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Evnine, Simon.

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SIMON EVNINE

1.

AT THE BEGINNING of the nineteenth century, the Scottish philosopher Dugald Stewart described a philosophical method, called by him "conjectural history," the use of which he took to be distinctive of the philosophy of the latter half of the eighteenth century. Conjectural history is the practice, "when we are unable to ascertain how men have actually conducted themselves upon particular occasions, of considering in what manner they are likely to have proceeded, from the principles of their nature, and the circumstances of their external situation."[1] The employment of this method Stewart associates with those favorite eighteenth-century topics, the origins and progress of language, government, law, manners, religion, and the arts and sciences.[2]

Along with this method Stewart describes a substantive thesis, which he boldly says has "long been received as an incontrovertible logical maxim," namely: "That the capacities of the human mind have been in all ages the same, and that the diversity of phenomena exhibited by our species is the result merely of the different circumstances in which men are placed."[3] We can see why this thesis should be associated with the method of conjectural history. Conjectural history is a kind of triangulation. To conjecture about the progress of some human institution or activity, we have to fix two other

[1] Dugald Stewart, *Account of the Life and Writings of Adam Smith*, reprinted in Adam Smith, *An Inquiry into the Nature and Causes of the Wealth of Nations*, ed. E. G. Wakefield (London: Charles Knight & Co., 1843), lv.

[2] Stewart, *Dissertation: Exhibiting the Progress of Metaphysical, Ethical, and Political Philosophy, since the Revival of Letters in Europe*, in Stewart, *The Collected Works*, ed. Sir William Hamilton (Edinburgh: Thomas Constable & Co., 1854), 1: 70.

[3] Ibid., 69.

points: the external circumstances in which people are likely to have found themselves and human nature, in particular the nature of the human mind, at the relevant time. The method would be of little use if there were no way of ascertaining the nature of the human mind at a time other than through its cultural products, since the state of these cultural products is what is at issue in conjectural history. The simplest way of satisfying this requirement is to hold that the nature of the human mind is constant, since that would mean that we have only to look at ourselves to know what the human mind must have been like in ages past. Hence the method encourages acceptance of the thesis. (I am here only trying to spell out the logical, not the historical, connection between conjectural history and the belief in the uniformity of the capacities of the human mind. Probably, acceptance of the belief preceded, and encouraged, the use of the method.)

What we have, then, is a method and an accompanying thesis. Both seem to be relevant to Hume. Stewart explicitly associates the method with Hume. He writes that his term "conjectural history" "coincides pretty nearly in its meaning with that of *Natural History* as employed by Mr Hume," referring to Hume's *Natural History of Religion*.[4] We may, therefore, take this work as an example of conjectural history. In addition, there are many other places, particularly in his short essays, where Hume seems to be engaged in conjectural historical reflection on the arts, the sciences, government and laws.

As for the thesis, there are many places where Hume appears to affirm it explicitly. For example, "Mankind are so much the same, in all times and places, that history informs us of nothing new or strange in this particular."[5] Another statement comes at the beginning of the essay "Of the Populousness of Ancient Nations":

> In the flourishing age of the world, it may be expected, that the human species should possess greater vigour both of mind and body, more prosperous health, higher spirits, longer life, and a stronger inclination and power of generation. But if the general system of things, and human society of course, have any such gradual revolutions, they are too slow to be discernible in that short period which is comprehended by history and tradition. Stature and force of body, length of life, even courage and extent of genius, seem hitherto to have been naturally, in all ages, pretty much the same. . . . As far, therefore, as observation reaches, there is no universal difference discernible in the human species.[6]

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[4] Stewart, *Account*, lvi.

[5] *Enquiries concerning Human Understanding and concerning the Principles of Morals*, 3rd ed., ed. P. H. Nidditch (Oxford: Clarendon Press, 1975), 83.

[6] *Essays Moral, Political, and Literary*, ed. Eugene F. Miller (Indianapolis: Liberty Classics, 1987), 377–78.

The question of Hume's stance on the uniformity of human nature has been subject to much debate. Until recently, it was the received opinion that Hume, along with the rest of the eighteenth century, held that human nature was essentially unchanging and unaffected by historical circumstances. This is the position of Collingwood, who describes the Enlightenment view thus: "Human nature was conceived substantialistically as something static and permanent, an unvarying substratum underlying the course of historical change."[7] Hume rejected the substantialist idea of the self that promoted this view of human nature, but he "substituted for the idea of spiritual substance the idea of constant tendencies to associate ideas in particular ways, and these laws of association were just as uniform and unchanging as any substance."[8]

Recently, however, this interpretation of Hume has come under attack and a number of writers attribute to him a more flexible and historicist conception of human nature.[9] They point to those places in Hume's writings where he clearly recognizes differences between people of different times and cultures, and they show how Hume's historical and philosophical methodologies often presuppose a certain amount of diversity in human nature. Furthermore, passages such as those quoted above, which apparently assert the uniformity of human nature, are claimed to have very specific contexts and not to be intended as sweeping generalizations about human nature.[10]

Both sides in this debate find copious evidence for their views in the writings of Hume, and I don't doubt that each may represent a strand in the complex web of Hume's thought. The present essay will emphasize the historicist aspects of Hume's thought. But I would like to make a few remarks to locate what I am going to say in the context of this debate.

It seems to me that at least two ways in which one can reconcile the two

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[7] R. G. Collingwood, *The Idea of History* (Oxford: Clarendon Press, 1946), 82. For a more recent statement of this view see Christopher J. Berry, *Hume, Hegel and Human Nature* (The Hague: Martinus Nijhoff, 1982).

[8] Collingwood, *Idea of History*, 83.

[9] See, for instance, Duncan Forbes, *Hume's Philosophical Politics* (Cambridge: Cambridge University Press, 1975), ch. 4; Annette Baier, *A Progress of Sentiments* (Cambridge, Mass.: Harvard University Press, 1991), ch. 10; S. K. Wertz, "Hume, History, and Human Nature," *Journal of the History of Ideas* 36 (1975): 481–96; Richard H. Dees, "Hume and the Contexts of Politics," *Journal of the History of Philosophy* 30 (1992): 219–42.

[10] Against the thesis of uniformity, though not in the spirit of the historicist view of human nature, is the notorious footnote in the essay "Of National Characters": "I am apt to suspect the negroes, and in general all the other species of men (for there are four or five different kinds) to be naturally inferior to the whites. . . . Such a uniform and constant difference could not happen, in so many countries and ages, if nature had not made an original distinction betwixt these breeds of men" (*Essays Moral, Political, and Literary*, 629–30). Although Hume later excised "and in general . . . different kinds," there is no retrenchment of the natural distinction between breeds of men.

aspects of Hume's thought just noted have been mooted in the literature. The first way is to make a distinction between substantive uniformity and methodological uniformity.[11] The thesis of methodological uniformity is that "we assume that people are enough alike that we can say that their actions are predictable. . . . [T]o see them as members of a culture—*any* culture—we must assume that they meet certain minimum requirements of rationality. . . . But such requirements are rather weak; they do presuppose little content to their behavior."[12] Thus, mere methodological uniformity tells us very little about how people actually behave; it merely tells us, for instance, that we can expect all people to pursue what they find good, to act on their best judgment, and so on. Substantive uniformity, on the other hand, would give us a filled-in picture of what it is that all people generally do find good, what their best judgment is likely to be, and so on. We can reconcile the two strands in Hume's thought by saying that he subscribes to methodological uniformity but allows for diversity by rejecting substantive uniformity.

A second way of reconciling the two strands is offered by Duncan Forbes. He suggests that Hume's philosophy has two phases. "The principles of human nature are established 'from experiments and observations by induction' [quoted from Newton's] (*Opticks*) and are then applied to the concrete phenomena of man in society in which the general principles are modified by a variety of circumstances."[13] The first phase is thus constituted by Hume's "general psychology," which is "concerned with the function and mechanism" of the mind—for instance, the principles of the association of ideas. (It was these unvarying principles that Collingwood said were Hume's substitute for spiritual substance.) Forbes contrasts with this the "content of mind, which is various and supplied by social and historical circumstances."[14]

Hume's own discussions of uniformity and diversity, as well as the discussions of Hume found in the secondary literature, generally concern matters of morals, manners, sentiments and action; for example, arrogance and presumptuousness, a delight in liberty yet a submission to necessity, and a craving for employment are among those things asserted by Hume to be uniform among people.[15] As for instances of diversity, Hume cites, among other things, attitudes to sexual preference, duelling, and infanticide.[16]

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[11] This distinction is explicitly made by Wertz, "Hume, History, and Human Nature," who is followed by Dees, "Hume and the Contexts of Politics."

[12] Dees, "Hume and the Contexts of Politics," 226–27.

[13] Forbes, *Hume's Philosophical Politics*, 104.

[14] Ibid., 119.

[15] These three characteristics are referred to in the *Essays Moral, Political, and Literary*, 126, 188, and 300, respectively. Berry, *Hume, Hegel, and Human Nature*, 61–62, gives a useful and extensive list of attributes said by Hume to be universal.

[16] All of these are discussed in "A Dialogue," *Enquiries*, 334–35.

Such discussions may leave us wondering where, exactly, reason fits into the picture. Strictly speaking, for Hume, reason involves only the comparison of ideas and the inferring of matters of fact and existence, and these are governed by mechanistic psychological principles. They therefore fall in the domain of Forbes's first phase—they constitute (at least part of) the uniformity in human nature. Of course, there are other psychological principles, not concerned with the understanding, which are also universal—for instance, approving of what is good or useful to ourselves or others. But in any case, the diversity comes all on the side of motivation. Thus, even the advocates of diversity seem to agree that as far as reason is concerned, Hume does believe in uniformity.[17, 18]

On the other hand, the notion of reason may have a wider, more inclusive sense for Hume.[19] For instance, in an interesting footnote in which Hume attempts to explain "how it happens, that men so much surpass animals in reasoning, and one man so much surpasses another," we learn that, however much the operations of the understanding are common to all men, and even to animals, one mind can differ from another in attention, memory, observation, ability to comprehend a whole system of objects, the length of a chain of consequences it can pursue, the length of time before it runs into confusion of ideas, accuracy, subtility, haste, narrowness, and promptitude of suggesting analogies. Most importantly, Hume adds that the "great difference in human understandings" is affected by "books and conversation" which "enlarge much more the sphere of one man's experience and thought than those of another."[20]

If this wider notion of reason or the understanding includes the range of concepts available for use, as this last reference to "books and conversation" suggests, then obviously reason will not be uniform in all people, but extremely sensitive to historical circumstances, since the range of concepts people can employ depends on their historical and scientific experience. The interesting question, therefore, with regard to such an enlarged conception of

[17] It is not so obvious that the methodological uniformity/substantive diversity distinction makes reason come out on the uniform side. Dees cashes out the distinction thus: "we assume that the *structure* of human motivations remains the same, even when the *content* of those motivations is quite different" (227). This looks like it would put reason, in the narrow Humean construal, on the uniform side. But we would need a better understanding of "the structure of human motivations," to be sure.

[18] It has been argued that even the mechanistic principles of the understanding are held by Hume to have an evolutionary history of their own. See Tito Magri, "The Evolution of Reason in Hume's *Treatise*" (as yet unpublished). Whether the evolutionary development discussed by Magri coincides with the development of reason I argue for in the text, or whether it should be understood as an independent and prior development seems an open question.

[19] See, for instance, Annette Baier, *A Progress of Sentiments*, ch. 12.

[20] *Enquiries*, 107.

reason, would be not "Is it historical?" but "How much of it is subject to historical development? Which concepts and ideas require a certain historical context, and which are available to anyone?"

What I want to argue for in this paper is that, in at least two cases—his discussions of the temporal precedence of polytheism over monotheism and of the origins of civil society—we see Hume consigning to historical development certain aspects of reason which, as a comparison with Locke will show, have sometimes been held to be uniform.[21] In the first of these cases Hume has recourse to claims about the general historical development of human thought. In the second case, the origin of the civil institution of justice and government is not linked directly to external circumstances and the principles of human nature, as it is in contractarian theories, but makes a detour through the historical acquisition of certain concepts.

Because Hume's position does not conform in any simple sense to Stewart's incontrovertible logical maxim that the capacities of the human mind have been the same in all ages, Stewart's account of the method of conjectural history is, in any simple sense, inadequate as a description of Hume's practice. I say "in any simple sense" because if we take "the different circumstances in which men are placed" broadly enough, to mean not just physical environment and other natural constraints, but to include also the context of human institutions, then it might be possible to read off from their description an account of the state of development of the people who find themselves in that context.[22]

This method in itself would be innocuous, but it would hardly count as *conjectural* history when it relied on historical evidence about just the kind of institutions which are the objects of conjectural history. Hume himself seems to realize that in *The History of England* he is doing something quite different from conjectural history both in terms of interest ("the adventures of barbarous nations, even if they were recorded, could afford little or no entertainment to men born in a more cultivated age. The convulsions of a civilised state usually compose the most instructive and most interesting part of its history") and in terms of method ("we shall briefly run over the events which attended

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[21] It is interesting to note that, at a time when he was evidently reading Hume's *Natural History of Religion*, as well as the chapter on the reason of animals quoted in the text, Darwin was led to associate with Hume the idea that the origin of reason was a gradual development. See *Metaphysics, Materialism, and the Evolution of Mind: Early Writings of Charles Darwin* (Chicago: University of Chicago Press, 1974), 88, quoting Darwin's N Notebook, p. 101.

[22] Thus, for example, in his *History of England*, Hume infers from "the authentic monuments which remain of the ancient Saxon law" that "[s]uch a state of society was very little advanced beyond the rude state of nature" (from chapter 23, quoted in *David Hume: Philosophical Historian*, ed. David Fate Norton and Richard Popkin [Indianapolis: The Bobbs-Merrill Company, Inc., 1965], 146).

the conquest made by [the Roman] empire . . . we shall hasten through the obscure and uninteresting period of Saxon annals: and shall reserve *a more full narration for those times when the truth is both so well ascertained and so complete* as to promise entertainment and instruction to the reader").[23]

To employ a method which attempts to read off the state of a civilization from the state of its institutions with respect to events and eras for which there is no historical evidence, such as the beginnings of civil society, we would clearly need some general conception of what kinds of institutions are likely to flourish at what times, and in what order they are likely to progress. This conception of the development of civilization and the development of the mental capacities that follow in its wake we shall see at work in Hume's discussion of the rise of monotheism. It takes the place, in Hume's version of conjectural history, of Stewart's incontrovertible logical maxim that the capacities of the human mind have been the same in all ages. That does not necessarily mean that Hume cannot be credited with any substantive commitment to the uniformity of human nature. As I have said, Hume's views on this issue are highly complex. But it does mean that, in the practice of conjectural history, we should not look for the presence of this commitment, as Stewart suggests, but rather for the use of a different, though equally ideological, principle concerning the development of civilization and the mind.

2.

The method of conjectural history is to draw conclusions about the "origin" and/or "progress" of some human endeavor by reasoning from the circumstances in which people found themselves, and the nature of their minds. In the case of *The Natural History of Religion*, one of the conclusions Hume wishes to establish is that all mankind were originally polytheists. This seems a good example of the kind of conclusion which conjectural history might want to establish. Let us look at how Hume attempts to do this. First he asserts that "as far as writing or history reaches, mankind, in ancient times, appear universally to have been polytheists."[24] That is, no actual historical records contradict his conclusion.[25] The next thing to be established is that,

[23] Chapter 1, quoted in ibid., 111–12 (italics mine).

[24] *The Natural History of Religion*, ed. H. E. Root (Stanford: Stanford University Press, 1956), 23.

[25] This in itself is presented in a rather odd way. For Hume says that "[i]t is a matter of fact incontestable, that about 1,700 years ago [i.e., about 50 A.D.] all mankind were polytheists" (23). His disclaimer that "[t]he doubtful and sceptical principles of a few philosophers, or the theism, and that too not entirely pure, of one or two nations, form no objection worth regarding" seems hardly adequate to account for the already established existence of Christianity and the antiquity of the Jews. However, these need constitute no problem for Hume's general thesis here, since we can suppose that historical record reaches back past the origins of both these religions.

prior to the time covered by extant historical record, it is equally true that polytheism always preceded monotheism. It is precisely here that the practice of *conjectural* history is required. If Hume could show that given only his environment and his nature, early man would naturally develop polytheism before monotheism, that would be interesting indeed. However, this is not what he does. Instead, he argues as follows: "Shall we assert, that, in more ancient times, before the knowledge of letters, or the discovery of any art or science, men entertained the principles of pure theism? That is, while they were ignorant and barbarous, they discovered truth: But fell into error, as soon as they acquired learning and politeness."[26] The natural response to this argument is to ask for some reason why one should not make the assertion Hume admonishes us not to make. The question would be a good one in any case, but is even more pressing if one held, as many people did prior to Hume, that it was precisely before the knowledge of letters and the discovery of arts and sciences that men were closest to the truth (see the appendix to this paper).

The reasons Hume explicitly gives for why we should not assert that, while they were ignorant and barbarous, men discovered truth, but fell into error as soon as they acquired learning and politeness are that, in making such an assertion, we "not only contradict all appearance of probability, but also our present experience concerning the principles and opinions of barbarous nations."[27] In the first of these reasons, we surely see an allusion to the assumption about the likely order and progress of human development that I referred to at the end of the previous section. This becomes explicit when Hume talks of the "natural progress of human thought" and claims that "the mind rises gradually, from inferior to superior."[28] Hume advances a thesis about the historical progress of the human mind to demonstrate that "savages" cannot attain the truth in advance of civilized man.

Hume does indeed allow that Adam "rising at once, in paradise, and in the full perfection of his faculties, would naturally, as represented by Milton, be astonished at the glorious appearances of nature . . . and would be led to ask, whence this wonderful scene arose."[29] That is, Adam would be affected by the argument from design and led by it to a monotheistic position without first having held a polytheistic one. But Hume, in rather condescending terms, contrasts this Adam, whose significance in any case he marginalizes by the

[26] *The Natural History of Religion*, 23.
[27] Ibid., 23.
[28] Ibid., 24.
[29] Ibid.

association with the poetic work of Milton, with what he obviously takes to be the reality:[30]

> But a barbarous, necessitous animal (such as man is on the first origin of society), pressed by such numerous wants and passions, has no leisure to admire the regular face of nature. . . . [A]n animal, compleat in all its limbs and organs, is to him an ordinary spectacle, and produces no religious opinion. . . . Ask him, whence that animal arose; he will tell you, from the copulation of its parents. And these, whence? From the copulation of theirs. A few removes satisfy his curiosity, and set the objects at such a distance, that he entirely loses sight of them. Imagine not, that he will so much as start the question, whence the first animal; much less, whence the whole system, or united fabric of the universe arose. Or, if you start such a question to him, expect not, that he will employ his mind with any anxiety about a subject, so remote, so uninteresting, and *which so much exceeds the bounds of his capacity.*[31]

We should set beside this paragraph another from Part III of the *Dialogues concerning Natural Religion,* which contains an almost *verbatim* duplication of part of the passage just quoted:

> [Cleanthes to Philo:] It sometimes happens, I own, that the religious arguments have not their due influence on an ignorant savage and barbarian; not because they are obscure and difficult, but because he never asks himself any question with regard to them. Whence arises the curious structure of an animal? From the copulation of its parents. And these whence? From *their* parents. A few removes set the object at such a distance, that to him they are lost in darkness and confusion; nor is he actuated by any curiosity to trace them farther. But this is neither dogmatism nor scepticism, but stupidity; a state of mind very different from your sifting, inquisitive disposition, my ingenious friend. You can trace causes from effects: You can compare the most distant and remote objects: And your greatest errors proceed not from barrenness of thought and invention, but from too luxuriant a fertility, which suppresses your natural good sense, by a profusion of unnecessary scruples and objections.[32]

These two passages, taken together, forge a link between lack of civilization (being barbarous and necessitous and therefore lacking leisure to contemplate the design of nature), limited intellectual capacity, and stupidity. Furthermore, the end of the second passage implies something about what this stupidity consists in: an inability to trace causes from effects and to compare remote and distant objects, as well as barrenness of thought and invention. These parameters call to mind the footnote from the *Enquiry* chapter on the reason of animals, where Hume lists the ways in which one person can reason better than another. In particular, the inability to trace causes from effects, the speed

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[30] See Baier, *A Progress of Sentiments,* 227–28, on how the account of the origins of justice, in Book III of the *Treatise,* inverts the Genesis story of creation and the fall from grace.

[31] *The Natural History of Religion,* 24–25 (italics mine).

[32] *Dialogues concerning Natural Religion,* ed. Norman Kemp Smith (Oxford: Clarendon Press, 1935), 192.

with which a few generations satisfy the savage's curiosity and set the objects at such a distance, evokes "the length of a chain of consequences [a mind] can pursue"; while "barrenness of thought and invention" parallels "narrowness, and promptitude of suggesting analogies." (The argument from design is, after all, an argument by analogy.)

It might be objected that these passages cannot be evidence that Hume has any concept of the development of reason on the grounds that he holds that this subject, the design of nature, equally exceeds the bounds of the capacity of civilized people. In other words, Hume's reference to the savage might be an ironic way of emphasizing the limitedness of our own minds.

This is a complex issue. It is true that the purpose of *The Natural History of Religion* is to show the "origin [of religion] in human nature" as opposed to its "foundation in reason."[33] So, according to that work, even though civilized people do come to believe in a single deity, they are not influenced by the argument from design any more than the savage is. And to know to what extent Hume thought the argument from design ought to carry rational conviction, for us and the savage, we would have to tackle the *Dialogues concerning Natural Religion.* This is a notoriously slippery work, and although Cleanthes, the speaker of the above-quoted passage and the advocate of the argument from design, is pronounced the winner at the end, there is good reason to think that his views are not those that Hume would endorse. If so, the savage's indifference to an argument which Hume might consider bad, for a conclusion with which he might disagree, should hardly be seen as a put-down of the savage's intelligence.

Nonetheless, as I hope I have shown by the comparison with the chapter on the reason of animals, there is too much continuity between these passages and the rest of Hume's philosophy for us to dismiss them as merely ironical. Whatever the pretensions of contemporary metaphysicians and dogmatists, Hume seems firmly convinced of the advantages of civilization. The passages at which we have just looked should, therefore, be taken to indicate that the savage's reason is inferior to that of civilized people.

To conclude this section, let us contrast with Hume's position that of Locke. In the early work *Essays on the Law of Nature,* Locke writes that "there is nowhere a nation so uncivilized and so far removed from any culture as not to rejoice in the use of the senses and not to surpass brute animals in the use of reason and the faculty of arguing. . . . In fact, all men everywhere are sufficiently prepared by nature to discover God in His works, so long as they are

[33] *The Natural History of Religion,* 21.

not indifferent to the use of these inborn faculties and do not refuse to follow whither nature leads."[34]

In the *Essay concerning Human Understanding*, though not there discussing the argument from design, Locke also affirms that, despite the fact that the idea of God is not innate, since God has "furnished us with those Faculties, our Minds are endowed with, he hath not left himself without witness: since we have Sense, Perception, and Reason, and cannot want a clear proof of him, as long as we carry our selves about us."[35] Locke does not here suggest that being "barbarous and necessitous," that is, not enjoying culture and civilization, should impair one's ability, or even one's tendency, to acknowledge the existence of God.[36]

3.

As a second example of the complications of Hume's methodology, an example which permits an extended comparison with Locke, let us turn to Hume's criticism of Locke's views on the social contract and his own views on the origins of justice and civil society. What is Hume's objection to the Lockean theory of the original contract? In his essay "Of the Original Contract," and in the relevant passages in the *Treatise*, Hume gives a famous argument against the idea that the authority of government is founded on the promises of the people. Hume thinks that we start with a question, "Why obey the government?" and expect to answer it with, "Because we have promised to." But this immediately raises the question, "Why keep our promises?" The answer Hume envisages is that the "interests and necessities of human society" require that we do. But this answer will do just as well as an answer to the original question about obedience to the government. Hence, the notion of promising, or contracting, is otiose.

I shall not look at this argument, which has received due attention in all treatments of the subject. For there is, it seems to me, another line of argument, an argument from reason, which has been less noticed, but which is of some considerable interest to us in the present context.[37]

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[34] *Essays on the Law of Nature*, ed. W. von Leyden (Oxford: Clarendon Press, 1954), 155.

[35] *An Essay concerning Human Understanding*, ed. P. H. Nidditch (Oxford: Clarendon Press, 1975), IV, x, 1.

[36] Against this, C. B. Macpherson, *The Political Theory of Possessive Individualism* (Oxford: Oxford University Press, 1962), 194–262, argues that although Locke held people to be equally rational by nature, a difference in rationality between people "was acquired in the state of nature; it was therefore inherent in civil society. . . . [I]t was the concomitant of an order of property relations which Locke assumed to be the permanent basis of civilized society" (246).

[37] The argument is not noticed in Forbes, *Hume's Philosophical Politics;* David Miller, *Philosophy and Ideology in Hume's Political Thought* (Oxford: Clarendon Press, 1981); or P. F. Brownsey, "Hume and the Social Contract," *Philosophical Quarterly* 28 (1978): 132–48. J. W. Gough, in *The*

Although mentioned only briefly, it seems to me that a crucial part of Hume's objection to Locke comes when he writes: "No compact or agreement, it is evident, was expressly formed for general submission; an idea far beyond the comprehension of savages."[38] Hume is arguing that we cannot look for the origins of government in original contracts because, in the state of nature, men would not have been able to understand the idea of such a contract. Since presumably Hume would not hold that they could have the idea but fail to understand it, he must mean that in the state of nature, men in some sense could not have the idea of such a contract.[39]

Locke's theory clearly requires that it makes sense to think of people forming a contract prior to the beginning of the civil society the contract is supposed to found. Indeed, Locke explicitly indicates that this must have been so: "it is evident, that in the beginning of Languages and Societies of Men, several of those complex *Ideas*, which were consequent to the Constitutions established amongst them, must needs have been in the Minds of Men, before they existed anywhere else; and that many names that stood for such complex *Ideas*, were in use, and so those *Ideas* framed, before the Combinations they stood for, ever existed."[40] In other words, a certain

Social Contract (Oxford: Clarendon Press, 1936), notices it *en passant;* cf. 174–75. The only extended reference to it which I have come across is in Berry, *Hume, Hegel, and Human Nature,* 115–19. Berry quotes both the material on the social contract and that from *The Natural History of Religion* as possible evidence that Hume did believe in a historicist conception of human nature, but rejects that interpretation of them, arguing that to take them that way, we would need "some explicit evidence somewhere that Hume was sensible of such a conception as the 'primitive mind'. But, there is no qualitative concept of the 'primitive' in Hume" (118). In response to this, it seems to me a) that we do not need explicit evidence to credit Hume with a merely implicit historicism; b) that an interesting concept of the primitive might be quantitative as well as qualitative; and c) that there is, as I hope I am showing in this paper, some explicit evidence for at least such a quantitative concept of the primitive in Hume.

[38] *Essays Moral, Political, and Literary,* 468.

[39] Hume's criticism was echoed by later British philosophers. William Paley, for instance, writes, in terms almost identical to Hume's: "No social compact . . . was ever made or entered into in reality; no such original convention of the people was ever actually held, or in any country could be held, antecedent to the existence of civil government in that country. It is to suppose it possible to call savages out of caves and deserts, to deliberate and vote upon topics, which the experience, and studies, and refinements of civil life alone suggest" (*The Principles of Moral and Political Philosophy* [London, 1821], vi, sect. 3, p. 318). Continuing in the same tradition, the jurist John Austin wrote: "Most, or many . . . of the members of the inchoate society could not have been parties, as promisors or promisees, to a tacit original covenant. For they could not have conceived the object with which, according to the [social contract] hypothesis, an original covenant is concerned; and could not have signified in any way an intention which they were not competent to entertain" (*Lectures on Jurisprudence* [New York: James Cockcroft & Co, 1875], sect. 319, p. 197).

[40] *Essay,* II, xxii, 2. Peter Laslett, in the important Introduction to his edition of Locke's *Two Treatises of Government* (Cambridge: Cambridge University Press, 1988), contrasts the innatism of

requirement on the intellectual capacities of the alleged contractors is made.

That Locke in general is prepared to extend to "savages" the same intellectual powers that he attributes to civilized people is clear and explicit. He speaks of "the ancient savage Americans, whose natural endowments and provisions come no way short of those of the most flourishing and polite nations,"[41] and asserts that "he that will look into many parts of Asia and America will find men reason there perhaps as acutely as himself, who yet never heard of a syllogism."[42] He is, therefore, quite prepared to attribute to men in the state of nature the intellectual ability to form contracts, something which Hume seems to deny. The idea of a contract is not, for Locke, something "far beyond the comprehension of savages."

Bentham, who agreed with Hume's criticism of the social contract theory, expresses very well his recognition that Locke is not influenced by those considerations which Hume advances against the theory. He says: "According to Locke's scheme, men knew nothing at all of governments [i.e., they had no actual experience of government] till they met together to make one. Locke had speculated so deeply, and reasoned so ingeniously, as to have forgot that he was not of an age when he came into the world. Men according to his scheme come into the world full grown."[43] Bentham is here claiming that Locke attributed to the species itself no intellectual childhood. The sense in which Locke's scheme supposes that "men came into the world full grown" is

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the *Second Treatise* with the empiricism of the *Essay* and, in suggesting that the epistemology of the *Essay* in no way underlies the views on natural law in the *Two Treatises*, claims that "to call [the *Two Treatises*] 'political philosophy', to think of [Locke] as a 'political philosopher', is inappropriate. He was, rather, the writer of a work of intuition, insight and imagination, if not of profound originality, who was also a theorist of knowledge" (86). And, of course, if one turns to the *Two Treatises*, one can find some very obvious support for the view I am attributing to Locke, and which Hume is attacking; for example: "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 equal and independent, no one ought to harm another in his Life, Health, Liberty, or Possessions" (*Second Treatise* 6, p. 271). The identification of the law of nature with reason, and the assertion that reason is capable of teaching substantive results to anyone, even in the state of nature, is just the sort of thing Hume wants to deny when he claims that the idea of a contract was "far beyond the comprehension of savages." In view of the controversy over the relation of the *Two Treatises* to the *Essay*, I note, therefore, that all but one of my citations from Locke (excluding the present footnote) come from the *Essay*. I regard this as some evidence that the two works are not as far apart as has been suggested.

[41] *Essay*, IV, xii, 11.

[42] Ibid., IV, xvii, 4. But see footnote 36 above.

[43] University College MS 100, quoted in E. Halévy, *La Formation du Radicalisme Philosophique* (Paris: F. Alcan, 1901–4), 3: 418–20. This piece by Bentham is not included in the English translation of Halévy.

that it treats people in the state of nature as the intellectual equals of people from fully grown, i.e., flourishing and polite, societies.[44]

I turn now to Hume's positive views about the origins of justice. For Hume, the chief reason for the institution of justice is the scarcity of natural resources, the egoism of people, and the instability consequent on these. He says: "In vain shou'd we expect to find, in *uncultivated nature,* a remedy to this inconvenience. . . . The remedy . . . is not deriv'd from nature, but from *artifice;* or more properly speaking, nature provides a remedy in the judgment and understanding, for what is irregular and incommodious in the affections."[45] This suggests that the account Hume is about to give will conform to Stewart's characterization of conjectural history. The external circumstances, in this case lack of resources, combined with human nature, here egoism and—most importantly for Hume in this context—the judgment and understanding, will somehow explain the origins of justice.

But in fact, Hume is not entirely accurate in this description of what he is doing. Nature, as we shall see, does not provide the remedy of justice *directly.* The understanding can only offer a solution to the instability created by scarcity of resources and egoism after natural affections have established a certain kind of incipient society. The origins of justice are historical and a development of the understanding is essentially implicated in this history.

The virtue of justice, an institution which prevents instability arising from the scarcity of resources by imposing laws and conventions, would, in Hume's words, "never have been dream'd of among rude and savage men."[46] The understanding, in other words, could not offer the institution of justice as a solution to strife to people in the state of nature because, in that state, people would not have been able to conceive of justice. (This claim is analogous to what we have seen Hume saying about the idea of the social contract, and the idea of a single Creator.) Something must intervene between the state of nature and civil society, and that something must be reachable from the state of nature. What intervenes, according to Hume, is the microcosmic society based on the family.

> In order to form [civil] society, 'tis requisite not only that it be advantageous, but also that men be sensible of its advantages; and 'tis impossible, in their wild uncultivated state, that by study and reflexion alone, they should ever be able to attain this knowl-

[44] This seems to have been a not uncommon, and explicit, presupposition of contractarian thinking at the end of the seventeenth century. See, for instance, the description of William Atwood's views on p. 495 of M. Thompson, "Reason and History in Late Seventeenth-Century Political Thought," *Political Theory* 4 (1976): 491–504.

[45] *Treatise of Human Nature,* ed. P. H. Nidditch (Oxford: Clarendon Press, 1978), III, ii, 2, pp. 488–89. All the following citations are from this section.

[46] Ibid., 488.

edge. Most fortunately, therefore, there is conjoin'd to those necessities, whose remedies are remote and obscure, 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.[47]

After this natural, rather than artificial, appetite has brought about the institution of the family, the family itself serves for the understanding as an exemplar. It is therefore a crucial stage between the state of nature and civil society.

When men, from their early education in society [i.e., the familial society], have become sensible of the infinite advantages that result from it, and have besides acquir'd a new affection to company and conversation; and when they have observ'd, that the principal disturbance in society arises from those goods, which we call external . . . they must seek for a remedy, by putting those goods, as far as possible, on the same footing with the fix'd and constant advantages of the mind and body. This can be done after no other manner, than by a convention enter'd into by all the members of the society to bestow stability on the possession of those external goods.[48]

The family, instituted by the natural appetite between the sexes, serves to provide the experience which, for Hume, is necessary to enable the understanding to institute, by convention ("a general sense of common interest"[49]) rather than by explicit promise, civil society and justice.

This invocation of convention also provides the setting for Hume's scant discussion of the origins of language. Just as justice arises, by convention and not by contract, from the mutual perceptions of common interest, "[i]n like manner are languages gradually establish'd by human conventions without any promise."[50] Annette Baier shows that since the effectiveness of the rules of property requires the ability to stigmatize violators, and hence requires the presence of language, their establishment cannot precede the development of language. But nor do we need to suppose that language was fully developed before civil society got going. "The conventions of a shared native language could grow up at the same time as property conventions."[51] If one accepts the idea that linguistic ability goes hand in hand with mental ability, this intertwining of Hume's separate accounts of the origins of justice and language would make a strong case for the view that Hume also held a developmental view of mental capacities.

This naturalist, or realist, account of Hume's theory of the origins of justice may be thought to conflict with certain other things Hume says. For

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[47] Ibid., 486
[48] Ibid., 489.
[49] Ibid., 490.
[50] Ibid., 490.
[51] Baier, *A Progress of Sentiments*, 230–31.

instance, he claims that if the establishment of justice as a means of preserving order is "simple and obvious," as he thinks it certainly is to people living in families, then " 'tis utterly impossible for men to remain any considerable time in that savage condition, which precedes society; but . . . his very first state and situation may justly be esteem'd social."[52] In other words, we are not supposed to imagine a real stretch of time in which people were gradually developing the conventions of property rules or the conventions of language. In a similar spirit, he goes on to say that "this *state of nature,* therefore, is to be regarded as a mere fiction, not unlike that of the *golden age,* which poets have invented."[53]

The view that man's "very first state and situation" is social seems to preclude the idea that people reached this social situation through a gradual development of the institution of the family and the attendant conceptual development that accompanies it and enables them to institute the rules of property. But whether we take Hume's account naturalistically or merely as a rational reconstruction, the point is that he has recourse to a two-stage process. In the state of nature, the understanding could not conceive of justice. This is an idea "far beyond the comprehension of savages." The understanding is only sufficiently developed to allow us to institute the necessary conventions when nature, in the guise of the affection between the sexes, has presented the understanding with enough empirical material to enable it to find the answer of justice to the problems of instability. So, as in the case of *The Natural History of Religion,* conceptual capabilities which Locke unproblematically attributes to people in the state of nature, people about whose state of cultural development no suppositions are made, are by Hume given their own history. This means they cannot be attributed to all people regardless of their state of cultural development.

APPENDIX

Locke's ahistorical theory of the social contract was not elaborated against a developmental view of human thought, but if anything, against a degenerationist view. Filmer, against whose theories the *Two Treatises of Government* were directed, held that the first man, Adam, had had a special right to govern which could not be superseded by anyone coming later. Against this, Locke argued that all people shared the same power of establishing a government through their consent.

The contrast between degenerationist and developmental accounts of human reason can be seen especially clearly if we turn to thought about the origin of language. Language was one of the most obvious and popular sub-

[52] *Treatise,* 493.
[53] Ibid.

jects for conjectural history in the eighteenth century. Government, arts, sciences, religion, and so on, all presuppose the existence of language, and hence any attempt to answer the question of their beginnings was liable to address the question of the origin of language. We have seen how language can even be seen as playing a role in Hume's account of the origins of justice.

It has been argued that Locke's own work on language was directed against a tradition of language-mysticism which held, roughly, that there had been an original language, knowledge of which could provide a key to knowledge of the world.[54] This Adamic language had once been known but, at the fall of the Tower of Babel, knowledge of it had either disappeared or become confused. With such a view was also associated the idea that some words are not conventional but have a natural relation to the things they denote. Adam, as related in *Genesis* (2,19), had given names to the animals and it was assumed that he had given them their proper names. The names that we now give to them are thus, in some sense, inferior *qua* names.

Against this picture, Locke emphasized our present linguistic freedom and authority. "The same liberty . . . that Adam had of affixing any new name to any Idea; the same has anyone still."[55] Adam's position with regard to language is thus no different from his position with regard to governmental authority. He may have been the first namer and ruler, but this does not accord him any special status. We can, at any subsequent time, establish rights of government, and call things what we want. In neither case need our performances be in any way deficient.

Developmental and degenerationist accounts of human intelligence also appear in the two places where Dugald Stewart discusses conjectural history, both of which were referred to at the beginning of this paper. One place is in his account of Adam Smith's *Considerations concerning the First Formation of Languages;* the second occurs in an account of certain views of Francis Bacon.[56] Coincidentally or not, the arguments of Bacon and Smith provide a striking contrast.

The passage from Bacon, in his discussion of which Stewart describes the thesis that the capacities of the human mind have been in all ages the same as an "incontrovertible logical maxim," is as follows: "(however we may flatter ourselves with the idea of our own superiority,) . . . the human intellect was

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[54] By Hans Aarsleff, in *From Locke to Saussure* (London: Athlone, 1982), 42–78, and *Language, Man and Knowledge in the Sixteenth and Seventeenth Centuries* (unpublished MS of lectures given at Princeton University, 1964).

[55] *Essay,* III, vi, 51.

[56] The first is in the *Account* and the second in the *Dissertation.* See the references in notes 1 to 4 above.

much more acute and subtile in ancient, than it now is in modern times."[57] Bacon's reason for asserting this is that older languages contain inflections where more modern ones tend to substitute prepositions and pronouns, auxiliary verbs, and so on. Inflections, he thinks, require greater intelligence to be used, and he therefore concludes that the ancients must have been cleverer than we are.

Adam Smith's *Considerations concerning the First Formation of Languages* was the work in connection with which Stewart first introduced the expression "conjectural history." In this work, Smith claims that the efforts of abstraction and generalization required to use pronouns and prepositions are greater than those required to use inflections, and he infers from this that it is natural that earlier languages have inflections where modern ones replace them with prepositions, pronouns, and so on. He holds a similar view about adjectives: "The different mental operations, of arrangement or classing, of comparison, and of abstraction, must all have been employed, before even the names of the different colours, the least metaphysical of all nouns adjective, could be instituted. From all which I infer, that when languages were beginning to be formed, nouns adjective would by no means be the words of earliest invention."[58] This argument, to be cogent at all, clearly requires an additional premise to the effect that the powers of abstraction and generalization available to people have increased with time. Languages without inflections and with adjectives, requiring greater amounts of abstraction and generalization, must be more recent because speakers would not have had the necessary powers of abstraction and generalization to use such languages too long ago.

It is unlikely that Stewart, in proposing his incontrovertible logical maxim in the context of Bacon's argument that the powers of the human mind had declined, could have failed to make the comparison just noted between Bacon's view and that of Adam Smith. If so, we should be warned that, whatever exactly Stewart meant in saying that the capacities of the human mind have been in all ages the same, he did not mean it to rule out some kind of developmental picture of the powers of the human mind.[59]

University of California, Los Angeles

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[57] See Stewart, *Dissertation*, 68–69. The quotation from Bacon is from *De Augmentis Scientiarum*, vi, 1. (It does not appear in the English version *Of the Advancement of Learning*.) Stewart stresses that the view expressed here is contrary to Bacon's usual view on this issue.

[58] Adam Smith, *Lectures on Rhetoric and Belles Lettres*, ed. J. C. Bryce (Oxford: Clarendon Press, 1983), 207.

[59] I would like to thank Hans Aarsleff, Michael Jacovides, Gio Pompele, Andrews Reath, Houston Smit and the referees for this journal for helpful comments on earlier versions of this essay.