

# SIN, SCEPTICISM AND THE FOUNDATIONS OF SCOTTISH POLITICAL THEORY

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[Note: In every sense, what follows is a working paper. It is to be read not as a draft for a published work, but as an attempt to think through an on-going project. The nature of the project (a discussion of Scottish political theory of the reformation-to-enlightenment period) is explained in my paper's opening pages. The paper outlines, in a provisional fashion, a conceptual basis on which an account of Scottish political theory may rest.]

The aim of the present paper is to establish a conceptual framework for a longer work. The work concerns the history of Scottish political theory between, roughly, 1560 (the year when the Reformation Parliament abolished papal authority in Scotland) and 1776 (the year when Adam Smith's *Wealth of Nations* appeared). I take 1776 to be a date loosely representative of the Scottish Enlightenment's high tide.

Between these dates, I seek to tell the story of how a specific issue was debated. The issue is that of the foundation upon which normative (moral and political) judgements rest. The issue of normative foundations is, I consider, a central one in Scottish social and political theory during the reformation-to-enlightenment period. Because the issue is central, an account of its history sheds light on how the general history of Scottish social and political theorising may be seen.

Why select for study the span of time between 1560 and 1776? My answer is that the period is one of massive change in Scottish society and politics. My further answer is that the span of time is (I hope) short enough to be manageable and long enough for changes and continuities in the period to appear.

What is distinctive about my discussion of the 1560-1776 period? Scottish intellectual history from the Reformation onwards is the subject of an enormous scholarly literature – and this literature is steadily growing. My contribution to it is to tell in what I hope is a connected manner a story that is frequently divided up into parts. The *connectedness* of my story lies in the circumstance that, I claim, a specific issue – that of the foundation of moral judgements – remains in focus during both pre-enlightenment and enlightenment sections of my period. At different times between 1560 and 1776, writers propose different – radically different – answers to questions about how normative foundations may be seen. These comments on connectedness are, to be sure, over-schematic because my account attempts to do justice not merely to differences in answers given but to differences in the form that, in the course of the 1560-1776 period, questions concerning normative foundations take.

In the final section of the present paper, I comment briefly on specific answers returned by Scottish theorists to foundational questions; and I suggest ways in which, between 1560 and 1776, questions asked about foundations changed. Here, however, I stand back from discussion that summarises my account of the period in greater or lesser detail. The sections of the paper which follow explore general issues that underlie more specific claims. In sections 1 and 2, below, the issues are conceptual. Sections 3 and 4 engage with the history of ideas.

### *1. What counts as a “foundational” question?*

A foundational question about a phenomenon is (we may say) a question about the basis or ground upon which the phenomenon stands. The question is answered when the basis or ground is identified. Such statements about foundational questions remain, however, metaphorical; and the metaphorical terms – *basis*, *ground* and the term *foundation* itself – are frequently understood with reference to one another. A purely metaphorical

understanding of the notion of foundations tends to tread a vicious circle. This said, my initial statements give a rough and intuitive understanding of the sort of thing (if “thing” is the right word) that a philosophical foundation is. In what follows, I try to move beyond metaphors whilst retaining something of the force that metaphorical expressions possess.

At the outset of an account of “foundations”, a difficulty must be confronted. What sorts of phenomena have foundations, in the sense of the term which concerns us here? Two sorts of phenomena suggest themselves: foundational questions may be raised about truth claims and/or they may be raised about claims concerning normative value. My discussion of Scottish writers concentrates on the latter sort of claim. Questions concerning truth claims are mainly (although not entirely) set aside.

Behind these comments on truth claims and/or value claims there lurks, however, the difficulty to which I refer. Once confronted it is, I hope, a difficulty that may be sidestepped. If truth claims and value claims are the subject-matter of foundational questions, does this mean that such questions concern *judgements* where truth and normative value are at stake? Or does it mean that such questions concern truth and normative value *per se*? Stated differently: do such questions ask after “conceptual” or “ontological” foundations? For the purposes of the present discussion – that, namely of clarifying a field of study – a choice between “conceptual” and “ontological” ways of characterising fundamental questions may be non-urgent. Cognitive and moral judgements are (we may remind ourselves) judgements about truth and value. Conversely, truth and value are what cognitive and moral judgements aim to report. Such reflections may not be sufficient to defuse a formidable metaphysical difficulty, but they draw attention to common ground that “conceptual” and “ontological” approaches share.

A non-metaphorical account of foundational questions might, I propose, be summarised as follows. Questions about foundations commonly involve questions about criteria of validity. By a *criterion of validity* I understand a measure or standard by which a truth claim or a value claim may be assessed. An answer to a question about foundations *either* recommends specific criteria of validity *or* it points in a more open-ended fashion to a way in which criteria of validity may be established.

Questions about foundations are not fully answered, however, by recommending specific criteria or pointing to a process through which

criteria may be selected. At their deepest level, questions about foundations concern justification. If an answer to a foundational question *neither* recommends specific criteria *nor* points to a way in which criteria may be established, then – to be sure – the answer is incomplete. If, however, the answer merely recommends specific criteria or merely points to a selection-process the answer is incomplete in a more serious way. What is lacking is an account of why the recommended criteria should be adopted or why the indicated process is able to generate telling or binding results.

A full answer to a foundational question may, then, take one of two forms. It may explain why truth claims and/or moral claims may be assessed by specific criteria; or it may explain why a specific process generates criteria that allow truth claims and/or moral claims to be assessed. If foundational questions are as I describe them, two consequences follow (which I note in passing). One is that an account of foundations may, but need not, underwrite any particular truth claim or value claim. Another is that questions concerning foundations involve, but are not exhausted by, questions about criteria of validity. At the core of foundational questions lies the issue of justification.

In the remainder of the present section, I offer some examples – all but the first drawn from Scottish thought – of theorising where foundational issues are at stake.

- In an essay published in 1976, Habermas maintains that communicative action – action that attempts ‘to bring about an agreement’ – raises ‘validity claims of comprehensibility, truth, truthfulness and rightness’.<sup>1</sup> Such validity claims are, he tells his reader, vindicated or redeemed through mutual recognition. Habermas’s term ‘validity claims’ is, I suggest, a general one: besides claims that are first-order, it includes claims concerning criteria in terms of which first-order claims may be assessed. It includes, that is to say, claims concerning criteria of validity. The reference to mutual recognition introduces the theme of justification: through a process of unconstrained interaction – interaction unfolding in an ideal speech situation– evaluation not merely of first-order claims but of criteria of validity may take place. I cite Habermas an example of a theorist who raises foundational questions, and who attempts to answer

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<sup>1</sup> J.Habermas *Communication and the Evolution of Society* (Heinemann 1979) p. 3; *On the Pragmatics of Communication* (Heinemann 1998) p. 23.

such questions by indicating a process through which (he considers) binding criteria of validity may emerge.

- Social contract theory (influential in Scotland during the late-sixteenth and seventeenth centuries) can, notoriously, be seen as performing a range of conceptual tasks. One such task is that of supplying a theory of political obligation. If social contract theory is seen in this fashion, some interesting questions concerning criteria of validity and justification unfold.

If social contract theory is seen as a theory of political obligation, its core is the claim that one's duty to the ruler or to the state may be measured against the idea of an actual or hypothetical promise. Promisability (so to say) is the criterion against which claims concerning political obligation may be assessed. This core assertion is, however, only part of social contract theory. The further part is a putative explanation of *why it is* that the idea of promising provides the theory of political obligation with an effective litmus test. The criterion of promisability receives *justification*, in social contract theory, from the circumstance that (as in twentieth-century speech act analysis<sup>2</sup>) moral values are generated through the *act of promising* itself.

To these comments on social contract theory I add a cautionary note: not all accounts of social contract emphasise all parts of the theory as here summarised. In “hypothetical” or “Kantian” versions of social contract, the justificatory part of the theory and the reference to an *act of promising* are all but dispensed with. Amongst Scottish theorists, by contrast, the notion of a promissory action occupies centre-stage – and the criterion of promising receives supplementary justification. (This is one reason why, I suggest, Scottish contractarian thought deserves scholarly attention.)

In the present connection, I cite social contract theory as an example of theory that is foundational in character – and where a distinction between *promising as a criterion* and *promising as a justification* may be drawn. (The distinction between *promising as a criterion* and *promising as a*

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<sup>2</sup> On performatives, see J.L. Austin in his *Philosophical Papers* (Oxford University Press 1970) pp. 33-52.

*justification* is, in effect, a distinction between the *idea* and the *act* of promising.)

- In Scottish thought of the late-sixteenth and seventeenth centuries, the chief rival to contractarian modes of thought was divine right theory. For divine right theory, the existing monarch counts as God's representative or 'Lieutenant'<sup>3</sup> on earth. The criterion of a king's legitimacy is his *de facto* existence and the justification of this criterion is God's will (as revealed in, especially, 1 Samuel, chapter 8).<sup>4</sup> What holds criterion and justification together is reliance on the notion of divine providence.

If social contract theory and divine right theory are set alongside one another, then (in the light of my comment on foundational questions) the following comments suggest themselves. (a) Both social contract theory and divine right theory suggest criteria – of obligation in the former case and of legitimacy in the latter. In addition, they suggest ways in which the criteria that they propose may be justified. In social contract theory, however, one and the same conception – promising – serves as criterion and as the basis of justification. In divine right theory, distinct notions – *de facto* existence and God's will – perform (so to say) criteriological and justificatory tasks. (b) Both social contract theory and divine right theory propose criteria (of obligation and of legitimacy) that they think of as applicable in a practical and changing world. For social contract theory, justification – which stems from an act of promising – is seen in similarly this-worldly terms. However, divine right theory transposes the source of justification to an eternal realm. Problems of "historicism" and "dualism" – we might suggest – threaten to beset social contract theory and divine right theory respectively.<sup>5</sup>

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<sup>3</sup> James VI/I *Political Writings* (Cambridge University Press 1994) p. 72.

<sup>4</sup> See James *loc. cit.* pp. 66-7.

<sup>5</sup> An implication of comparison (b) is that social contract theory does, and divine right theory does not, picture foundation as a new beginning (or, so to say, a break) in historical time. Before the break (the act of promising), such and such an obligation does not exist; afterwards, it does. No such break is postulated by divine right theory – unless the Biblical story of 1 Samuel chapter 8 is viewed in this fashion. (James's version of the "Fergus" myth – see *Political Writings* p 73 – is likewise of interest here; likewise George Mackenzie *Jus Regium*, Edinburgh 1684, p. 24.) Glancing ahead at the paragraph which follows, Smith (I suggest) pictures moral obligations as originating thought a temporal process: in this, the *Theory of Moral Sentiments* resembles social contract theory. But the temporal origination to which he points – viz, conversational exchange – is ongoing rather than one-off..

- In both social contract theory and divine right theory, a case for specific criteria (of obligation and legitimacy respectively) is presented. My final example is of theorising where a process involving a capacity to establish criteria (rather than any specific set of criteria) occupies centre-stage. In his *Theory of Moral Sentiments*, Adam Smith presents a picture of human interaction as a process where debate reaching beyond definitional boundaries may take place. Conversation, for Smith, may address not merely issues concerning ‘praise’ but, in addition, issues concerning ‘praiseworthiness’:<sup>6</sup> debate need not be confined by the moral vocabulary of a specific linguistic community but may explore questions where different meanings (and thereby different criteria of validity) are at stake. If Smith is asked *how* conversational interaction may address issues of ‘praiseworthiness’ (rather than ‘praise’), his tendency is to invoke the figure of an ‘impartial spectator’<sup>7</sup> – an invocation which, some commentators have argued, leads away from the notion of interaction that is the *Theory of Moral Sentiments*’ conceptual base.<sup>8</sup> A tempting line of thought – one which I do not explore here – is to ask whether reference to something approaching a Habermasian ideal speech situation (see above) might succeed where reference to an impartial spectator threatens to fail.

The present section has claimed that questions about criteria of validity are central to foundational discussion. At the same time, the section has argued that an account of foundations need not involve a recommendation of specific criteria. The key theme in foundational discussion is justification. Claims regarding truth claims and value claims are sufficiently well-grounded if a process that might establish such claims’ criteria of validity is brought to light.

## 2. *What makes foundational questions interesting?*

The issue of conceptual foundations may or may not strike a reader of the present paper as possessing academic interest. For Scots of the 1560-1776 period, it was an issue over which blood might be shed. Answers to foundational questions served as badges of political allegiance and ways in which such answers were nuanced supplied close to conflicting groups’

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<sup>6</sup> A. Smith *The Theory of Moral Sentiments* [TMS] (Oxford University Press 1976) p. 114.

<sup>7</sup> See, for example, TMS pp. 116, 130-2.

<sup>8</sup> See J. Dwyer *Virtuous Discourse: Sensibility and Community in Late Eighteenth-Century Scotland* (John Donald 1987) ch. 7.

social and political hopes. In the period following the defeat of Jacobitism in 1746, the ending of dynastic struggle together with increasing secularisation meant – it is true – that the sting of previously conflictual issues had been drawn. Strikingly, however, foundational questions remained live ones during the peaceful (or pacified) decades of the Scottish Enlightenment – as Hume’s and Smith’s concern with such questions attests. Although (as the final section of my paper suggests) foundational questions changed their form, an interest in foundations survived the sea-change from pre-Enlightened to Enlightened years.

Why should foundational questions assume the importance that they did in reformation-to-enlightenment Scotland? Why should groups engaged in life-and-death struggle have expressed their identities in terms of rival positions in what is, today, an academic debate? Why should Hume (in Book III of his *Treatise of Human Nature*) and Smith (in his *Theory of Moral Sentiments*) have felt bound to return to an issue that would have seemed outdated with only badges of identity at stake?

My response to these questions clashes, or appears to clash, with a received stereotype: Scots of the Reformation and immediately post-Reformation period are proverbially over-confident and dogmatic whereas, I claim, they are not-infrequently gripped by sceptical fears. My clash with received stereotypes lessened when I explain – in section 4, below – that Scottish scepticism is commonly expressed in Calvinist belief. The effect of my explanation is, however, that a clash with stereotypes is not lessened but displaced.

Why should sceptical fear and the theme of foundations be linked to one another? The one is, I suggest, the converse or obverse side of the other. The issue of foundations leaps into sharp and urgent relief if a background of scepticism is assumed. Where sceptical challenge is widespread, issues concerning foundations have more than an academic significance; conversely, sceptical worry is assuaged if a compelling account of truth claims and/or value claims is provided.

What counts as scepticism? In everyday language, the term *sceptical* may have broader or narrower senses. Using the term broadly, the notions of a sceptical attitude and a questioning attitude are one and the same. Taking a first step towards a narrower or more specific meaning, a sceptic may be seen as someone who acknowledges that one and the same question has been



answered in different ways. Taking a further step, a sceptic may be seen as someone for whom one and the same question admits of different answers. A sceptic in this last-mentioned sense considers, in effect, that there is a problem about the appropriateness of criteria of validity. Finally, and most narrowly and specifically, the term “scepticism” may refer to the view that criteria of validity (for truth claims and/or values claims) are unknowable or non-existent.

Some general comments on this spectrum of possible meanings suggest themselves. They may be summarised in the statement that, whereas broadly-defined versions of scepticism challenge unexamined orthodoxies, narrowly-defined versions call into question (or cast doubt upon) all conceivable truth claims and value claims – that is to say, truth claims and value claims *per se*. An implication of this calling into question is that doubt is cast not merely on the claims of non-sceptical theorising; it is cast, in addition, on claims that scepticism itself may raise. Narrowly defined scepticism becomes, when consistent, “Pyrrhonist” scepticism: that is, scepticism willing to ignite an intellectual conflagration in which, it understands, it itself will burn. The destructive (and self-destructive) strength of narrowly-defined scepticism lies in the circumstance that it calls upon theory to justify its criteria of validity – and to do so without invocation of unsupported dogma or recourse to viciously circular or infinitely regressive patterns of thought.<sup>9</sup> Once raised (and herein lies scepticism’s challenge or threat and danger), questions about criteria of validity cannot readily be stilled. Once asked, a sceptical question cannot be *unasked*: a return to innocence is impossible. Once struck, a spark begins a fire that may spread at whatever cost.

A final comment on meanings of the term “scepticism” may be in order. Just as the term may be understood in broader or narrower senses, so topics on which a sceptical attitude may be adopted range from the trivial to the profound. A reader of these notes may care to picture a “graph of scepticism” where instances of a sceptical attitude may be plotted against broad-to-narrow and trivial-to-profound axes: instances of scepticism that concern me in my discussion of Scottish thought tend to cluster in the graph’s narrow and profound quadrant. This said, I warn that the notion of such a graph is deeply problematic: its broad-to-narrow and trivial-to-

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<sup>9</sup> The infinite regress to be guarded against would, here, take the form of an indefinite multiplication of meta-levels and meta-meta-levels – that is, an indefinite multiplication of criteria of criteria of validity.

profound axes are, although distinct, related. A narrowly-defined scepticism tends to be scepticism regarding a wide (trivial and profound) topics – and *vice versa*. Whether a sceptical attitude to a profound topic – say, religious belief – must involve broadly-defined and/or narrowly-defined scepticism is more difficult to judge. I do not enter this labyrinth of possible connections here.

From my comments on scepticism, the sense in which problems about scepticism and problems about foundations count as opposite sides of the same conceptual coin should, I hope, be clear. Narrowly defined (“Pyrronist”) scepticism doubts either the existence or, at least, the knowability of criteria of validity upon which truth-claims or value-claims may rest. It doubts, that is to say, whether a theory which serves to justify or identify them makes compelling sense. The doubts that fuel sceptical questioning are ones that (a return to innocence being impossible) refuse to be silenced until an adequate – non-dogmatic, non-viciously circular and non-infinitely regressive – way of justifying criteria of validity has been found. Sceptical challenge is challenge at the level of truth claims’ and value claims’ foundations, and against the background of sceptical challenge the interest of foundational questions appears.

### *3. Scepticism in the sixteenth and seventeenth centuries*

Foundational questions become interesting (I have suggested) when they are asked against the background of sceptical challenge or threat. This conceptual point takes us only part of the way, however, towards discussion of Scottish thought. Crossing the distance that remains involves addressing issues in the history of ideas.

Some, but by no means all, intellectual historians contend that a ‘crisis of Pyrrhonism’ – by which I understand a crisis of scepticism in the narrowly-defined sense – took place in late-sixteenth and early-seventeenth century Europe. At a general level, causes given for the alleged crisis include the wars of religion (together with the Reformation itself) and the influence of Renaissance voyages of discovery. Trevor-Roper has proposed that the crisis came to a head because ‘the operation of natural reason threatened to undermine Christian doctrine just at the time when the orthodoxies of rival

parties were being hardened by events'.<sup>10</sup> More specifically, historians point to the 1562 Latin translation of Sextus Empiricus' *Outlines of Scepticism*<sup>11</sup> which – it is argued – exercised a signal influence on Montaigne *et al.*<sup>12</sup>

How widespread was the influence of scepticism in the decades following the Sextus translation? The question is difficult to answer because it has been addressed in potentially misleading ways. Richard Tuck, for example, writes fascinatingly about the modern natural law tradition as a response to sceptical challenge but tends to identify modern scepticism solely with the work of Montaigne and his followers.<sup>13</sup> This narrow focus leaves Tuck open to the charge that he has overestimated the influence of a specific group of writers.<sup>14</sup> An alternative approach to sixteenth century scepticism is to emphasise not the influence of the 1562 Sextus translation but the extent to which the *Outlines of Scepticism* drew together lines of doubt and enquiry that were already in play. Writing on early-modern theories of perception, Stuart Clark (for example) comments that 'Pyrrhonism acted as a commentary on what had already [in 1562] taken place (and was continuing to take place) in the visual culture of the age.'<sup>15</sup> A further instance of a broad approach is Popkin's contention that the problem of justifying a 'criterion' for valid knowledge is, although raised in explicit form by Sextus, anticipated some decades earlier by the clash during the Reformation between<sup>16</sup> forms of faith. Here, I make no attempt to follow through the suggestion that concerns with criteria (and thence with sceptical difficulties) were widespread in the sixteenth and seventeenth centuries. If, however, such concerns were fed by a number of sources – travellers' tales, scientific advance, political and religious divisions – it seems likely that they might surface at more point than one and take a range of (unpredictable) forms.

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<sup>10</sup> H.Trevor-Roper *Catholics, Anglicans and Puritans* (Fontana Press 1989) p. 200. (In general terms, the broad sweep of Trevor-Roper's statement is I think to be welcomed. An objection might be that reliance on 'natural reason' was, itself, one of sixteenth century's targets.)

<sup>11</sup> Writing in the first half of the third century A.D., Sextus saw himself as present the views of Pyrrho of Elis (c. 360-270 B.C.) who – said Sextus – 'appears to have attached himself to scepticism more systematically and conspicuously than anyone before him' (Sextus Empiricus *Outlines of Scepticism* CUP 2000 p. 4).

<sup>12</sup> In Montaigne, see esp. his 'An Apology for Raymond Sebond' and also his 'Of Cripples' in his *Essays*. On the current of sceptical thought flowing from Sextus and Montaigne, see R.H.Popkin *The History of Scepticism from Erasmus to Descartes* (Van Gorcum 1964).

<sup>13</sup> R.Tuck *Philosophy and government 1572-1651* (Cambridge University Press 1993) p. 50-1.

<sup>14</sup> See, for example, T.Mautner 'Grotius and the Sceptics' *Journal of the History of Ideas* Vol. 66, No. 4 (2005)

<sup>15</sup> S.Clark *Vanities of the Eye: Visions in Early Modern European Culture* (Oxford University Press 2007) p. 266.

<sup>16</sup> Popkin *History* pp. 1-3. See Sextus *Outlines* p. 72.

What forms might these be? I attempt no clear-cut answer to this question here. However, Clark's reference to 'visual culture' reminds us that, from an art historical perspective, the 1500s and 1600s were mannerist centuries. To see scepticism as a central concern of the period is, in effect, to acknowledge that works of theory as well as works of art may subject a reader or viewer to tricks of viewpoint and perspective that mannerism plays. Where foundations are uncertain, conceptual details no less than compositional details have a significance that may be difficult to weigh.

#### 4. *Scepticism and sin: Scottish political theory in context*

Can concern with scepticism be invoked as an explanation of Scottish theorists' interest in foundational problems? A first sight, the suggestion is far-fetched. The expression worn by Scottish Reformers (and subsequent Scottish Covenanters) is, proverbially, grim and confident – or over-confident – and dogmatic. More seriously, the line of sceptical thought traced by Popkin from the 1562 Sextus translation and Montaigne onwards leads into recesses of French philosophy and Counter-Reformation thought. An interpretation of Scottish thought that takes worry regarding Pyrrhonism as its starting point is, surely, grasping at straws.

This is not to say that such a worry is absent from Scottish theory. In the second half of the 1560-1776 period, Pyrrhonist sceptical doubt beset Scottish thought from two (related) directions: Pierre Bayle's hugely-influential *Historical and Critical Dictionary* of 1697 took Pyrrho as a conceptual starting-point,<sup>17</sup> and Jean Barbeyrac's *Account of the Science of Morality* (published as a preface to his 1707 [[I think]] French translation of Pufendorf's *Law of Nature and Nations*) saw Pyrrhonian or Montaigne-inspired scepticism as a threat to which natural law must respond.<sup>18</sup> 'Bailes Dictionary' was one of the sources of Hume's thought,<sup>19</sup> and Barbeyrac's

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<sup>17</sup> See P. Bayle *Historical and Critical Dictionary* (Hackett 1991) Art. 'Pyrrho' (pp. 194-209).

<sup>18</sup> J. Barbeyrac *An Historical and Critical Account of the Science of Morality* (London 1729) section

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<sup>19</sup> The reference to 'Bailes Dictionary' is from a letter by Hume quoted in E. Mossner *The Life of David Hume* (Oxford University Press 1980) p. 104. On the influence on, and availability of, Bayle to Hume see Mossner pp 78-9; also R.H. Popkin 'Sources of Knowledge of Sextus Empiricus in Hume's Time' *Journal of the History of Ideas* Vol. 54, No. 1 (1993).

influence has been seen as influential on Book III of Hume's *Treatise*.<sup>20</sup> The significance of Bayle's and Barbeyrac's influence of Hume is, I suggest, to be understood by relating it to developments in the natural law tradition – a tradition which, in the early decades of the eighteenth century, served as a key focus for Scottish social and political thought.<sup>21</sup> For the Scots, the authority of natural law rested upon religious belief – and, more specifically, on notions of natural theology.<sup>22</sup> Book III of Hume's *Treatise* was of path-breaking importance because, taking on board the sceptical doubts that scepticism might raise, it sought to demonstrate how social and political philosophy might proceed without appeal to religious authority. That is to say, in a Scottish context, it attempted to demonstrate how social and political thought might dispense with natural theology. Stated differently, Hume – and (we may suggest) after Hume, Smith – attempted to find a basis for moral and political values in a world stripped by scepticism of teleological illusion.

In Scotland's eighteenth century, Hume's and, perhaps, Smith's determination to find a secular and scepticism-free basis to social and political theory remained atypical: notions drawn from natural theology remained vigorous in the mainstream of Scottish (and Scottish Enlightenment) thought. This said, my comments on Bayle and Barbeyrac and the (uncertain) foundations of natural law indicate a way in which at least parts of Scottish eighteenth-century thought might be interpreted along lines that the present paper suggests. But – a reader of these comments may ask – what about Scottish thought in the pre-eighteenth century? How can scepticism be seen as an issue that underlies Scottish late-sixteenth and seventeenth century debates?

A tempting although not, I consider, a satisfactory answer to this question might highlight natural law as a theme in Scotland during the first half of the 1750-1776 period – and present this theme against the background of concern regarding scepticism. In effect, such an answer would model itself

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<sup>20</sup> See J.Moore 'Natural Law and the Pyrrhonian Controversy' in P.Jones *Philosophy and Science in the Scottish Enlightenment* (John Donald 1988) esp. pp. 31-4.

<sup>21</sup> References here include J.Moore and M.Silverthorne (eds.) *Natural Rights on the Threshold of the Scottish Enlightenment: The Writings of Gershom Carmichael* (Liberty Fund 2002); F.Hutcheson *A Short Introduction to Moral Philosophy* (Liberty Fund 2007); F.Hutcheson *A System of Moral Philosophy* (Continuum 2005). Further refs might be to George Turnbull. See also J.Moore 'The Two Systems of Francis Hutcheson' in M.A.Stewart (ed.) *Studies in the Philosophy of the Scottish Enlightenment* (Oxford 1990).

<sup>22</sup> See Carmichael's Preface to his *A Synopsis of Natural Theology* (in *Threshold* pp. 227-32); also Moore 'Two Systems of Francis Hutcheson'.

on Tuck's account of natural law's development.<sup>23</sup> Scottish thought would be seen as a – to be sure, idiosyncratic – variant upon a story that Tuck's discussion sets out to trace. Such an answer strikes me as unsatisfactory because, in late-sixteenth and seventeenth century Scotland, themes of natural law and natural rights were – although present in Scottish writings<sup>24</sup> – addressed occasionally and in a systematic or episodic manner. In a word, themes of natural law and natural rights were eclipsed by the overwhelming significance ascribed by issues of religious allegiance and belief.

From the 1540s onwards, Protestant propaganda in Scotland took (when it might be distinguished from English propaganda) a Calvinist form; the Scottish Reformation of 1560 was in effect a Calvinist reformation.<sup>25</sup> The extent to which Scottish Calvinism remained faithful to the claims and emphases of Calvin's own thought remains controversial,<sup>26</sup> as does the parts played by Calvin and later followers in the formulation of what came to be known as "Calvinist" thought. What remains uncontroversial is that Calvinist theology (whether loosely or narrowly defined) remained an important point of reference in Scottish debate until the Enlightenment – and beyond.

If scepticism is to be singled out as a pivotal issue in Scottish thought between 1560 and 1776, a way must – I suggest – be found of presenting Calvinist and sceptical attitudes not as locked in a zero-sum relation but as, rather, interwoven. An attempt to present scepticism as a pivotal issue in Scottish thought is, I suggest, foredoomed if it attempts to *discount* Calvinism or *pick its way around* Calvinism. What is required, if historical plausibility is to be maintained, is that scepticism must in Scotland be seen as taking a Calvinist form. Calvinist belief must, itself, be seen as motivated by sceptical anxiety. Can such a view of Calvinism be defended? I suggest that it can. Calvin's conception of sinful existence is, to a significant extent, a realm where scepticism prevails.

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<sup>23</sup> For Tuck, modern natural law develops as a response to sceptical challenge. See notes 13 and 14, above.

<sup>24</sup> See, for example, James VI and I *Political Writings* pp. 64-6, 76-8 and – at the opposite end of the political spectrum Samuel Rutherford's *Lex, Rex* of 1644. On Rutherford, see J.Coffey *Politics, Religion and the British Revolutions: The mind of Samuel Rutherford* (Cambridge University Press 1997) esp. ch 6.

<sup>25</sup> This statement needs scholarly back-up – not given here.

<sup>26</sup> Two controversial issues are Calvin's relation to seventeenth century Federal Theology (see C.Bell *Calvin and Scottish Theology: The Doctrine of Assurance*, Handsell Press 1982) and to natural law.

An attempt to substantiate such a claim regarding Calvin's conception of sin calls for much more than incidental discussion. Here, I confine myself by indicating lines that an attempted substantiation might take.

In Book I of his *Institutes of the Christian Religion*, Calvin stipulates that 'the soul consists of two parts, the intellect and the will'.<sup>27</sup> Such a division appears to tell against a suggestion that sin is a realm of scepticism because, surely, sceptical conundrums are intellectual (and have a characteristically "abstract" or "epistemological" feel) whereas sin is a moral and affective condition where determinations of the will are involved. Calvin's conception of sin is, however, more complex than such a view suggests. In a sinful (fallen) world, we are told, the will is no longer 'perfectly submissive to the authority of reason'<sup>28</sup> – but why not? An answer that suggests itself is that. For Calvin, sin involves not merely a rebellion of the will against reason's authority but a corruption of the relation between the will and the intellect themselves. When, in a pre-lapsarian condition, the will and the intellect (and the relation between them) were intact, man might 'obtain eternal life'<sup>29</sup> through his own choices. Since the fall, by contrast, both the will and the intellect are dimmed. The will becomes hubristic and divided against itself whereas the powers of the intellect no longer extend to supernatural (Godly) issues or, indeed, full knowledge of the human self.<sup>30</sup>

The notion that the (fallen) intellect is itself, for Calvin, a seat of sin may be argued in a number of fashions. One way of arguing the point might be to underline the cognitive and/or intellectual nature of much Calvinist sinfulness: there are sins of temptation, of deceit, of allurements, of betrayal, of carelessness, etc., etc. Another might be to stress that, in the passage of the *Institutes* discussing events in the Garden of Eden, 'deceit' (or fraud, or subtlety, or ensnarement) is seen as present in the origins of sin itself.<sup>31</sup> To the extent that sin originates in 'deceit', sin – we may speculate – has an intellectual rather than an affective source. The origins of sin are seen *intrinsically* linked to sceptical questions. If the fall involves a dimming or

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<sup>27</sup> J. Calvin *Institutes of the Christian Religion* (Eerdsmans 1989), trans. by Henry Beveridge, Vol. 1 p. 168.

<sup>28</sup> Ibid. p. 169.

<sup>29</sup> Ibid.

<sup>30</sup> The former of these points implies the latter because, for Calvin, knowledge of the self requires knowledge of God: see the *Institutes*' opening paragraphs.

<sup>31</sup> 'When the woman, through unfaithfulness, was led away by deceit [*captione abductor*] from the word of god...' see *Institutes* 1 p. 213: here, I depart from Beveridge's translation.

lessening of human intellectual abilities, the sources of this dimming already exist (it seems) in pre-lapsarian times.

Detailed discussion of Calvin lies beyond the boundaries of the present paper, but the significance of points that I have made may be emphasised. If, for Calvin, the human intellect becomes lessened or distorted by humankind's plunge into original sin, an evident area of overlap is indicated between sceptical and theological concerns. If a fallen will is a self-divided will, so too a fallen intellect is a self-divided intellect; and a self-divided intellect is (in effect) one caught up in the conundrums listed in Sextus's *Outlines of Scepticism*. Stated in terms that are closer to those of Calvin's own writings, a set of questions – questions much debated in scholarly writing on Calvin – are opened concerning the capacities of, and the limitations upon, human natural reason.<sup>32</sup> In the fall, how much of man's intellect (and "epistemological" ability) was destroyed and damaged beyond recognition, and how much in however a constricted a form survived? In reply to this query, quotations from the *Institutes* supporting a "pessimistic" or a relatively "optimistic" interpretation of Calvin might be multiplied – virtually without limit.<sup>33</sup> Here, the issue of "pessimistic" versus "optimistic" interpretations is important, for two reasons. One is that, the more optimistic (or less pessimistic) the interpretation endorsed, the easier it is for a Calvinist theorist to support a notion of natural law.<sup>34</sup> The more pessimistic the interpretation, conversely, the more uncertain the notion of natural law becomes. The other reason is that a "pessimistic" reading has the effect – so I propose – of moving Calvin towards later "fideistic" writers<sup>35</sup> for whom scepticism regarding natural reason paves the way towards a more total and a more unconditional profession of faith.

Where do my comments on Calvin leave the Scots, and Scottish Calvinism? Here, rather than attempting to answer this question in detail, I quote a striking passage from Knox. The 'ungodly', says Knox, shall

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<sup>32</sup> See E.Brunner and K.Barth *Natural Theology* (Wipf and Stock 2002). Also S.E.Schreiner *The Theatre of His Glory* (Baker Books 1995); W.J.Bouwma *John Calvin* (Oxford University Press 1988); S.J.Grabill *Rediscovering the Natural Law in Reformed Theological Ethics* (Eerdmans 2006).

<sup>33</sup> Refs. to *Institutes* ("pessimistic" and "optimistic" passages: not given here).

<sup>34</sup> For arguments defending the notion of natural law in Calvin, see McNeill, Schreiner, Grabill as cited in note 32, above; J.T.McNeill 'Natural Law in the Teaching of the Reformers' *Journal of Religion* Vol. 26. No. 3 (1946).

<sup>35</sup> Montaigne may be one: see closing lines of his 'Apology' (cited in note 12, above).



Know that their workes were vaine, and that they placed their refuge in lies. Their vestiments of spiders webbes (which ar their vaine workes) shall not abide the force of the lorde's winde: but they shall stand naked, and the workes of iniquity in their handes: to their extreme confusion. And this shall apprehend and overtake them, because they call light, darknes: and darkness light: tht which was sweete, they called bitter: and by the contrarie, that which was bitter, they called sweete: seeking salvation where none was to be found.<sup>36</sup>

Not the least striking point regarding the passage was that it appears to have been written in 1540, when Knox was a galley slave in France and well before the time when he became a follower of Calvin. Still more striking in the context of the present discussion is its closeness, in its imagery and in the line of thought that it pursues, to sceptical discussion in the sixteenth century's second half. The just-quoted passage in effect prepares the ground for the form of Calvinism that flourished in Scotland in Reformation and post-Reformation years.

Besides quoting from Knox, I add some general comments on Scottish Calvinism. Above, I have distinguished between "pessimistic" and relatively "optimistic" readings of Calvin; here, I note my impression that Scottish Calvinism is predominantly – although not universally<sup>37</sup> – on the "pessimistic" side. In part, this pessimism manifested itself in anxiety on the part of Scottish Calvinist theologians and Scottish Calvinist believers regarding faith's 'assurance'.<sup>38</sup> In further part, it manifested itself in the circumstance that, during the late-sixteenth and seventeenth centuries, notions of natural right and natural law remained unable to put down deep roots in Scottish soil. (As I shall propose in the following section, the political theory of Scottish Calvinism turned not to notions of natural law – but to notions of covenant or promise.) To the extent that human nature and

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<sup>36</sup> J.Knox, 'Epistle Dedicatorie' [no pages numbers given] to H.Balnaves *Confession of Faith* (Edinburgh 1584).

<sup>37</sup> An exception is G.Carmichael (referred to earlier): *Threshold* pp. 17, 30-1, 230-1.

<sup>38</sup> See Bell, *Calvin and Scottish Theology*.

nature itself counted as a realm of sin, natural law found the basis for an appeal to notions of God-in-nature compromised.

In regard to the “pessimism” of Scottish Calvinism, two comments may be in order. One is that the “pessimism” concerned rules out attempts to reconstruct Scottish political theory’s history as a history of natural rights/natural law. Whereas seventeenth-century English political theory may, perhaps, be seen in terms of an unfolding natural rights/natural law tradition, in Scotland something much more dramatic – sometimes, something much more frightening – was occurring. My second comment is that, to the extent that Scottish Calvinism is “pessimistic”, its internal relatedness to the challenge of scepticism is easier to see.

### *5. A short history of Scottish political theory*

In the light of what has been said, how might an account of Scottish political theory – more specifically, an account of Scottish political theory that concentrates on foundational questions concerning moral values – be structured? The present section of my paper makes some general observations designed to draw earlier lines of thought together before sketching the form that (on the basis of my discussion) an account of Scottish political theory between 1560 and 1776 may take.

My first observation is that, if fear of scepticism underlies Scottish reformation-to-enlightenment political theory, an account of such theory must acknowledge changes that, between 1560 and 1776, this fear undergoes. In the first (“Calvinist”) part of the 1560-1776 period, fear of scepticism is intertwined with fear of personal and, perhaps, collective damnation. In the second part of the period – the part which opens around 1688-89 or 1707, and continues into the Scottish Enlightenment – fear of scepticism’s consequences remodels itself as fear of more secularly-conceived objects: intellectual incoherence, for example, or an absence of justifiable or binding moral values. For Scottish writers of the eighteenth century, a world where there are binding moral values was frequently pictured as a world governed by (ultimately God-given) natural law.

My second observation is that fear of scepticism’s consequences triggered, amongst Scottish writers, a sense of intellectual urgency: foundational questions must be addressed directly, and answered in ways that (in one

fashion or another) possessed the strength to survive sceptical attack. The circumstance that sceptical questions are (once raised) difficult to quieten may, perhaps, help to explain Scottish theorists' continued interest in foundational issues throughout the 1560-1776 period. The same circumstance may shed light on Scottish thought's concern – both in the Reformation and Enlightenment period – to formulate answers to foundational questions that reach beyond received views.

To the above observations, two cautionary notes must be appended. One is that, as they stand, they are excessively schematic: the closer one moves to the surface of Scottish intellectual history, the more blurry becomes (say) the notion of a pre-Scottish Enlightenment and Scottish Enlightenment conceptual divide. The other is that comments concerning a “fear” of scepticism (or a “fear” of damnation) are unduly personalised: rather than invoking psychological explanation, my comments attempt to identify landmarks in conceptual worlds.

From general considerations, I turn to chronologically more specific issues. On the basis of the above discussion, I propose an account of Scottish political theory between 1560 and 1778 which falls into two main parts.

In the first part, which opens around 1560 and which covers the first three quarters of the seventeenth century, issues of sin and issues of scepticism are closely allied. During the same period, or sub-period, themes concerning normative foundations in a temporal world (*this* world) are pursued against the backdrop of an eternal (or *other* worldly) beyond. Scottish writers of the period, or sub-period, differed drastically in political and ecclesiological allegiance, the chief dividing line being that between presbyterian or “Calvinist” polemicists, who favoured contract-based or covenant-based political theory, and episcopalian or royalist polemicists who favoured versions of a divine right theory of kings. Common to both parties, however, was a strong sense of a contrast between temporal and eternal (or *this* worldly and *other* worldly) realms.<sup>39</sup> For both parties, a persuasive answer to questions about foundations required an account of how the relation between *this* worldly and *other* worldly realms may be seen.

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<sup>39</sup> A self-critical note: against this generalising remark must be placed George Buchanan, a figure who – although central to the Scottish Reformation – appears to have experienced no such sense of contrast in the course of his lengthy life.

Unsurprisingly, accounts of such a relation turn out to be sites of considerable conceptual tension. More surprising is the circumstance that, whereas royalists sought the sources of binding obligation in eternity, Calvinists – Reformers and presbyterians – proposed an account of the foundations of moral values that made sense in, effectively, secular and temporal terms. For the royalists, the source of political obligations lay either in God (as argued by divine right theory) or in a Platonist conception of changeless essences: whichever line of argument was favoured,<sup>40</sup> the source of values lay beyond the confines of the present world. For the Calvinists, by contrast, the source of moral and political values lay in a *act of promising* – either a coronation oath or a public covenant – which was secular in all but name: if the source of values is an *act*, and still more a self-legitimising act, the origins of value must lie not in an eternal beyond but in historical time. Where God makes his presence felt, according to the Calvinist, is through the gift of faith that he grants, graciously, to his (elected) believers: in effect, Calvinism distinguishes between a public realm where moral values originate and a private realm – a realm of utter interiority – where the individual relates to God. The distinction between *this* world and a *beyond* is replayed, by Calvinism, as a distinction between public and private conceptions of the self.<sup>41</sup>

In the light of these comments, a section-by-section outline of the first part of my proposed 1560-1776 story suggests itself. Contractarian thought at the time of the Reformation and during the seventeenth-century Covenanting years stands contrasted – as, so to say, the other side of the same conceptual coin – with the line of royalist thought that opens with James and continues through the seventeenth century with writers such as Maxwell and Honyman and Mackenzie.<sup>42</sup>

A transition to discussion of Scottish political theory during the second part of the 1560-1776 period may be effected by commenting on the pamphlet literature that attended the twin political crises of 1688-9 and 1707. I do not

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<sup>40</sup> Both lines of royalist argument are, we may note, to be found in James's writings: sometimes James propounds Christian arguments (as when he defends a divine right theory of kingship) and sometimes, as in his *A Counterblaste to Tobacco* or elsewhere, he writes in an overtly "Platonising" mode. A fascinating question is whether he saw one form of argument as more fundamental than the other.

<sup>41</sup> See Bouwsma on Calvinist self-examination (*John Calvin* p. 179). And note, in the present connection, the characteristically Scottish practice of private (individual) covenants with God.

<sup>42</sup> See [J.Maxwell] *Sacro-sancta Regum Majestas: or, The Sacred and Royall Prerogative of Christian Kings* (Oxford 1644); [A.Honyman] *A Survey of the insolent and Infamous Libel Entitled, Naphthali* [Edinburgh 1668]; G.Mackenzie *Jus Regium: or, The Just and Solid Foundations of Monarchy* ([London] 1684).

comment on this literature in the present paper, and touch on it only briefly in my projected more lengthy discussion. My sense of this literature is that, although it is interesting and frequently incisive on the issues that it debates, it contributes little to an understanding of foundational themes.

In order to pick up the issue of moral foundations afresh, a fresh beginning must be made by looking at questions of natural law and its justifications. This means looking at figures such as Stair and Mackenzie, and following the story through by considering reception of natural law in Carmichael – referred to earlier in the present paper – and Hutcheson’s later texts. In terms of the structure of my projected argument, a major purpose of this step in my discussion is to set the scene for Hume’s overtly sceptical critique both of natural religion (upon which Carmichael and Hutcheson rested natural law’s claims) and of social contract theory (which is to say, in Scotland, the theory of presbyterian political disaffection). Clearing the slate, so to say, of natural law’s and presbyterianism’s answers to questions about the foundations of moral values, Hume came forward – in Book III of his *Treatise of Human Nature* – with his own account of how such questions might be addressed. His account was one which accepted scepticism’s claim that justice was an ‘artificial’ virtue<sup>43</sup> but which, in addition, turned upon the notion of natural ‘convention’.<sup>44</sup> Is Hume’s preferred (non-theological and non-presbyterian) approach to foundational problems one that holds water? Whilst raising difficulties in the account that I envisage, I do not attempt to resolve the question here. I note, merely, that my account of Scottish political theory is one according to which Hume no longer appears as an anomalous figure in intellectual history. His *Treatise* sets itself to a well-established Scottish task in addressing foundational questions about against a background of sceptical challenge.

The final figure in my projected account of Scottish political theory between 1560 and 1776 is Adam Smith. Smith, I propose, takes from longstanding friendship with Hume a mistrust of theories which see moral values as resting upon religious foundations.<sup>45</sup> In his *Theory of Moral Sentiments* of 1759, Smith (I propose) returns his own, distinctive, answer to questions concerning the foundations of moral values: though the process of

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<sup>43</sup> See Moore in Jones, *Philosophy and Science in the Scottish Enlightenment* p. 33.

<sup>44</sup> See Hume *A Treatise of Human Nature* (Oxford 1978) p 490. On ‘natural’ in Hume, see *Treatise* p. 484.

<sup>45</sup> For an expression of the view that Smith stands close to Hume on matters of religion, see E.Rothschild *Economic Sentiments* (Harvard University Press 2002) p. 131.

interaction between self and other, Smith maintains, moral values originate.<sup>46</sup> The notion of interactive ‘sympathy’ is, it is to be noted, already touched upon in Hume’s *Treatise* – but Smith’s understanding of sympathy, and his claims regarding its significance, is unique to his own work. Is Smith’s account of moral values one that we should endorse? Once again, I offer (here, or in my lengthier discussion) no final evaluative comment. My overall judgement is, however, that the *Theory of Moral Sentiments* stands at a summit that some two hundred years of discussion – discussion pursued against a range of horizons and expectations – has scaled.

Where does the saga that I have outlined leave us? Smith is not only, to be sure, the author of the *Theory of Moral Sentiments* – a discussion of *TMS* calls for complementary discussion of the *Wealth of Nations* (1776). The latter work is, to be sure, brilliant but it’s brilliance has frequently been misunderstood. My own reading – a reading which I am reluctant to defend as the final chapter of an already-lengthy text – is one which stresses not the division of labour’s marvels but the obstacles which a developed division of labour places in interaction’s and, thereby, normative values’ way. Phrased dramatically, the *Wealth of Nations* explores the pathology of a society where Smith’s solution of foundational problems has been undermined. So contentious of this reading, my suspicion is that it – or, at any rate, the relation between the *Wealth of Nations* and the *Theory of Moral Sentiments* – requires a work to itself.

A final comment: just as Smith is not merely the author of the *Theory of Moral Sentiments*, so Hume and Smith are not the sole stand-bearers of the Scottish Enlightenment. This circumstance is not, itself, a problem for my discussion of Scottish political theory between 1560 and 1776 because, from the start, I have attempted to follow through a single (albeit central) theme. What is striking regarding the story that I have told is not how much it leaves out but how much, despite focusing on a specific theme, it has been able to bring in. Should a reader of my discussion conclude that, in the last instance, the story of Scottish political theory between 1560 and 1776 *just is*

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<sup>46</sup> Further discussion is contained in R.Gunn ‘From Smithian Sympathy to Hegelian Recognition’, paper presented at the International Conference of Political Economy: Adam Smith, Kocaeli University, October 2009.

the story of moral foundations? I doubt it. But I leave the answer to the question as one for a reader to judge.

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