Malebranche and Hutcheson's
Moral Philosophy

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Introduction  Scottish reception of natural law.

The importance of the reception of natural jurisprudence in the Scottish Enlightenment is generally appreciated. Early eighteenth-century Scottish intellectuals tried to reform the universities by introducing Pufendorf's natural jurisprudence by way of moral philosophy. The problem was that Pufendorf detached theological and moral foundation from his natural law, which consisted in the external regulation of actions through self-love; so that his natural law had too many Hobbesian implications of a materialistic view of human nature and absolute monarchy to be accepted by the Presbyterian Church established by the Revolution. So the Scots needed to modify his jurisprudence by putting it on some proper theological and moral foundations and making it applicable to the ideological defence of the Revolution.

Carmichael put Pufendorfian natural law on the basis of natural theology, finding internal motivation to respect natural rights not in the fear of God whose arbitrary power became a sanction but in the love of God by which everyone expressed his aspiration for beatitude. While Pufendorf's theory of limited sovereignty was ambiguous as he propounded non-resistance to sovereigns, Carmichael vindicated the
people's right of resistance, allowing them the judgement of government's abuse of power.°

Hutcheson's moral philosophy can be read as a next attempt to adopt Pufendorf to the Scottish intellectual and political situations. He tried to replace selfish human nature of Augustinism with natural sociability on which to found an empirical theory of natural law. His challenge to Augustinism involved the reform of orthodox Presbyterian theology and education.°

But there were other European thinkers than natural lawyers whose relations with Hutcheson needs research. This essay is intended to uncover Malebranche's languages in Hutcheson's moral philosophy. They were surely among languages available for Hutcheson in his attempt to de-Hobbize Pufendorfian moral science by finding moral principles in the passions themselves and rejecting absolutism. Malebranche's idea of the divine general will was opposed to Hobbism, and he mitigated Augustinian views of human nature. I want to consider Hutcheson's reception of Malebranchean ideas of the general will, passions and society, and the divine order and relations of perfection. In addition to connecting the two thinkers directly, I also want to examine the passive obedience controversy in 1710's Britain and Ireland in which Malebranchean terms of generality were applied and individual faculty of moral perception was discussed. Chapter 1 outlines relevant aspects of Malebranche's thought: a critique of Hobbism and some seminal ideas for Hutcheson. Chapter 2 looks at an immediate context of the revolution/passive obedience controversy. Chapter 3 interprets Hutcheson's moral theory of passions both as a development of Malebranche's analysis of social passions and as a
critique of his moral rationalism of achieving the divine order through enlightened self-love. Chapter 4 connects Hutcheson’s moral philosophy to his politics in defence of the rights of private judgement and resistance.

**Chapter 1 Malebranche’s moral theology: general will and sociable passions**

Malebranche’s theology was a critique of Hobbesian voluntarism; like Leibniz, he was a realist in thinking that God acts by the eternal laws of justice. This prior reality of justice was explained in terms of his central concept of the general will of God.⁵ He remarked that ‘He must act through general wills (des volontés générales), and thus establish a constant and lawful order.’⁶ The divine general will implies impartial justice. God never acts through particular wills, which would reveal the imperfection of His laws. Thus Malebranche rejected an arbitrary absolute will. Extending Cartesian laws of nature which are uniform, constant and simple, he saw God acting regularly through such general laws not only in nature but in grace: ‘Since it is the same God who is the author of the order of grace and of that of nature (l’ordre de la Grace & de celui de la Nature), it is necessary that these two orders be in agreement with respect to everything they contain.’⁷ Malebranche’s theology of the general will in grace is a critique of Augustinian Jansenism and Calvinism as they assumed God’s absolute will in grace to fallen men. With generality of His wills, God’s extensive benevolence is emphasized. Malebranche intended ‘to make God loveable to men’ and rejected ‘a powerful and sovereign God’ as ‘unjust, cruel and bizarre’.⁸
While the divine general laws of nature are still empirical, Malebranche proceeded beyond the empirical world to the rational metaphysical world of the divine order and relations of perfection in his search for the moral order, which was opposed to moral scepticism of Hobbes for whom the only order was imposed artificially by the sovereign power authorized by individuals. But both Hobbes and Malebranche regarded human nature as not susceptible to the moral order. Fallen human nature is too much connected to body to tend to the true spiritual good, with senses, imaginations and passions serving only for self-preservation. So reason with the help of grace of delectation must overcome deceptive senses, imaginations and passions to obtain the divine truth and order which we should love and partake in: 'let everyone examine by the light of Reason and of faith the passion which holds him captive, and he will at least find in himself some desire to be delivered from its tyranny.' Malebranche referred to 'the relations of perfection (les rapports de perfection)' as 'the immutable Order which God consults when He acts, the Order which also must govern the esteem and love of all intelligent beings.' In his illustration we should esteem a coachman, a horse and a stone according to their respective degree of perfection. As 'the relations of perfection' are immutable like the mathematical relations of magnitude, he remarked, 'Truth, Falsehood, Justice and Injustice are real and exist for all intelligent beings.' His remarkable opposition of 'universal Resaon (la Raison universelle)' and 'love of Order (l’amour de l’Ordre)' to 'his own particular reason (sa raison particuliere)' and 'self-love (l’amour propre)' shows that particularity of human nature should be transformed into generality for the moral achievement of the divine
order.

In Malebranche Augustinian dichotomy of soul and body seems to detach morality attained through reason and grace from corrupt human nature of passions, and thereby to keep the eternal uniformity of morality from scepticism. But remarkably he modified this dichotomy, showing a possible path from passions to morality. In fact he denied that sin corrupted completely and destroyed nature, and that senses and passions themselves were entirely corrupted. First I want to turn to his concept of 'enlightened self-love (l'amour propre éclairé)' by which he tried to reconcile corrupt nature and moral grace. In his view self-love is sufficiently neutralized as a general principle of the pursuit of happiness to be redirected to solid spiritual happiness by reason and grace so that 'enlightened self-love can sometimes halt or diminish the movement of the passions.' Reason alone is not so strong as passions, so he distinguished and opposed self-love and other passions. Self-love can be enlightened into an effective motive towards the divine order of virtue.

Malebranche discerned the socially useful constitution of passions, though for him society was only for the exchanges of material goods for preserving the body and social utility never constituted virtue which must be sought for exclusively in the divine order above. He appreciated the function of the passions in remarking 'the passions which are very wisely established in relation to their proper end, which is to gain the conservation of health and life, the union of man and woman, society, commerce, the acquisition of sensible goods'. His understanding of how the passions worked was based on his empirical analysis of human nature which rather contrasted his metaphysics of
the divine order and relations of perfection. He criticized the Stoics' proud denial of passions, stating that 'it is ridiculous to philosophize against experience.' His 'science of man (La science de l'homme)' was concerned with the passions as they were and can be a model for Scots' science of man. Malebranche was surely Hutcheson's forerunner in moral psychology in observing how passions connected men as they prompted them to interact on each other. The former's belief in man's natural inclination for social utility is not far away from the latter's belief that natural affections constitute the base of social virtues. In fact, Hutcheson concluded his 'Reflections upon Laughter', a critique of Hobbes, by quoting with approval Malebranche's description of the admirable contrivance of the passions and actions among men. Here Malebranche explained how the passions were constituted to keep just social order; in response to whether any other's action is 'just and according to the rule of society', such a proper passion (e.g. compassion, indignation, or derision) is produced as prompts us instinctively to a necessary reaction. I suggest that this was a seminal idea for Hutcheson as well as Smith. Hutcheson would also develop Malebranche's point about agreement of self-love and benevolence: 'these two loves God has placed in us should uphold and strengthen one another.' Finally it is to be noticed that Malebranche's analysis of the passions is a part of his theology of the divine benevolence. He inferred divine design from the sociable constitution of the passions: 'mechanisms (les ressorts) and relations the Author of nature placed in the brains of men and in all the animals to maintain the harmony and union necessary for their preservation.' A similar connexion can be found between Hutcheson's moral psychology and natural theology.
Despite his insight into the sociability of the passions, Malebranche still remained basically within the limit of his contemporary French moralists' analysis of self-love and society. His appreciation of the passions was not a breakthrough as long as he regarded the purpose of his 'science of man' as discovering 'corruption of our nature'. In his analysis of the passions he discovered no evidence of morally good, that is virtuous, passions which correspond to the divine general will. He just recognized the existence of 'particular passions' which prevented us from experiencing joy at the thought of being a part of the infinite thing. So all the passions are equally far away from the virtuous generality; they are all subservient to the bodily goods. Instead of attributing morality to some passions, Malebranche seems to have intended to see the passions' actions without moral consequences as he remarked in opposition to Christian morality that pride and humility are not a source of vice and virtue respectively. His extensive concept of self-love as the general principle of happiness leads to the reduction of virtue to self-love. When he observed that 'All men...have an inclination towards virtue, knowledge, honours, and riches, and for the reputation of possessing these advantages,' he considered virtue only as an object of self-love or a means for the end of grandeur. While he found most passions, including apparently anti-social ones, socially beneficial and necessary, he did not identify some passions with virtue. If we take generality and particularity as his fundamental opposites of morals, generality consists in the divine will and order, and the passions belong to the evil sphere of particularity.
Chapter 2  Passive obedience controversy: general rules and particular actions

Before I proceed from Malebranche to Hutcheson, I want to look at a British and Irish controversy on the revolution around 1710's in which Malebranchean languages of generality appeared frequently. Ideological conflicts were shaking the Revolutionary settlement; Tory and High Church challenged the Whig and Low Church resistance with passive obedience, non-resistance. Charles Leslie propounded the theory of divine right and passive obedience to criticize social contract and resistance, and evoked the terrifying memory of the civil war by imagining 'Fanaticks, Common-Wealth-Men' association of Whigs, the Low Church, Dissenters and Scottish Presbyterians.²⁷ An Irish High Church cleric, George Berkeley vindicated passive obedience on the principle of natural law, and in his discourse I see what ideology Malebranchean ideas of generality could be transmogrified into when the divine general will is not associated with a man's moral judgement of the general good. Malebranche himself was critical of English and German Protestant princes because religious truths were above princes for him.²⁸

Though not referring to Malebranche, Berkeley used the Malebranchean language of generality to demonstrate the moral duty of passive obedience. As Malebranche did in his theory of enlightened self-love, Berkeley assumed self-love as 'a principle of all others the most universal, and the most deeply engraven in our hearts' and argued that self-love required us to obey the divine will and natural laws if we want to enjoy eternal happiness. He conducted an argument similar to
Malebranche's argument about the general will to discover the end of the natural laws: because of God's infinite goodness the end is not 'the private good of this or that man, nation, or age, but the general well-being of all men, of all nations, of all ages of the world'. Then he contrasted two methods of achieving the end of the general good:

Either, first, without the injunction of any certain universal rules of morality, only by obliging every one upon each particular occasion to consult the public good, and always to do that which to him shall seem, in the present time, and circumstances, most to conduce to it. Or, secondly, by enjoining the observation of some determinate, established laws, which, if universally practised, have, from the nature of things, an essential fitness to procure the well-being of mankind; though in their particular application they are sometimes, through untoward accidents and the perverse irregularity of human wills, the occasions of great sufferings and misfortunes, it may be, to very many good men.

These two methods of act-utilitarianism and rule-utilitarianism presumably reflect Malebranchean particularity and generality respectively. Berkeley adopted the latter method of the general rules, which he compared to the general laws of nature which God does not change despite any particular disaster. Berkeley's critique of the former method of particular judgement seems relevant to Hutcheson's moral sense theory. For Berkeley, an individual's private judgement about the public good in particular cases is subjective, so unstable and unable to reach public consensus, with the result that the moral standard will collapse: 'the measure and rule of every good man's actions is supposed to be nothing else but his own private disinterested
opinion of what makes most for the public good at that juncture; ... this opinion must unavoidably in different men, from their particular views and circumstances, be very different'.32 Similarly remarkable is his critique of benevolence as destructive of the general rule of justice: 'they [Tenderness and benevolence] are passions rooted in our nature, and, like all other passions, must be restrained and kept under, otherwise they may possibly betray us into as great enormities as any other unbridled lust.'33 The private judgement of the public good, or benevolence, is a particular will whose partial arbitrariness causes moral confusion and social dissolution. Berkeley's two methods lead us back to the Malebranchean problem of the general laws and the particular passions. The passions prevent the private judgement from reaching the general good: 'we must, if I may so say, go out of it, and imagine ourselves to be distant spectators of all that is transacted and contained in it; otherwise we are sure to be deceived by the too near view of the little present interests of ourselves, our friends, or our country.'34 This partial particularity of our passions and interests is the reason for his distinction between the reasoning of natural law by the public good and 'the ordinary moral action of our lives' by natural law.35 Natural law should govern absolutely the particular cases in which we are necessarily too much involved in the immediate interests to become distant spectators. By this distinction Berkeley could make natural law absolutely authoritative beyond the private judgement about the public good in ordinary life.

Berkeley deduced the moral obligation of passive obedience from the necessity of the general rules. If his view of private judgement is accepted, it seemingly follows that, as he argued, Hobbesian state of
nature caused by moral confusion must be overcome by a sovereign's fiat, which is questioned or resisted at the risk of recurrent confusion, so that passive obedience is required as an absolute moral duty. But it is strange that a sovereign's absolute will proceeds from the general rule theory. In Malebranche God's will was general, whereas here a sovereign's will is never general. While proposing the general rule, Berkeley brought in Hobbism through the back door as he could not have recourse to God in the secular politics. The secular politics different from absolutism will be possible if a different view of moral faculty of passions is taken.

Among critics of the passive obedience doctrine was Molesworth, who defended the Revolution and the mixed constitution as his political principles of a 'Commonwealth Men' and 'Real Whig'. By his constitutional histories of Denmark and France, he warned the British public that absolute monarchy could be introduced into their free country. An important factor of tyranny was clergy's seizing education of the youth, and promoting spiritual slavery not only in Catholic but Protestant countries. Instead of a blind obedience to the authority, civic education of the young elites should teach 'good Principles, Morals, the Improvement of Reason, the love of Justice, the value of Liberty, the duty owing to one's County and the Laws'. Political liberty, religious toleration, and civic education were connected aims of Molesworth's republican politics. His agenda for the reform of the Scottish universities for virtue and liberty formed a practical intention of Hutcheson's moral philosophy produced in the Molesworth circle in 1720's Dublin.

Molesworth influenced young Scottish intellectuals who formed the
Rankenian Club in Edinburgh around 1720. Interestingly, their legendary correspondence with Berkeley on his philosophy suggests their contact with another Irish thinker. Robert Wallace was a member of the club, and I can find a critique of Berkeley’s general rules in his account of the act-utilitarian ethics inspired by Shaftesbury’s virtue. In his unpublished short essay, he defined good actions as ‘what tends in some degree to the happiness of some being’, and argued that we had a faculty of moral perception as we either approve their moral beauty immediately or judge their advantage and disadvantage by consideration of their circumstances. So we should consider whether ‘particular actions’ tend to the general happiness in their circumstances without relying on the general rules. His rejection of the general rules is explicit:

We first make a general rule that such an action is bad in itself, and then by virtue of that rule once laid down conclude there can be no circumstances can alter its nature: this certainly is a wrong methods, for the only way to determine the goodness of an action is to consider all the circumstances with which its attended at that time its to be practised, and so find out its advantages and disadvantages.

Discretion of diverse circumstances is lacking for the Malebranchean and Berkeleian approach of the general laws. Wallace’s moral realism made religion less essential for morals since moral goodness exists before God’s will, and we can perceive it on our own. His proof of our moral faculty of approving good actions was applicable to a critique of the passive obedience doctrine. In fact later he criticized the doctrine in defence of the Revolution. He remarked that the restraint
of power made it wiser 'to leave mankind to judge what is best, according to the circumstances that shall actually happen.' His liberal politics was clearly based on his moral epistemology.

Chapter 3 Hutcheson on public passions and general calm desires

Putting Hutcheson's reception of Malebranche in the political context explored in the previous chapter throws some light on his reasons for criticizing and developing Malebranche in the way he did. He accepted Malebranche's proof of God's benevolence through the empirical analysis of physical and human nature. But he refuted the authoritative, exclusive tendencies implied in his vision of the absolute divine order; the origin of virtue was ascribed to the given order on which corrupt human nature depended. The general intention of his moral philosophy as a response to Malebranche seems to lie in the transformation of values by moving moral virtue from the divine order to natural sociability and recognizing generality in the senses and passions as well as in the divine will. The moral standard will be placed not in some transcendental vision but in the private judgement, and autonomous individuals will participate in forming the public good; thus the moral faculty would be presented as the foundation for a liberal concept of a polity. In short, Hutcheson's moral sense is essential for his liberal theory of social contract. This is the main story of this and next chapters. This chapter examines Malebranchean languages in Hutcheson's natural theology, account of passions, and critique of moral rationalism.

In his aesthetics, when Hutcheson induced God's design from the
internal sense of beauty in uniformity, he relied heavily on Malebranchean languages. For example, proving the divine benevolence in the constitution of the sense perceiving pleasure in regularity, which one can master profitably by his limited understanding, he asked 'what Reason might influence the Deity, whom no Diversity of Operation could distract or weary, to chuse to operate by simplest Means and general Laws', asserting that 'The universe must be governed, not by particular Wills, but by general Laws.' Unlike Malebranche, Hutcheson examined the divine generality in nature in terms of a man's sense perception. He was concerned with how generality was perceived by the sense of a particular man. So generality might be said to be particularized somehow; this is a significant change from Malebranche's theology to Hutcheson's aesthetics.

Malebranche intended to discover the divine arrangement of the passions. Hutcheson was following him when he observed that the purpose of moral philosophy was to find 'natural connexion or order' in 'multipliticity of natural desires.' Hutcheson often referred to Malebranche's subtle division of passions probably because he tried to elaborate a more empirical moral theory of passions than his theory of the moral sense, using the division. But the division seemed to Hutcheson to overlook 'some of the most important distinction of selfish and public passions.' As Moore says, Hutcheson tried to 'rewrite the subtle Augustinian psychology of Malebranche.' Opposed to reduction of every passion to self-love, he identified as sui generis the moral sense, the public sense, the sense of honour, and the desires corresponding to each in order to prove the reality of natural benevolence. Thus his first move was to place the moral principle
directly in some passions themselves.

Then Hutcheson proposed an amoral, hard-headed approach to the passions: a mechanism in which the various passions, both selfish and public, check and balance each other.\(^{46}\) He further admitted the usefulness and necessity of every passion as complementary to our imperfect intellect. For example, anger prevents any others’ self-love from committing injury.\(^{47}\) But this is not a purely mechanistic approach; it has a foundation in his theological assumption of universal harmony between each passion and the general good. He remarked, ‘how admirably our Affections are contrived for good in the whole. ... by them each particular Agent is made, in a great measure, subservient to the good of the whole. Mankind are thus insensibly link’d together, and make one great System, by an invisible Union, ... we are formed with a view to a general good End.’\(^{48}\) Here he seems to place the moral principle of generality in particular passions by connecting Malebranche’s two languages of generality and of passions. We do not have to impose the principle of generality through reason and grace, but we should let each passion act for the general good.

The fact, however, that the public passions can be destructively partial belies this assumed harmony among the passions. So Hutcheson introduced reason into his account of passions, and distinguished between ‘general calm Desires’ and ‘particular Passions’.\(^{49}\) The former allows reason to attend to the effects and circumstances of actions and suspend them; these functions of reason correspond to Malebranche’s strength and freedom of the mind. Reason overcomes passions’ ‘partial view of Publick Good’ to apprehend ‘extensive impartial Schemes of publick Happiness’\(^{50}\). Generality consists in reason, not in passions, so
the term ‘general desires’ might be incorrect, but it surely vindicates the private judgement of the public good in contrast with Malebranche’s divine general will and Berkeley’s general rules. ‘General desires’ require a constant discipline of passions; ‘particular passions’ caused by opinion, education, custom, the association of ideas need to be eradicated.51) The inclusion of education here suggests Molesworth circle’s agenda of university reform. The contemporary polite journalism of Addison was popularizing moral improvement through polite society and conversation by removing prejudice. Hutcheson referred to the rise of ‘general desires’ through such social education where ‘the Spectators, who are disengaged from our partial attachment’ make us feel shame and remorse for our partiality,52) but his main emphasis was on the cultivation of the perfect virtue of universal benevolence through civic education. In response to Malebranchean generality, Hutcheson’s account of passions seems to contain two divergent approaches: natural affections towards the general good in the divine contrivance of human nature; and general desires requiring reason and civic education.

Does Hutcheson’s adoption of reason mean abandoning his attempt to find moral content in our senses and passions? Yet his point is that a rational view of the whole system is the perfect form of virtue, not the essence of it. Virtue exists in natural affections even if without the general view. His critique of Malebranchean moral rationalism revealed the irrelevancy of truth and relations without the moral sense and affections being presupposed, and vindicated the moral independence of particular affections and actions; he denied that ‘in each kind Action Men do form the abstract conception of all Mankind, or the System of Rationals.'53) As in Christian ethics common reason moves our soul from
our fallen nature to God, so in Malebranche relations of perfection required our love of God as the essential virtue, and this was the view adopted by Carmichael. So it is significant that Hutcheson reduced the love of God to a mere additional motive to virtue, stating that ‘When a Person therefore not thinking at present of the Deity, or of a Community or System, does a beneficent Action from particular Love, he evidences Goodness of Temper.’540 We approve of his actions for his good temper which naturally appears as a particular love. Hutcheson’s morals with this essential understanding demolish fanatic sacrifice of particular goods for the deity or for the community. His conclusion is also explicitly in favour of particularity: ‘however we must look upon that Temper as exceedingly imperfect, inconsistent, and partial, in which Gratitude toward the universal Benefactor, Admiration and Love of the supreme original Beauty, Perfection and Goodness, are not the strongest and most prevalent Affections; yet particular Actions may be innocent, nay virtuous.’550 Particular individuals can be virtuous without submitting themselves to the deity or the community; their passions are expected to be disciplined through spectatorial responses of approval and disapproval of each other’s actions. Because of his natural theology of the whole system of the passions, Hutcheson could conceive the moral autonomy of sociable particular persons without God’s or the community’s dictation.

We might say that moral realism might tend to repress individuality by presupposing an authoritative order of God or the community, as is suggested in Malebranche’s account of virtue: ‘Man must sacrifice himself to attain to God,... perfection or virtue does not consist in following the order of nature, but in submitting ourselves in all things
to the immutable and necessary Order. Hutcheson put virtue in human nature, that is the passions common to all, without intellectual regard to the whole system. In this way virtue became compatible with the natural equality of individuals. Hobbes established equal natural rights by reducing man to his passions in his state of nature. So, despite their contrary views of the passions, both Hobbes and Hutcheson developed their moral and political theory of natural equality of man on the same foundation of the passions. The limitation of Malebranchean virtue to a few intellectuals was not satisfactory to Hutcheson, who observed that 'If to make a Mind virtuous; or even innocent, it be necessary that it should have such sublime Speculations of God,... then God has placed the Bulk of Mankind in an absolute Incapacity of Virtue, and inclined them perpetually to infinite Evil, by their very Instincts and natural Affections.' In fact, Malebranche himself admitted that 'Order, which must reform us, is a form too abstract to serve as a model for the more gross minds,' and suggested 'the grace of delectation (la grace de sentiment)' besides that of enlightenment (la grace de lumiere). Even in his theological framework, morals needed to be considered in terms of the passions.

Chapter 4 Hutcheson's politics: the people's consent and virtue

In his moral psychology Hutcheson vindicated moral faculty in human nature: natural affections and general benevolence. Though, in criticizing rationalism, he contrasted the two, he assumed them to be reconciled in the natural order. He expected social and civic educations to improve natural affections and to generate general benevolence.
providing the extensive view of the general good.⁵⁰

As human nature is thus capable of morality and justice, it would be a steady basis for liberal politics. There would be no occasion for coercion. Both Pufendorf's positivism of absolute sovereignty and Malebranche's realism of eternal order shared self-love theory, on which social order must be brought in from the outside by repression or manipulation of self-love. Malebranche, finding people's moderated desire for greatness making for the public good, suggested the art of deceiving them by an imaginary abasement that consisted only in civilities and speech.⁶¹ Hutcheson understood well this political implication of self-love theory when he remarked that 'the Wisdom and Goodness of the Author of our Nature is traduced, as if he had given us the strongest Dispositions toward what he had in his Laws prohibited; and directed us, by the Frame of our Nature, to the meanest and most contemptible Pursuits; as if what all good Men have represented as the Excellence of our Nature, were a Force or Constraint put upon it by Art or Authority.'⁶² His benevolence theory of passions was intended to provide an account of human nature more suitable to natural law so as to reduce an occasion of force or art and also to render a consistent account of God's nature and grace.

Hutcheson proved natural sociability to remove absolutism of self-love theory on which Pufendorfian theory of natural law was founded. Furthermore he deduced natural rights and laws from the moral sense. He simply claimed to deduce natural rights from the moral sense. I have seen the moral sense approving our particular affections even if without any rational care for the whole system; so his ethics had two levels of morality: the essential goodness of temper

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and the perfect virtue of universal benevolence. A corresponding dual structure seems to be found in his right theory. First notions of rights arise from the moral sense: 'by our natural sense of right and wrong, and our sympathy with others, we immediately approve any persons procuring to himself or his friends any advantages which are not hurtful to others, without any thought either about a law or the general interest of all.' This priority of 'private appetites and desires' seems to be the basis and purpose of his politics. But affections which produce actions approved as natural rights actually cover some lower natural desires and the disposition for the universal good as well as particular benevolence, and the moral sense cannot perceive the first two things. Neither can the moral sense perceive the rights of animals which are not subjects of moral goodness. So Hutcheson proceeds to his second argument that we need a rational judgement about the general good for setting rights; desires and needs are examined in terms of the common good of the whole system of universe before they are admitted as rights. God's right to moral government is approved in this way by our moral sense and reason. His right is derived from His justice, that is 'universal impartial Benevolence' to the whole creatures. It is not His will but the public good that makes us feel obligation to His natural laws. Thus Hutcheson's conception of natural rights and laws are embedded in the general good.

Hutcheson's natural right theory combined with his concepts of the moral sense and the general good seems to have made an effective response to the theoretical basis of High Church and Tory ideology of passive obedience. The people with the moral sense and reason can judge about the public good for themselves, and their equal natural
rights are not so subversively subjective, but remain regulated by the
consideration of the public good. His moral theory provided substance
to his liberal politics. I do not claim that his discourse on the moral
sense was a factional pamphlet in the passive obedience controversy,
but that his reference to the controversy in his argument on the moral
sense shows his consciousness of the controversy while writing the
text and possibly of its relevance to the moral sense.

Among his unalienable rights is 'the Right of private Judgement,
or of our inward Sentiments'. This will be a principle of limitation and
formation of government. If this right is injured, the people choose to
exercise the ultimate restraint: the right of resistance. I have seen it
argued that Hutcheson's virtue put in the senses and passions is open
to the common people. That he examined morality in terms of the
moral sense shows his concern about epistemology of virtue. For him
the problem of virtue was that of moral perception and approbation. It
might be said, therefore, that the moral sense had a practical relevance
to the people's consent in his social contract theory. His pursuit not
only of virtue but of the ability to recognize virtue seems to support
his political idea that power is not due to a governor's superior virtue,
but to the people's consent. So his politics is not so much dependent
on virtue of legislators as that of the people jealous of their natural
rights.

Hutcheson's modern liberal politics drawn mainly from his Inquiry
needs modification by ancient politics contained in his later university
texts, A Short Introduction to Moral Philosophy and A System of
Moral Philosophy. His theory of natural rights was derived from the
moral sense's general view of the public good, so they included 'the
general Rights of Human Society, or Mankind as a System’ as well as individuals’ rights. Unlike natural affections, general benevolence need to be cultivated by civic discipline. So it follows that the moral sense which should restrict government, should be improved by government: civil governors ought not only to secure the rights but ‘to instill into the minds of their subjects the true sentiments of religion and virtue’. His advocating the duty of the sovereign to improve virtue and manners through civil religion and censorial power seems to be at odds with his vindication of ‘free conversation and argument’ from our modern perspective even if he repeatedly assured that leading should not be enforcement or persecution. But both civic institutions and polite conversation had the same purpose of correcting partial bigotry of opinions. As long as opinion and custom were opposed to natural virtue in his moral realism, his politics needed the regulation of public opinion. In fact, deists and radical Whigs invoked civil religion as well as polite conversation in their attack on High Church priestcraft. Both Toland and Shaftesbury quoted Harrington to propose ‘National Religion’ as the public leading compatible with toleration. Hutcheson was connected through Molesworth to these republicans. Under the influence of civic tradition Hutcheson changed Malebranchean theological generality of the divine will into general benevolence promoted by civic discipline.

**Conclusion**

I have set two contexts for Hutcheson’s moral philosophy: the seventeenth century European controversy between voluntarism and realism caused by the reception of Hobbes; and the British and Irish
controversy on passive obedience. In these controversies Hutcheson found relevant languages to manipulate in order to adapt Pufendorfian natural jurisprudence for Scottish moral philosophy by replacing its absolutist voluntarism with natural sociability. I have shown that Malebranche provided him with seminal languages for overcoming Augustinianism: the languages of divine generality and sociable passions. In short, Hutcheson reconciled these two languages. He transferred Malebranchean theological generality down to our common passions by discovering public passions and general calm desires. While natural sociability reduces the occasion for law enforcement to minimum, his moral sense theory formulates the private judgement of the public good. By showing that natural law is derived from the moral sense, he refuted Berkeleian general rules justifying passive obedience. I have connected his moral and political thoughts, interpreting the moral sense as an essential foundation of his liberal polity of the popular natural rights and consent.71)

Notes

Introduction


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Chapter 1


7) Ibid., p. 45 (p. 126.)
8) Ibid., pp. 3f (p. 107.)


10) Ibid., pp. 19, 21 (pp. 46f.)

11) Ibid., p. 21 (p. 48.)


13) Ibid., tome I, 1962, p. 69 (p. 19.)

14) de morale, p. 69 (p. 81.)

15) Ibid., p. 148 (pp. 136f.)

16) Recherche, tome II p. 134 (p. 342.)

17) Ibid., tome II p. 52 (p. 291.)


19) Recherche, tome II p. 116 (p. 332.)

20) Ibid., tome II p. 114 (p. 330.)

21) Ibid., tome II p. 117 (p. 332.)

22) For La Rochefoucauld, Pierre Nicole, Jean Domat, see Nannerl O. Keohane, Philosophy and the State in France, Princeton UP, 1980, ch. 10.
23) *Recherche*, tome II p. 53 (p. 292.)
24) Ibid., tome II p. 115 (p. 331.)
25) Ibid., tome II p. 190 (p. 376.)
26) Ibid., tome II p. 51 (p. 291.)

Chapter 2


28) *Recherche*, tome I p. 334 (p. 168.)


30) Ibid., p. 21.
31) Ibid., p. 32.
32) Ibid., p. 22.
33) Ibid., p. 23.
34) Ibid., p. 33.
35) Ibid., p. 34.


38) Moore, 'Two Systems,' p. 46.


Chapter 3


44) Hutcheson, *An Essay on the Nature and Conduct of the Passions and

45) Moore, 'Two Systems,' p. 52.

46) Essay, p. 54.

47) Ibid., p. 53.

48) Ibid., pp. 177f.

49) Ibid., pp. 29f.

50) Ibid., p. 97.

51) Ibid., p. 89.

52) Ibid., p. 106.

53) Ibid., p. 219.

54) Ibid., p. 327.

55) Ibid., p. 333.

56) de morale, p. 27 (p. 51.)

57) Essay, p. 331.

58) de morale, p. 33 (p. 56.)

59) de la nature et de la grace, p. 96 (p. 151.)

Chapter 4

60) Eeasy, p. 311.

61) Recherche, tome II p. 119 (p. 333.)


63) A Short Introduction, p. 120.

64) Ibid., pp. 119f.

65) Inquiry, p. 272.

66) Ibid., p. 167.


69) System, II, 313.


71) This essay was written while I was a fellow at the Department of History, the University of Edinburgh with the financial support granted by the University of Seijo. I am grateful to Dr. Phillipson for his helpful comments.

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