical eyes, the downcast deserve the same respect and protection from oppression and brigandage (whether popular, aristocratic, or state-organized), and same right to be happy, as anyone else. The humblest of citizens possesses the same birthright, proportionate to his position, merit, and talents, as the most eminent of the citizenry, indeed the monarch himself. Consequently, a wise and equitable government will strive to protect those with little who work and assist those with nothing.²³ By 1770, the split between moderate and radical enlighteners over deference to aristocracy had indeed become one of the key strands dividing the two enlightenments.

Britain led the world in the eighteenth century in wealth, power, and dynamism. Envied by many, she was feared by all. Her growing world predominance in terms of cultural influence as well as diplomacy, wealth, and power was to an extent the direct result of profound structural changes associated with the Glorious Revolution, an event fondly and deeply cherished among most Englishmen and Americans, many Scots, and some Irishmen. Since the 1690s, the deep tensions arising from the

¹⁹ Hume, *Enquiry Concerning the Principles*, 128–9.

²⁰ Smith, *Theory*, 52.

²¹ Price, *Observations*, 71.

²² Hume, *Enquiry Concerning the Principles*, 129.

²³ Helvétius, *De l'homme*, ii. 659–60; d'Holbach, *Éthocratie*, 654; d'Holbach, *Politique naturelle*, 75, 165–6.

strength of religious Dissent and the contested status and powers of the Anglican Church were resolved through the Revolution settlement, the Toleration Act (1689), and William III's policy of separating the Church of Scotland from the Anglican Church and reconfiguring it, all of which served to widen religious plurality on a stable basis and establish a broader framework for freedom of conscience and toleration than was found anywhere else in Europe or the New World at the time. After 1688 there was no longer any question that Parliament and its committees constituted the guiding force in government, though the influence of the crown remained considerable, and this not only set clear limits on the crown's prerogatives and secured the elevation and relative independence of the judiciary and courts, but also enabled the dominant aristocracy and gentry to wield a wider spectrum of political, imperial, military, and cultural as well as agrarian influence than was found in probably any other European land.

Many economic, political, and strategic factors contributed to Britain's greatness. But none carried more weight with Hume than her commerce. His reflections on 'commerce' had indeed a special place in the reception of this thought. For no other writer of the age aside from Adam Smith so emphasized the benefits of trade, and government support for trade, for spreading prosperity and as the key to furthering the well-being and happiness of men. 'The greatness of a state and the happiness of its subjects', he affirms, in the third part of his *Essays*, published in 1752, 'how independent soever they may be supposed in some respects, are commonly allowed to be inseparable with regard to commerce; and as private men receive greater security, in the possession of their trade and riches, from the power of the public, so the public becomes powerful in proportion to the opulence and extensive commerce of private men.'²⁴ This maxim he pronounces 'true in general'. Hume stressed the benefits of commerce across the board, commerce being something that stimulates industry and the crafts and ensures low interest rates and a plentiful supply of credit and funds. Like Turgot, Diderot, and Raynal, he thought it absurd to begrudge the growth of neighbouring countries' trade and shipping, as Europeans habitually then still did.

'In opposition to this narrow and malignant opinion, I will venture to assert, that the increase of riches and commerce in any one nation, instead of hurting, commonly promotes the riches and commerce of all its neighbours; and that a state can scarcely carry its trade and industry very far, where all the surrounding states are buried in ignorance, sloth, and barbarism.'²⁵ Here he concurred with his Parisian friends. Where he diverged from their analysis was in inferring that the benefits extend far beyond commerce's contribution to the wealth of merchants, manufacturers, and the middling strata's economic well-being. Commerce, for him, is also the chief stimulant to agriculture and lever for minimizing unemployment.²⁶ It is

²⁴ Hume, *Essays*, 255, 301-2.

²⁵ Ibid. 328-9; Skinner, 'David Hume: Principles', 232.

²⁶ Skinner, 'David Hume: Principles', 234; Hume, *Essays*, 277, 300, 303, 329.

through commerce and manufactures that agriculture is chiefly stimulated and the peasant encouraged to labour and produce more than he needs simply to subsist. Hence, he identified vigorous commercial growth as undoubtedly the chief factor behind Britain's astounding success, that is her achieving greater prosperity than other lands (aside from Holland) and a freer, more stable and orderly constitution.

With the expansion of trade, every nation will advance also in its political arrangements. 'As the ambition of the sovereign must entrench on the luxury of individuals; so the luxury of individuals must diminish the force, and check the ambition of sovereigns.'²⁷ 'Nor is this reasoning merely chimerical', he adds characteristically, 'but is founded on history and experience.'²⁸ Where merchants and tradesmen acquire a share of the prosperity and property formerly held by the privileged alone, they 'draw authority and consideration to that middling rank of men, who are the best and firmest basis of public 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.'²⁹ Despite his broadly conservative views on British politics and admiration for the Italian republics, Hume was no supporter of aristocratic dominance per se; on the contrary, he favoured the rise of the middling sort, merchants and prosperous citizens, and believed that it was trade and prosperity that had made the House of Commons the constitution's dominant arm.³⁰

Commerce was also, in Hume's view, the main stimulus behind the advance of the liberal arts, science, literature, and sociability. Growing sociability then in turn exerts a positive moral effect on society, since for Hume morality, as he reaffirmed in what he considered his best work, *An Enquiry Concerning the Principles of Morals* (1751), is something based chiefly on interaction, sensibility, and custom rather than reason. 'So that, beside the improvements which [men] receive from knowledge and the liberal arts, it is impossible but they must feel an increase in humanity, from the very habit of conversing together, and contributing to each other's pleasure and entertainment.'³¹ Nothing more decisively separates Hume from radical thought than his insisting that 'reason' and moral philosophy cannot inspire action, moral improvement, or fulfilment of moral obligation and that we should look rather to habits, accepted mores, and social circumstances for the motives that do perform this work. That moral sensibilities move men to act in particular ways proves, he concluded already in his first major work, the *Treatise of Human Nature* (1739), that the 'rules of morality' are not 'conclusions of our reason' but of our sensibilities. As he further developed his moral theory, Hume constantly stressed that it is 'founded on uniform

²⁷ Hume, *Essays*, 257.

²⁸ Ibid.

²⁹ Ibid. 277-8; Robertson, *Case*, 300, 319.

³⁰ Hume, *Essays*, 278; Stewart, *Opinion*, 297-8.

³¹ Hume, *Essays*, 271; Norton, 'Hume, Human Nature', 162, 170; Porter, *Enlightenment*, 245-6.

experience and observation'. 'Utility' to society, or rather to particular societies, is what grounds justice, fidelity, honour, allegiance, and chastity as well as generosity and charity, affecting others positively and eliciting their praise. 'The intercourse of sentiments, therefore, in society and conversation, makes us form some general unalterable standard, by which we may approve or disapprove of characters and manners.'³² 'Morality, therefore, is more properly felt than judg'd of.'³³ Curtailment of reason and hence moral philosophy as an agent of individual and social improvement in this way became central to his ethics.

Not only are trade, manufactures, and the mechanical arts crucial in determining the refinement, political condition, scientific status, and general health of states but the more labour is employed beyond that needed for subsistence, the more powerful as well as cultured is that state, as the excess can then be drawn off for recruiting into the army and navy, domestic service, or for colonizing abroad. 'Thus the greatness of the sovereign and the happiness of the state are, in a great measure, united with regard to trade and manufactures.'³⁴ 'In short', he summed up his case, 'a kingdom that has a large import and export, must abound more with industry, and that employed upon delicacies and luxuries, than a kingdom which rests contented with its native commodities. It is therefore, more powerful, as well as richer and happier.'³⁵

That excessive inequality weakens any society Hume accepted as he did the claim that spreading prosperity in the direction of equality strengthens both society and the state. 'Where the riches are in few hands these must enjoy all the power, and will readily conspire to lay the whole burthen [of taxation and effort] on the poor, and oppress them still further, to the discouragement of all industry.' That 'every person, if possible, ought to enjoy the fruits of his labour, in a full possession of all the necessities, and many of the conveniences of life', he did not doubt. Indeed, precisely here 'consists the great advantage of England', he argued, 'above any nation at present in the world, or that appears in the records of any story'. The prosperity of her artisans 'as well as the plenty of money' were decisive assets. 'And if there were no more to endear to them that free government under which they live, this alone were sufficient. The poverty of the common people is a natural, if not infallible effect of absolute monarchy; though I doubt, whether it be always true, on the other hand, that their riches are an infallible result of liberty. Liberty must be attended with particular accidents, and a certain turn of thinking, in order to produce that effect.'³⁶ This led him to view the development of civil society as something driven, primarily, by economic need and desires, and hence to regard justice as in origin a prop to the requirements of the economic process, hence of the market. 'The motive that led people' to begin respecting property and contract, avers Hume, was 'enlightened

³² Hume, *Enquiry Concerning the Principles*, 115–17.

³³ Hume, *Treatise*, 457, 470; Moore, 'Montesquieu', 181; Harris, 'Epicurean', 178–9.

³⁴ Hume, *Essays*, 262, 272.

³⁵ Ibid. 263, 270–1; Robertson, *Case*, 364.

³⁶ Hume, *Essays*, 265.

self-interest'.³⁷ In Hume's theory of justice and law, like Adam Smith's, there stands a built-in, inherent emphasis on justice being primarily a mechanism for the protection of private property and commercial contract.³⁸

Always 'a friend to moderation', as he himself put it, Hume supplied enlightened 'moderation' with its most compelling and incisive intellectual armoury. Both his general method and stress on 'history and experience' as the ground of all sound social theory follow directly, he claimed, from Newton's discoveries in science. Newton, in whom Britain, he wrote, 'may boast of having produced the greatest and rarest genius that ever arose for the ornament and instruction of the species', had made truly epoch-making discoveries and 'seemed to draw off the veil from some of the mysteries of nature' while at the same time fully revealing the imperfections of the 'mechanical philosophy' and all the overarching, rationalistic systems and had thereby restored nature's 'ultimate secrets to that obscurity, in which they ever did and ever will remain'.³⁹ Hume envisaged Newton as a natural philosopher 'cautious in admitting no principles but such as were founded on experiment; but resolute to adopt every such principle, however new or unusual'. For Hume no less than Newton, only evidence drawn from experience and experiment is valid.

Politics, like ethics and political economy, is 'a science', grants Hume, but an experimental science, based on 'experience and observation' not abstract principles.⁴⁰ His philosophical scepticism conclusively proved, he believed, that our moral and political ideas rest on no basic premisses established by reason; reasoning remains an indispensable tool, but only reasoning demonstrative from experience, or about probabilities, is valid. In principle, Diderot and d'Holbach agreed with this. But the consequences he draws from his empiricism are entirely different from theirs; in particular he believed they were extrapolating dangerously beyond the connections confirmed by experience.⁴¹ This produced in him a particular and highly original brand of 'moderation' in every sphere. While he saw no evidence of the truth of any religious claim, he equally emphasized the naturalness, once reason has advanced beyond a primitive level, of believing in 'that perfect Being, who bestowed order on the whole frame of nature'.⁴² Equally, a key result of Hume's 'science' of experimental, observed politics was the unquestioned superiority of 'moderation' as a political, moral, and general guiding principle, 'moderation not just in practice' but also in formulating the guiding principles of action and reform.

The value of 'moderation' Hume claimed to have learnt in part by studying the excesses of the two English political factions in Parliament—the Whigs and Tories. They dominated the British political scene but with both, to his mind, wildly exaggerating in their attacks on the other. 'But extremes of all kinds are to be avoided;

³⁷ Stewart, *Opinion*, 166.

³⁸ Ibid. 160–2; Zarone, *Cesare Beccaria*, 68–75.

³⁹ Hume, *History*, vi. 542; Hume, *Enquiry Concerning the Principles*, 98, 206.

⁴⁰ Fogelin, 'Hume's Scepticism', 95; Skinner, 'David Hume: Principles', 226, 229.

⁴¹ Buckle, *Hume's Enlightenment Tract*, 325–6.

⁴² Hume, *Natural History*, 136.

and though no one will ever please either faction by moderate opinions, it is there we are most likely to meet with truth and certainty.⁴³ Another crucial premiss of political, social, and moral science, he thought, was that subjects should strive their utmost 'in every free state' to defend 'those forms and institutions, by which liberty is secure, the public good consulted, and the avarice or ambition of particular men restrained and punished'.⁴⁴ However, such endeavours are effective only while the constitution does its proper job. Men should endorse all government that affords liberty and good order. But these are the only justifying criteria; there is no other reason for supporting a government. No constitution can be legitimized by any abstract or supernatural principle of religion, creed, dynastic claims, or any charter or other principle no matter how ancient or venerated. 'A constitution is only so far good, as it provides a remedy against mal-administration; and if the British, when in its greatest vigour, and repaired by two such remarkable events as the Revolution [of 1688] and Accession, by which our ancient royal family was sacrificed to it; if our constitution, I say, with so great advantages, does not, in fact provide any such remedy, we are rather beholden to any minister who undermines it, and affords us an opportunity of erecting a better in its place.'⁴⁵

For Hume, the British constitution's superiority lay solely in its practical achievements and had no other basis, certainly not in 'general principles', a term with distinctly negative connotations in his terminology. Both Locke and committed republicans like Toland, Trenchard, or Gordon had interpreted the Revolution of 1688–91 as grounded in some way in 'contract' or on popular sovereignty. Hume, by contrast, denied that anything like popular sovereignty was a factor in the Glorious Revolution. The people played no part in it, he stressed, while the change of dynasty was decided on in England and Scotland solely by majorities of the two parliaments. He did not doubt that the 'bulk of those ten millions [of Britain's inhabitants] acquiesced willingly in the determination: But was the latter left, in the least, to their choice?' Absolutely not. The aristocracy decided everything to the smallest detail. In the Revolution of 1688–91, there was not the least trace of a democratic tendency. Nor did he desire to see 'Revolution-principles' adopted as a general measure to make other governments appear in some way illegitimate. 'Let not the establishment at the Revolution deceive us, or make us so much in love with a philosophical origin to government, as to imagine all others monstrous and irregular.'⁴⁶

While calmly conceding that the constitution had its imperfections, Hume insisted on its being a delicate balance of differently useful but imperfect principles that worked uncommonly well. The king's ministers, he allows, were to an extent corrupting Parliament and, by so doing, infringing 'liberty'. But he did not think corrupt practices could be simply cleared away any more than he agreed that parliamentary

⁴³ Hume, *History*, vi. 534; Ward, *Politics*, 313–14.

⁴⁴ Hume, *Essays*, 26.

⁴⁵ Ibid. 29–30; Haakonssen, 'Hume's Political Theory', 203–4.

⁴⁶ Hume, *Essays*, 472–3.

elections should be more frequent. Properly maintaining the 'monarchical' element in the British constitution, he argued, crucially depended on the infrequency of elections to the House of Commons. 'It is true the crown has great influence over the collective body in the election of members; but were this influence, which at present is only exerted once in seven years, to be employed in bringing over the people to every vote, it would soon be wasted; and no skill, popularity or revenue, could support it. I must, therefore, be of opinion, that an alteration in this particular would introduce a total alteration in our government, and would soon reduce it to a pure republic.' Such 'a pure republic', he conceded, might not necessarily be a step backwards in terms of liberty and good government; but he feared it would be and, in any case, preferred to avoid 'such dangerous novelties'.⁴⁷

The crown's influence in elections and distributing favours and offices was accepted by most and positively argued for by some. Students of politics may 'give to this influence what name we please', held Hume, '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'.⁴⁸ Balancing arms of government might be more regular and defined in pure republics where the composition and procedures of each body can be more precisely formulated. 'But a limited monarchy admits not of any such stability; nor is it possible to assign to the crown such a determinate degree of power, as will, in every hand, form a proper counterbalance to the other parts of the constitution', a rather rare disadvantage, he believed, in the British constitution.⁴⁹ On one occasion, he even declared that 'though liberty be preferable to slavery, in almost every case, yet I should rather wish to see an absolute monarch than a republic in this island'.⁵⁰ But it was hard to be swayed by such arguments and from the 1770s increasingly so. 'The disproportion in the representation of this country', affirmed John Jebb, in a speech in 1782, 'the length of our parliaments, and the depredations committed, in various periods of our history, upon the right of suffrage, have utterly destroyed the ancient constitutional connection between the House of Commons and the people. The majority of that House are no longer the representatives of the Commons; they are the dependents of the nobles, the creatures of the crown.'⁵¹ Here, was an indigenous resonance, and becoming distinctly louder, of the prime accusation brought by Diderot and the *Histoire philosophique* against the so celebrated British constitution: it leaves excessive influence in the hands of the crown and aristocracy.⁵²

That government is illegitimate and 'tyrannical' when it does not further the interests of the majority, the central political principle of the hard-core philosophical republicans Meslier, Du Marsais, Boulanger, and the later radical *philosophes*, Hume

⁴⁷ Ibid. 36; Pocock, *Barbarism*, ii. 186, 220; Pocock, *Virtue, Commerce*, 135.

⁴⁸ Hume, *Essays*, 45, 277; Haakonssen, 'Hume's Political Theory', 209.

⁴⁹ Hume, *Essays*, 46; Stewart, *Opinion*, 282–3, 307.

⁵⁰ Hume, *Essays*, 17, 24, 52, 524; Stewart, *Opinion*, 282; Emerson, *Essays*, 151–2.

⁵¹ Jebb, *The Works*, iii. 306–7; Gascoigne, 'Anglican Latitudinarianism', 232–3.

⁵² *Histoire philosophique* (1780), ix. 208; Paine, *Rights of Man*, 192–202.

firmly denies. Likewise, he rejected the notion that government should rest on the people's consent. 'It is in vain to say that all governments are or should be, at first founded on popular consent, as much as the necessity of human affairs will admit. This favours entirely my pretension. I maintain, that human affairs will never admit of this consent; seldom of the appearance of it. But that conquest or usurpation, that is, in plain terms, force, by dissolving the ancient governments, is the origin of almost all the new ones, which were ever established in the world. And that in the few cases, where consent may seem to have taken place, it was commonly so irregular, so confined, or so much intermixed either with fraud or violence, that it cannot have any great authority.'⁵³ Moreover, in his last years, Hume became increasingly alarmed by the rise of populist movements in England and responded by stressing still more the pivotal role of nobility and gentry as the great political stabilizer.⁵⁴

The people's inclinations, Hume acknowledges, statesmen often reckon with; but this is far more likely to occur in settled constitutions than 'during the fury of revolutions, conquests, and public convulsions' when military force or political manipulation decide everything. The case was similar regarding the alleged 'contract' grounded by some in the early Capetian phase of the French monarchy. Boulainvilliers 'was a noted republican; but being a man of learning, and very conversant in history, he knew that the people were never almost consulted in these revolutions and new establishments, and that time alone bestowed right and authority on what was commonly at first founded on force and violence.'⁵⁵ Denying 'contract', Hume was equally disinclined to see the stability and other chief advantages of Britain's constitution as stemming from ancient precedents, charters, and statutes. He frequently notes the bogus character of efforts to invoke precedent. 'Under what pretence can the popular party now speak of recovering ancient constitutions? The former control 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.'⁵⁶ He judged ridiculous 'to hear the [House of] Commons, while they are assuming by usurpation, the whole power of government, talk of reviving ancient institutions.'⁵⁷ Here was a further rare point of convergence with radical ideas.

2. HUME, ARISTOCRACY, AND THE BRITISH EMPIRE

For most late eighteenth-century observers and most of the moderate Enlightenment, Britain was much the most successful nation of the age and the worthiest of

⁵³ Hume, *Essays*, 474; May, *Enlightenment*, 112.

⁵⁴ Pocock, *Virtue, Commerce*, 138.

⁵⁵ Hume, *Essays*, 486.

⁵⁶ Ibid. 497; Pocock, *Machiavellian Moment*, 493.

⁵⁷ Hume, *Essays*, 498; Pocock, *Barbarism*, ii. 255, 259.

admiration and emulation. Britain also possessed the most extensive and powerful world empire since Roman times, economically, politically, at sea, and militarily. Ever since the Glorious Revolution and the Union with Scotland (1707), Britain had experienced imperial success, great power status, and by 1713 also overwhelming financial superiority over others no less than greater general prosperity, dynamism, press freedom, and political stability. Even its sternest critics, while cautioning that the British constitution was less perfect than conventional notions would have it, granted that it was nevertheless the best actually existing.⁵⁸

By the mid eighteenth century, a sense of—and belief in—British superiority over others was natural for most Englishmen, something taken for granted, almost an article of faith and badge of national identity. However, in Hume's philosophy it remained more a matter of cool demonstration and evidence, a project in which his own nation, the Scots, could take pride in sharing and also one shared in by the Irish, the Americans, the Canadians, and in some degree all men. The great changes introduced by the 1688 Revolution had been followed by a batch of additional new freedoms lending a particular allure and grandeur to the British state and the transatlantic society it fostered. 'And it may justly be affirmed', notes Hume, in his *History of England*, 'without any danger of exaggeration, that we, in this island, have ever since [the Revolution of 1688] enjoyed, if not the best system of government, at least the most entire system of liberty, that ever was known amongst mankind.'⁵⁹ Liberty flourished as never before. Liberty of the press, and newspapers in particular, established as an acknowledged 'freedom' since the lapsing of the Licensing Act in 1695, to a degree previously unknown, could justly be considered the safeguard of all the other freedoms (albeit the theatre in eighteenth-century England remained under rigorous censorship).⁶⁰ It was typical of Hume's experimental method of reasoning to stress the uniqueness of the context in which press freedom flourished and then explain it in terms of particular circumstances, preferring not to regard press freedom as an absolute principle. 'As this liberty is not indulged in any other government', he notes, 'in Holland and Venice, more than in France and Spain; it may very naturally give occasion to a question. How it happens that Great Britain alone enjoys this peculiar privilege?' His answer, given in characteristically qualified manner, is that it 'seems to be derived from our mixed form of government, which is neither wholly monarchical, nor wholly republican'. Above all, it was a particular, peculiar outcome not part of an inherent tendency.⁶¹

Typical also of Hume is his seeing English press liberty, indeed all her liberties, as something not just highly specific to context but so remote from principle as actually to stem from the contradictions and lack of consistency enshrined at the heart of Britain's constitution. 'As long, therefore, as the republican part of our government

⁵⁸ *Histoire philosophique* (1780), x. 74–5, 83–6.

⁵⁹ Hume, *History*, vi. 531.

⁶⁰ Colley, *Britons*, 40, 42; Worrall, *Theatrical Revolution*, 1, 18, 36.

⁶¹ Hume, *Essays*, 9–10; Pocock, *Barbarism*, ii. 260–1.

can maintain itself against the monarchical, it will naturally be careful to keep the press open, as of importance to its own preservation.⁶² He was not optimistic, though, that this inherently precarious balance between contradictory principles could be sustained indefinitely. Rather he thought the British constitution, mostly to its advantage, was so incoherent as to be ultimately unstable and bound to unravel, perhaps in the not too distant future. '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.'⁶³ But when sooner or later Britain's parliamentary system did disintegrate through the force of its own triumphant practicality and incoherence, besides rising debt, too many wars, and populist notions, he was certain it would be best to avoid any shift to popular sovereignty. To avoid future 'convulsions and civil wars', absolute monarchy, he maintained, would be far preferable to moving in a republican or democratic direction. 'Absolute monarchy, therefore, is the easiest death, the true Euthanasia of the British constitution.'⁶⁴

With liberty of the press came a degree of flexibility in enquiry and individual autonomy in the sciences, scholarship, artisanship, and the arts that contrasted strikingly with the constraints of the past and restrictions applying in most of Europe and non-British America. Meanwhile, the unprecedented growth of London fostered a degree of freedom in matters of dress, lifestyle, and personal freedom matched only by Paris. Mid- and late eighteenth-century Britain constituted a novel and exciting scenario characterized by a host of innovative new features, among the more unexpected and remarkable of which during the post-1688 era was the rise among most of the population of the prestige not just of Parliament, the constitution, navy, army, and English law, but also of the crown, aristocracy, empire, and the British state generally.⁶⁵ Even in Scotland and, to a lesser extent, Ireland, sections of the population felt reconciled to the Union and absorption into England's maritime empire. Englishmen being by and large intensely proud of their country's unparalleled success since 1688, the Anglican clergy found little difficulty in advancing the notion that God had distributed his blessings with particular liberality on Britain and that crown, constitution, and empire were divinely sanctioned and favoured institutions. A particular problem for philosophers was the sheer extent of Britain's success overseas and in arms encouraging not just pride and feelings of superiority over others but intensification at least in England, among both the upper and lower strata, of an older proneness to cultural xenophobia that distinctly jarred on the Enlightenment's cosmopolitan ideals and, for some, clouded Englishmen's understanding of the real basis of Britain's success. Certainly, the more sophisticated, and Hume more

⁶² Hume, *Essays*, 12–13; Stewart, *Opinion*, 240, 306–7.

⁶³ Hume, *Essays*, 64.

⁶⁴ Ibid. 53; Pocock, *Barbarism*, ii. 187; Hont, *Jealousy*, 347; Emerson, *Essays*, 153.

⁶⁵ Hume, *Essays*, 51.

than most, disdained simplistic claims about divinely given greatness and innate superiority. Hume thoroughly scorned the prevailing Gallophobia and xenophobia, a reaction bolstered by his own sometimes barely suppressed Anglophobia. 'Our jealousy and our hatred of France are without bounds' but only the former was 'reasonable and well-grounded'.⁶⁶ Elite as well as popular culture seemed hopelessly prone to narrow and prejudiced assumptions. Hence, partly in reaction to a general mood with which some felt scant sympathy, thoughtful conservatives searched for a more sober and secular doctrine justifying broad endorsement of the status quo, existing social hierarchy, and pre-eminence of the Anglican Church, and precisely this Hume's thought triumphantly provided. Hume's human nature was a mass of contradiction following no logically consistent course but exhibiting consistent patterns and basically unalterable, buttressing a profoundly undemocratic view of politics.⁶⁷

The reading public's attitudes, insular by tradition and conviction, fastened on the domestic context alone and, for this too, Hume's thought afforded ample legitimization despite his aversion to xenophobia. In Britain, it was generally assumed, and with Hume's texts could be cogently argued, that the Enlightenment's principal aims—as formulated by Locke, Newton, Hume, Montesquieu, and Voltaire—empiricism in science, religious toleration, freedom of thought and the press, personal liberty, and security of person, had all been accomplished already. The revolution was complete. Hence, there was little need, it was confidently supposed, for any further Enlightenment in Britain. Meanwhile, the final defeat of Jacobitism in 1745, and receding of English 'deism' after the demise of Toland (1722), Collins (1729), and Gordon (1750), further heightened the feeling of England being *par excellence* the land of stability and consensus political and intellectual. This removed all sense of urgency in combating radical ideas and subversive anti-Scripturalism of the sort that had spurred Newtonian ideologues of an earlier generation like Clarke, Richard Bentley (1662–1742), and William Whiston (1667–1752). If some still cultivated determinist, naturalist, and materialist positions in private, questioned the authority and privileges of the crown and Anglican Church, and deplored shortcomings in the law and at Oxford and Cambridge, all this had become decidedly muted by 1750.

By the mid eighteenth century, British consensus had consolidated while the radical tendency had been marginalized. For the moment, England was no longer a country agitated by the challenge of freethinking which, to all appearances, was now causing far more disturbance elsewhere. 'France abounds with free-thinkers', commented Thomas Gordon, in 1750, 'no kingdom in Europe more, nor so much; Holland, above all countries, abounds with printing-presses, with free-thinking and obnoxious books, which are from thence dispersed all over the world. France

⁶⁶ Ibid. 315; Robertson, *Case*, 367–8, 370.

⁶⁷ Norton, 'Hume, Human Nature', 159; Buckle, *Hume's Enlightenment Tract*, 276; Harris, 'Epicurean', 180.

and Holland are not alarmed with Earthquakes, at least more than we are. Yet Amsterdam far exceeds (or perhaps it will sound more arch and satirical to say "beats") all the world, beats "even London", in the traffic of infidelity.⁶⁸ It was inherent in the national consensus that Britain, unlike the rest, needed no further Enlightenment. But if English society, governance, law, and empire were no longer a problem for (most of) her own people, Britain was increasingly a problem for others. Having humiliated France in North America, the Caribbean, India, and the Mediterranean during the Seven Years War (1756–63) and since 1713 rapidly outstripped the United Provinces at sea and in commerce, including in Asian waters where the Dutch had previously presided since the early seventeenth century, by 1763 Britain no longer had any rival for world commercial, financial, technological, land, and maritime primacy. Her global hegemony, though, spelt decline and retreat for her defeated competitors—the Dutch, Danes, Russians, and Portuguese as well as France and Spain—and fears of further setbacks. Her world ascendancy also disturbed not a few philosophers. England, declared the *Histoire philosophique*, had created a wholly new form of 'monarchie universelle', subjecting all the world to her uncompromising sway in commerce, colonies and sea power.⁶⁹ Of all the imperial powers of his century, remarked Chastellux in 1772, undoubtedly the British were the most enveloped in a mania for domination, self-aggrandizement, and economic advantage.⁷⁰

Britain's *monarchie universelle*, argued the *Histoire*, was something 'Europe' should wrest back from her and re-assign more equitably, in the interest of the common good and 'l'équité naturelle', returning to every maritime people the autonomy and freedom each had a right to exercise over the waters surrounding them.⁷¹ There was no sympathy for this standpoint in Britain, of course; but in America and also Ireland, a land more rigorously subjected than the American colonies, there was some and it grew with time. Something, Hume acknowledged, was indeed seriously wrong: 'were our narrow and malignant [trade] politics to meet success, we should reduce all our neighbouring nations to the same state of sloth and ignorance that prevails in Morocco and the coast of Barbary. But what would be the consequence? They could send us no commodities: They could take none from us. Our domestic commerce itself would languish for want of emulation, example, and instruction: And we ourselves should soon fall into the same abject condition, to which we had reduced them.' He urged the English to revise their chauvinistic notions of international trade and relations. They and their European neighbours should cultivate 'enlarged and benevolent sentiments towards each other'.⁷² A like injunction, more radical writers thought, ought to apply more generally. 'A total reformation,' exclaimed Thomas Paine in 1782, 'is wanted in England. She wants an expanded mind—a heart that embraces the universe. Instead of shutting herself up in an island,

⁶⁸ Gordon, *A Letter*, 20.

⁶⁹ *Histoire philosophique* (1780), x, 170.

⁷⁰ Chastellux, *De la félicité publique*, ii, 161, 191.

⁷¹ *Histoire philosophique* (1780), x, 170.

⁷² Hume, *Essays*, 330–1; Hont, *Jealousy*, 6, 36–7, 115, 292.

and quarrelling with the world, she would derive more lasting happiness, and acquire more real riches, by generously mixing with it, and bravely saying, I am the enemy of none.'⁷³

No such response was to be expected from public opinion, Parliament, or from Hume. What was best for Britain, indeed any polity, in his view, was more a question of custom, honesty, tact, and good sense than adhering to any grand plan proposed by philosophy. Nothing further separated his thought from Radical Enlightenment than his refusal to consider 'philosophy' the key to the general amelioration of mankind, his conceiving it as something that by its nature can have no guiding significance in human affairs. Since it is not reason that establishes and authenticates our trust and confidence in the basic realities dictating our daily calculations in normal life, our decisions, and views on moral issues and politics, must stem from experience, habit, and custom alone.⁷⁴ The value of philosophizing for society Hume sees in refining 'the temper' and pointing 'out to us those dispositions which we should endeavour to attain' by habit and intellectual activity. In this respect 'philosophy' can do some good politically. But 'beyond this I cannot acknowledge it to have great influence; and I must entertain doubts concerning all those exhortations and consolations, which are in such vogue among speculative reasoners'.⁷⁵

Not only did Britain's radical tendency wane between the 1730s and the outbreak of the American Revolution in 1775–6, there was in English society and culture, well before as well as after 1775, a growing emphasis on hierarchy, monarchy, empire, and the interdependence of Church and crown, fed by the domestic impact of recent wars and the new configuration in domestic politics bringing the Tory country squires into alliance with the faction known as the 'Court Whigs', the Whig aristocratic leadership in Parliament. Vaunting the basic institutions of the British 'confessional state', hardened by rivalry with France and, after 1763, growing difficulties in America, came to be more and more insisted on in high society, the universities, and popular culture alike. The consequence was a further narrowing of attitudes that reinforced the prevailing consensus, deterred criticism, and was rarely stimulating intellectually. When it was, it mostly assumed a conservative cast. Gibbon acknowledged 'the philosophic Hume' as one of 'my masters', opposed the Swiss democratic tendency, liked all of Burke's anti-revolutionary creed except for his adoring 'church establishments', and later recalled whilst sitting as a member of the Commons, on the outbreak of the American Revolution, supporting 'with many a sincere and silent vote, the rights, though not, perhaps, the interest of the mother-country'.⁷⁶

Aside from Burke, Gibbon, and William Jones and, of course, radicals rejecting the national consensus and the loyalist chauvinism that buttressed it—Paine, Priestley, Price, Jebb, Bentham, Godwin, and Wollstonecraft—later eighteenth-century English

⁷³ Paine, *Letter Addressed to the Abbé Raynal*, 69.

⁷⁴ Fogelin, 'Hume's Scepticism', 99; Robertson, *Case*, 299–300.

⁷⁵ Hume, *Essays*, 171, 180; Buruma, *Taming*, 27; Harris, 'Hume's Four Essays', 234–5.

⁷⁶ Gibbon, *Memoirs*, 53, 184.

Enlightenment, as distinct from the Scottish, produced few figures of international stature. Scotland, by contrast, remained a land of deep divisions rather than consensus. In the Lowlands, there prevailed since 1688 a somewhat harsh, constricting Calvinism that in the mid and late eighteenth century battled to retain its hold, while Catholic and Episcopalian Jacobitism, with their uncompromising legitimism, traditionalism, and hostility to the 1688 Revolution Settlement, remained a powerful force emotionally, also after 1745, especially but by no means only in the Highlands. All this rendered toleration, constitutional monarchy, and personal liberty locally highly contested issues. In Scotland, an exceptionally literate society had suddenly to adjust to new realities that fundamentally altered basic elements of Scottish identity. All at once the Scots needed to accept loss of separate nationhood and absorption into a world empire wholly dominated by England and become a collection of religious minorities embedded within an Anglican greater society, reorganizing their political, legal, and educational institutions accordingly. Scotland had entered a new era of expansion and reorientation with all their attendant problems and amid these challenges had no greater apologist for Union and political Anglicization, or foe of dogmatic legitimism and narrow confessionalism, than Hume.

'The true rule of government', held Hume, 'is the present established practice of the age.'⁷⁷ The whole tenor of his social and cultural thought, moreover, privileged precisely this rule also in the moral, educational, and legal spheres. Hume exalted 'moderation'; but his was a 'moderation' apt only to underpin prevailing usage. It was Hume's great strength but also no small weakness. Regarding the American crisis, his own personal perspective may have been even-handed and original. Privately, his benevolent pragmatism collided with both sides since he had no sympathy for the points of principle raised by either the Americans or Parliament in their quarrels about consent, sovereignty, and the right to tax the colonists. But publicly stated his principles were really useful only to one side—the Tory loyalists. Hume's overriding principle, 'moderation' clashed fundamentally not just with radical thought but also with the American Revolution and later, in the 1780s, the Dutch and French revolutions. In practical politics, this was unavoidable given the special usefulness of his approach to defenders of existing usage, empire, monarchy, aristocracy, and privileged state churches.

Less hostile to the American cause than Ferguson and other Scots enlighteners, in the years prior to his death, the year the Revolution began, Hume felt the whole business had been so incompetently handled by the British ministry that the colonies' secession had become inevitable. This was something Britain, in his opinion, should simply accept with the best grace possible without going to war. In a private letter of October 1775 he went so far as to declare: 'I am an American in my principles, and wish we would let them alone to govern or misgovern themselves as they think proper.'⁷⁸ But he was no eulogist of the Revolution as such and still less its principles;

⁷⁷ Hume, *Essays*, 498.

⁷⁸ Hume to Baron Mure of Caldwell, 27 Oct. 1775, in Hume, *Letters*, ii. 303; Wootton, 'David Hume', 297; Amoh, 'Ferguson's Views', 73.

and despite engaging in intense discussion with Benjamin Franklin, who spent a whole month with him in Edinburgh, in the autumn of 1771 when the American also met with other 'Brother Philosophers', notably Ferguson and Kames, felt scant sympathy for the man or his cause.⁷⁹ Where the radical thinkers supported the Revolution but also criticized it for not pushing equality, democracy, and toleration far enough, and not freeing the slaves, Scots Enlightenment was divided but on balance strongly opposed American independence.⁸⁰

Ferguson, who in 1778 was appointed secretary to a British government commission sent to America to negotiate a settlement, roundly accused democratic pro-American British publicists, such as Price, of slighting the British constitution and wilfully ignoring Montesquieu's 'wisely' framed doctrine that 'Democracy and Aristocracy are not by their nature free governments.' Democracy no less than aristocracy is inferior, held Ferguson, to certain 'species of monarchy, where law is more fixed and the abuses of power are better restrained'.⁸¹ 'Notwithstanding the disdain of our author [i.e. Price], the British constitution, he maintained, bestows 'upon its subjects higher degrees of liberty than any other people are known to enjoy'.⁸² Price, Priestley, and other supporters of the Revolution he lambasted for being too fond, with their talk of representation and democracy, of abstract principles. By displacing charters and precedent in favour of theoretical principles, they were ill-advisedly striving for ideal perfection 'which is apt to make us despise what is attainable and obtained, for the sake of something impracticable and sometimes absurd'.⁸³

It was both despite and because of Hume's scant enthusiasm for the British cause in the pending struggle that his ideas continued to appeal to conservatives on both sides of the Atlantic and were widely seized on everywhere as a particularly effective politico-philosophical tool for combating democracy, egalitarianism, and anti-aristocratic sentiment irrespective of whether deployed for or against the colonists' stated principles and rhetoric. Hume's thought was warmly approved of on the conservative wing of the revolutionary leadership, by figures such as John Adams (1735–1826), then a young Massachusetts lawyer with strong 'classical republican' and socially and politically conservative views. Elected to the First Continental Congress, in 1774, Adams made no secret of his loathing of Paine and the entire radical ideology, and long continued to find Hume's philosophy highly congenial.

Yet, Hume's most outspoken admirers in America also included 'Tory' pamphleteers staunchly opposing the Revolution. One of these, writing under the pseudonym 'Candidus' in 1776, rejoiced that 'this beautiful system (according to Montesquieu), our constitution is a compound of monarchy, aristocracy and democracy', a system of ranks and hierarchy under which Britain ruled the Atlantic and commerce of the entire world. Convinced the colonies would lose greatly through independence,

⁷⁹ Mossner, *Life of David Hume*, 572–3, 595; Stewart, *Opinion*, 308–9.

⁸⁰ Berry, *Social Theory*, 107–9; Amoh, 'Ferguson's Views', 74.

⁸¹ Ferguson, *Remarks*, 9.

⁸² *Ibid.* 13.

⁸³ *Ibid.* 11–14.

'independence and slavery' he declared 'synonymous terms'. Against the 'demagogues' striving to 'seduce the people into their criminal designs' and break with Britain, he invoked not only Montesquieu but also 'the profound and elegant Hume'.⁸⁴ Such usage of his ideas became a regular feature of a wider tendency ranging Hume alongside Montesquieu as a pillar not just of monarchy and empire but also noble privilege and ecclesiastical rights, the existing status quo in Ireland, and so on, a tendency noticeable in Britain, America, Ireland, Italy, and even in Poland-Lithuania, a kingdom Hume despised and considered a failed society, but where his ideas were eagerly utilized by champions of nobility and by no means unreasonably. For if Hume did not agree with Montesquieu that nobility is indispensable as a bulwark against tyranny, he did think it often was, and considered republican stress on popular sovereignty and the right to resistance insidious. In describing England's crisis on the eve of the Civil War in 1642, around 1758, he located the gravest flaw in seventeenth-century English political culture in the notion that the people 'are permitted, at their pleasure, to overthrow and subvert an existing government'.⁸⁵

Popular sovereignty, for Hume, was just part of a wider pernicious threat to order, established usage, and good sense. Britain's peculiar freedoms were inseparably linked in his mind to the dominance of the landed gentry and nobility. But precisely this class were being debilitated by current developments such as mania for empire, the growing national debt, and the rise of Whig populism, trends that would, he predicted, undermine the constitution.⁸⁶ 'An established government has an infinite advantage, by that very circumstance of its being established; the bulk of mankind being governed by authority, not reason, and never attributing authority to any thing that has not the recommendation of antiquity. To tamper, therefore, in this affair, or try experiments merely on the credit of supposed argument and philosophy, can never be the part of a wise magistrate, who will bear a reverence to what carried the marks of age; and though he may attempt some improvements for the public good, yet will he adjust his innovations, as much as possible, to the ancient fabric, and preserve entire the chief pillars and supports of the constitution.'⁸⁷ Ageing but still effective forms of government, for Hume, are not like obsolete machines to be cast aside for apparatus that looks more up to date and better designed.

A towering figure in eighteenth-century thought, for all his reasonableness, Hume was a deeply reticent voice regarding social, legal, and political reform. His philosophy placed the whole question of theory and precedent in the common law in a new light. Enlightenment and case law were not always in collision; but the harsh and antiquated realities of eighteenth-century legal practice rendered the kind of emphatic 'anti-philosophical' moral and legal conservatism promoted in Britain by writers like Hume, Blackstone, Ferguson, and Burke, as well as the public's

⁸⁴ 'Candidus' [William Smith], *Plain Truth: Addressed to the Inhabitants of America, Containing Remarks on a Late Pamphlet Intituled Common Sense* [i.e. by Tom Paine] (Philadelphia, 1776), 2-3, 37.

⁸⁵ Hume, *Essays*, 499-501; Moore, 'Montesquieu', 183.

⁸⁶ Hont, *Jealousy*, 345-6.

⁸⁷ Hume, *Essays*, 512-13; Haakonssen, 'Hume's Political Theory', 196, 201-2.

chauvinistic, almost mystical veneration for the law, deeply problematic. There was in Britain, complained Bentham in 1776, a prevailing but highly undesirable tendency to 'yield the same abject and indiscriminating homage to the Laws [as] is paid to the despot elsewhere'.⁸⁸ For those agreeing with this there was little in Hume or indeed the other major Scots enlighteners (aside from Millar) capable of bolstering pleas for reform. Thus, the existing edifice of case law abounded with anomalies and obsolete practices, providing a splendid handle for radical reformers like Bentham, Paine, Price, Priestley, and, later, Wollstonecraft to dismiss Hume's stance as a refusal to acknowledge the justice of rational objections and encouragement to popular prejudice.

Regarding religion, moral thought, social theory, and issues of gender and race, the Scots Enlightenment, like the English and American, tended predominantly towards that conservative 'moderation' Hume so ardently lauded. Mostly, the Scots opposed the radical tendencies driving the Western world toward fundamental human rights, democracy, and equality. However, one major figure, John Millar, professor of civil law at Glasgow from 1761 to 1801, did urge wide-ranging social reforms based on a broadly framed set of 'natural rights' carried over from the state of nature into the state of society, becoming in the process inalienable 'fundamental rights'. Millar conceived rank very differently from Hume, Smith, or Ferguson, subordinating social hierarchy to the idea of society as existing for the 'utility' and benefit of the majority with all of society's members being deemed equivalent in status and interests. His approach thus aligns with the basic argument for democracy in Spinoza and Rousseau.

Author of the *Origin of the Distinction of Ranks* (1771), a Presbyterian minister's son, and former pupil of Smith, Millar not only enthusiastically supported the American Revolution but later went so far as to justify Irish armed rebellion and their 'asserting their natural rights' against English imperial control while (again unlike the others) also bitterly criticizing the Americans' failure to free their slaves.⁸⁹ In December 1775, Hume warned his nephew against Millar's opinions at a time when he was carefully revising his own views. Millar might be right in principle that 'the republican form' of government is 'by far the best'. But in conceding this much Hume had in mind not democratic regimes but aristocratic republics. All the modern [aristocratic] republics in Europe—Venice, Lucca, Genoa, Berne, and Geneva—seemed to him 'so well governed, that one is at a loss to which we should give the preference'. 'But what', he asked, 'is this general subject of speculation to our purpose?' To him, republicanism was 'only fitted for a small state' and irrelevant to the British case. Any attempt to introduce the republican mode in Britain would 'produce only anarchy, which is the immediate forerunner of despotism'.⁹⁰ By the early 1770s Hume was disillusioned with key aspects of Britain's mixed monarchy, especially the House of Commons under Whig leadership, but yet could see no alternative.

⁸⁸ Bentham, *Fragment on Government*, 12.

⁸⁹ Millar, *Observations*, 223, 237, 241-2; Berry, *Social Theory*, 107.

⁹⁰ Mossner, *Life of David Hume*, 575; Stewart, *Opinion*, 282-3; Hume to David Hume the Younger, Edinburgh, 8 Dec. 1775, in Hume, *Letters*, ii. 306.

Increasingly gloomy in his last months, Hume supposed that one clear advantage of a republic 'over our mixt Monarchy, is' that it would 'considerably abridge our Liberty, which is growing to such an extreme, as to be incompatible with all government; such fools are they, who perpetually cry out Liberty: [and think to] augment it, by shaking off the monarchy.'⁹¹ Where Millar aspired to curb monarchy and aristocratic sway, and saw history as a natural not a providential progression gradually emancipating the lower orders, Hume, like Gibbon, intensely disliked the democratic tendency he discerned on all sides.⁹² The great limitation of his philosophy as a practical aid to civil society's advancement in the later eighteenth century was that his premisses afforded no theoretical ground not just for democratic republicanism but any broad reorganization of justice, politics, or morality, his philosophy assessing the validity of legal and moral systems on the basis of tradition and experience alone. The inconsistencies inherent in human life, and all moral and political systems, held Hume, are necessary to society.

Occasionally, his philosophy prompted Hume to defend usages scarcely any other Enlightenment theorist would support. The continuing use of the press-gang to supply men to the British navy was considered infamous in France and Holland and bitterly resented by some in England. But the practice remained deeply entrenched: 'this notorious infringement on the dearest rights of men, and . . . infernal blot on the very face of our immaculate constitution', as Wollstonecraft put it in 1790,⁹³ illustrated the tendency to prop up archaic, outmoded, and unjust structures with both popular support and the aid of Hume. With the pressing of seamen 'we continue a practice', admits Hume, 'seemingly the most absurd and unaccountable'; nevertheless, what matters, he reiterated, is not reason or principle but tradition, practice, and popular agreement. 'While this power is exercised to no other end than to man the navy, men willingly submit to it, from a sense of its use and necessity; and the sailors, who are alone affected by it, find nobody to support them, in claiming the rights and privileges, which the law grants, without distinction, to all English subjects.'⁹⁴ The press-gang violated the established liberties of Englishmen; yet here again principle must bow to what is in use, accepted, and popularly endorsed.

The *Histoire philosophique*, the most widely distributed of all radical texts in the late eighteenth century, a work well known in English translation, in Britain, Ireland, and America, pronounced English law the most irrational, entangled, contradictory, and chaotic corpus of law known to man.⁹⁵ Few in Britain would listen to such talk with anything other than furious indignation and loyalist scorn. But among the intellectually aware, here was a philosophical challenge, as Paine, Price, Priestley, Jebb, Bentham, Godwin, and Wollstonecraft well knew, impossible to ignore. Yet, Hume's thought created difficulty wherever fundamental legal reform was called for

⁹¹ Hume, *Letters*, ii. 306.

⁹² *Ibid.*; Sher, *Enlightenment*, 397; Garrett, 'Anthropology', 80–1, 86.

⁹³ Wollstonecraft, *Vindication of the Rights of Men*, 14; Mounier, *Considerations*, 47.

⁹⁴ Hume, *Essays*, 374–6.

⁹⁵ *Histoire philosophique* (1780), ix. 209.

since his philosophy inherently reinforces rather than questions the validity of actual usage. This stance, which led him to sanction the existing laws of marriage and approve of expectations of chastity being 'much stricter' regarding women than men,⁹⁶ ultimately could only aggravate the clash between moderate and radical positions with respect to all social, moral, political, educational, and legal issues. Despite their profound respect for each other as philosophers and each other's personalities, d'Holbach styling Hume 'a great man, whose friendship, I know to value as it deserves', the intellectual divide between Hume and his Parisian philosophical friends involved not just irresolvable disagreement but, at a certain level, lack of respect for the other's viewpoints.

Certainly, Hume was not always unwilling to oppose prevailing sentiment born of habit and existing usage in practical and moral affairs. There were exceptions, especially with regard to religious attitudes. His *Essay on Suicide* was to a slight degree 'daring', as it has been called despite remaining unpublished during his lifetime, so as not to cause offence, appearing only after his death under a codicil to his will releasing it for publication.⁹⁷ His text, suggesting suicide 'be no crime' and that 'both prudence and courage should engage us to rid ourselves at once of existence, when it becomes a burthen',⁹⁸ that is when pain and misery exceed any benefit life confers, provoked furious public as well as ecclesiastical indignation, beyond even his other writings questioning traditional religious views. Yet, here too, he conspicuously avoids explicit criticism of the existing law and social attitudes. Nor does he deplore the stigma, legal penalties, and disabilities with which sentiment and the law burdened the corpses, relatives, and financial estates of suicides. This lack of any wider reforming impulse amounts in fact to a profound theoretical difficulty anchored in the philosophical dilemmas implicit in Hume's attempt to explain how virtue can be in everyone's interest, and a public utility, when in his as in Smith's and Ferguson's thought, in essence virtue is conformity to a system of feelings, practice, and law centred on protecting property and prevailing notions.⁹⁹

Modern historical surveys of the Enlightenment often seem to suggest that Europe's judicial systems could be and were swiftly and almost painlessly reformed in the eighteenth century, as if this was just a question of ending judicial torture, modifying the harsh treatment of debtors and unmarried mothers, and a few other widely acknowledged defects, and as if there was widespread support for the proposed changes in society and among the legal profession. But the evidence strongly suggests otherwise. Significant sections of the Enlightenment, and Hume in particular, systematically undermined every overall approach to rationalizing the law, thereby drastically limiting the scope for legal reform. In the legal and moral sphere, it was neither public opinion, nor economic pressure, nor governments, and

⁹⁶ Hume, *Enquiry Concerning the Principles*, 100, 216; Dabhoiwala, 'Lust', 152.

⁹⁷ Hume, *Essays*, 577–8 n.; Langford, *Polite and Commercial*, 479.

⁹⁸ Hume, *Essays*, 588.

⁹⁹ Stewart, *Opinion*, 122, 176–7.

especially not—Foucault could not have been more mistaken here¹⁰⁰—magistrates or lawyers that acted as agents of change. The legal profession in fact contributed practically nothing to the reform programme anywhere in Europe. Rather it was philosophy itself—and especially *la philosophie moderne*—helped by the sheer accumulation of social difficulties and pressures (as distinct from public attitudes), that spread awareness of deficiencies and urged root and branch reform. This growing scope for action philosophy gained not owing to widespread support, for by and large this was scant, but rather because the legal systems of the age were so disfigured by outmoded usages and discredited intellectually that many government officials felt obliged to intervene if only on grounds of efficiency.

All sweeping legal reform programmes of the Enlightenment era stemmed from proposals drawn up by high-level officials, often acting in relative isolation and adopting solutions urged by 'philosophy' in response to long-standing social problems. This is plainly the case of Austria under Sonnenfels's and von Martini's guidance and also Prussia where there occurred, especially during the century's middle decades, perhaps the most concrete, sustained progress towards recasting the law, modernizing the penal code, and detaching ecclesiastical authority from ordinary justice. In Prussia, the key architects, apart from the king himself, were figures such as Samuel, Freiherr von Cocceji (1679–1755), one of Europe's leading voices urging abolition of judicial torture, son of a professor of politics and himself a professor and leading expert in natural law, and Philippe Joseph de Jariges (1706–70), the Huguenot *philosophe*, member of the Berlin Academy, and Spinoza and Bayle expert, who succeeded Cocceji as Prussian *Grosskanzler* [high chancellor], in 1754.¹⁰¹ The men of legal practice and long experience simply had nothing to do with it.

There may have been few regions where both judiciary and general public were so obdurately opposed to 'enlightened' reform as in the Austrian Netherlands and Habsburg Hungary,¹⁰² but the rejectionist reactions of the Belgian and Hungarian peoples in the late 1780s were really just extreme instances of the general response. Magistrates sometimes helped dismantle what 'philosophy' condemned as the most extreme aberrations. Thus, executions for witchcraft finally ended in those areas, notably Denmark, north-eastern Italy, and Bavaria, where they still occurred, because magistrates refused any longer to handle such cases. But here old-established practice was quashed because it had already been discarded in most countries and no one of any standing still defended the practice. Far more difficult and problematic was to reform entails, seigneurial rights, imprisonment for debt, civil divorce, the press-gang, laws of fornication, suppression of homosexuality, slavery, serfdom, and disabilities for religious minorities where powerful support for existing usages continued among the educated as well as the illiterate.

¹⁰⁰ Foucault, *Discipline and Punish*, 80–1.

¹⁰¹ Hubatsch, *Frederick the Great*, 194–6, 212–14.

¹⁰² Rousseaux, 'Doctrines criminelles', 230–5.

9

Scottish Enlightenment and Man's 'Progress'

1. SMITH, FERGUSON, AND CIVIL SOCIETY

A great philosopher, Hume was also part of a wider phenomenon. Scotland developed in the eighteenth century culturally and intellectually, as well as economically, with a vigour that nurtured a distinctive, local Enlightenment movement destined to exert a wide impact on both sides of the Atlantic and beyond. Geographically on Europe's fringe but central to the eighteenth-century transatlantic maritime system, the major cities—Edinburgh, Glasgow, and Aberdeen—of eighteenth-century Scotland and the universities had, by the century's second quarter, acquired an impressive network of reading societies, libraries, periodicals, lecture halls, museums, science cabinets, masonic lodges, and clubs. Together these formed a social and institutional basis for an enlightenment predominantly liberal Calvinist, Newtonian, and 'design' oriented in character which played a major role in the further development of the transatlantic Enlightenment overall.

The phenomenon was nothing if not part of a wider cultural adjustment and opening out of Scots society through a process of general reorientation towards the wider world. The Union (1707) with England proved a decisive catalyst politically and economically, in particular by enabling the Scots to share in every aspect of Britain's imperial expansion and trading system. This encouraged a rapid widening of horizons and, as Adam Smith and many others since emphasized, a vigorous expansion of commerce and industry.¹ Meanwhile, ending the Scots nobility's direct control of local politics and the processes of taxation and law lent at least a show of plausibility to what became a potent, abiding national myth, part truth, part fiction, that 'by the union with England, the middling and inferior ranks of people in Scotland gained a complete deliverance', as Smith expressed it, 'from the power of an aristocracy which had always before oppressed them'.² The betterment of society in this world was, in its main guidelines, more the precondition, frame, and accompanying context than goal of the Enlightenment in Scotland.

Scots thinkers generally repudiated Hume's universal scepticism but welcomed his delimiting of reason, applauding his adoption of commonly received sentiment as

¹ Smith, *Wealth of Nations*, i. 296–7.

² Ibid. ii. 547.