

Further Analysis of OC32–7

1. Hume's key critical idea in these paragraphs is the refutation of contract theory. Contract theory relies on the *reduction* of allegiance to fidelity: our duty to obey government 'traces back' to, or 'roots' in, our duty of keeping promises. But Hume claims that such a reduction is impossible, because allegiance is grounded in public interest just like justice and fidelity. Hence, contract theory is implausible at best, and incoherent at worst (see OC37, where Hume hints at circularity).

2. But what is Hume's positive account? The *problem* is that he needs to give a more substantial account of our allegiance, one that is grounded in human nature and practice (remember: 'experimental method'), and also explains why we have a *moral* obligation to obey government. Political duty needs to be linked with moral approval, and thus with an evaluative sentiment, since *all* moral approbation and disapprobation is grounded in the passions (see handouts 2 and 3).

3. Probably the clearest discussion of this issue can be found in the *Enquiry concerning the Principles of Morals*, EPM §3 ('Of Justice'), §4 ('Of Political Society'), and §5 ('Why Utility Pleases'). Hume's earlier discussion of the matter is in *A Treatise of Human Nature*, 3.2.1–8, which is more detailed but also less straightforward.

4. One of the core ideas is *public interest*, as opposed to self-interest. For Hume, a purely self-interested morality (i.e. egoism) could not get off the ground. There are several aspects to this.

5. Hume concedes that we are self-interested some of the time, but when we consider 'the principles of the human make' (EPM 5.43), we find 'natural philanthropy' (EPM 5.40). We are not totally blind to, or cut off from, the interests of others: 'no man is absolutely indifferent to the happiness and misery of others' (EPM 5.17n19). As centres of hedonic resonance, so to speak, we are constantly, and to some extent, reverberating with the experiences of other people around us, or fictional character on stage, or historical persons in books. We are *sympathically* connected to humanity (to put it enthusiastically) (EPM 5.18ff.).

6. Hume also shares with Aristotle the idea that human nature is political or inclined to social association ($\delta\acute{\alpha}\nu\theta\rho\omega\pi\omicron\varsigma\ \phi\acute{\upsilon}\sigma\epsilon\iota\ \pi\omicron\lambda\iota\tau\iota\kappa\omicron\nu\ \zeta\omega\omicron\nu$ [ho anthropos phusei politikon zoon], *Politics* 1253a2). We naturally form civic bonds: 'human nature cannot, by any means, subsist, without the association of individuals' (EPM 4.3, see also 5.5). For individuals, a solitary existence is impossible: "Reduce a person to solitude, and he loses all enjoyment, except either of the sensual or speculative kinds; and that because the movements of his heart are not forwarded by correspondent movements in his fellow-creatures" (EPM 5.18).

7. To say that *x* is *useful* (has utility) is to say that *x* has a tendency towards a certain end (EPM 5.17), but if an end is totally indifferent to us, the means to that end could not 'please' us, since we lack a ground to approve or disapprove it (EPM 5.17, 5.46). (Why would I practice the piano if I have no interest in mastering that instrument?) Conversely: if an end matters to us, we appreciate the means. Now, *justice* is such means: we approve of it because it is useful or beneficial to society, or

promotes the public interest—the *end*, which is safety, peace, stability, ‘mutual trust and confidence’ (*EPM* 3.28), and the ‘stability of possession’ (*T* 3.2.3).

8. A *property* is anything ‘which it is lawful for [us], and for [us] alone, to use’ (*EPM* 3.35). As such, no object is ‘propertied’, or possessed: only convention (‘artifice’) makes a pen, say, mine, and your taking it a morally wrong act, perhaps assisted by the fact that some things are more scarce than others. Thus, rules are needed for the safe and secure ‘stability of possession’ and its consensual transfer (cf. *EPM* 3; *T* 3.2.2–4). Such rules relate to *justice*, i.e. the ‘constant and perpetual will of giving every one his due’ (*T* 3.2.6.2). Justice roots in a self-interested recognition that I benefit when others are constrained by certain rules, and once I also grasp that others benefit from my submission under those rules that support the public interest, and once we all ‘receive a pleasure from the view of such actions as tend to the peace of society, and an uneasiness from such as are contrary to it’ (*T* 3.2.6.11), justice has turned into a *duty* (with moral connotations).

9. If all had what they needed, there would be no property, and hence no need for justice: justice would have no utility, and hence would be not appreciated (*EPM* 3.3). If everyone were maximally generous and benevolent (‘being a second self to another’), there would be no institution of promises either (*EPM* 3.6). So, justice and fidelity are ‘artificial’ insofar as they depend on the establishment of a society, and it is only in this society that they have *moral* significance.

10. Through a ‘progress of sentiments’ (*T* 3.2.2.25) our natural sentiments extend to the public interest, or give a new direction to our natural passions. As we habitually experience such a detached pleasure (unease), to morally approve (disapprove) of public or social virtues (recall: a virtue is a personal quality ‘agreeable’ to spectators; cf. *EPM* 8.) Insofar as we appropriate it, and regard (and feel) it as our own, public interest becomes ‘second nature’.

11. Here is an attempt to capture Hume’s overall line of thought:

- To be pleased with something is to approve it. To be uneasy about something is to disapprove it. (Hume’s moral sentimentalism)
- If we keep a promise, we are pleased when others show gratitude. If others keep a promise, we are pleased too. Likewise for justice: we are pleased by ‘mutual abstinence from property’ (*PO* 2), or uneasy when people do not get what is due to them.
- As ‘political animals’, we recognise that we benefit from public interest (*OC* 34–5).
- What is in the public interest has utility. If something had no utility, i.e. were not conducive to some beneficial end, we would not be inclined to approve it.
- We are pleased to see just acts in others, or towards ourselves. We are uneasy about acts of injustice: they jeopardise what is in the public interest.
- Allegiance works just like justice and fidelity (*OC* 35).
- Allegiance and obligation to government has utility; what has utility pleases.
- So we are morally obliged to allegiance: we *ought* to be just etc.
- Like justice and fidelity, allegiance is an actuating principle in virtue of the associated evaluative sentiments (see the passions). It is prescriptive.
- Our obligation to government is moral, not contractual.

