



3

David Hume

3.1 The Life of David Hume

David Hume was born in Scotland in 1711. He came from a family of the small Scottish landowning bourgeoisie. At the age of twelve he entered the University of Edinburgh to study law, as his family wished, but from his youth he became adept at philosophical studies. After graduating, in 1734 he decided to travel to expand the horizon of his ideas, and thus spent three years in France, in La Flèche. In this small town, there was a Jesuit university, where Hume lived from 1735 to 1737. The philosopher René Descartes was educated there and the institution continued in the 1730s as a centre of Cartesians. Hume apparently maintained cordial relations with the local Jesuits and used their library, which boasted as many as 40,000 volumes.¹

It was there, in the shadow of Descartes, that he wrote his *Treatise on Human Nature* (in 1734 he published the first two books and in 1740 the third). In it, Hume wanted to introduce the Method of Experimental Reasoning in the Moral Subjects. Hume names John Locke, the Third

¹Mossner (1980, 99–104).

Earl of Shaftesbury, Bernard Mandeville, Francis Hutcheson and Joseph Butler as his predecessors in this regard. As we have said, the reception of the *Treatise* disappointed Hume. The work went unnoticed and the criticism was hostile, especially because the *Treatise* was classified as anti-religious and contrary to “true morality”. Hume thought that his views had not been understood, and in 1740 anonymously wrote and disseminated a summary that later fell into oblivion. John Maynard Keynes and Piero Sraffa discovered it and published it, with a prologue, in 1940 under the title of *An Abstract of a Treatise of Human Nature, 1740 a Pamphlet Hitherto Unknown*.

From then on, Hume began his administrative career, combining it with trips to the continent. He competed for a Chair at the University of Edinburgh as he wanted to be a professor of Ethics and Pneumatic Philosophy, but he did not achieve it due to the opposition of the orthodox ecclesiastical environment. In 1741, he published the first part of his *Essays Moral, Political and Literary*. The favourable reception received in Edinburgh by the publication made him forget his first failure. These essays covered a great diversity of political, economic, legal, philosophical, critical and moral topics. Hume expanded them in later editions and, over time, suppressed those of them that were devoted to lighter subjects.

From the summer of 1744 through the spring of 1745, Hume sought an appointment to the Chair of Ethics and Pneumatical Philosophy at Edinburgh University. According to the university’s job description, the holder of this chair was expected to instruct his students on “the being and perfections of the one true God, the nature of Angels and the Soul of man” and to lecture every Monday “upon the truth of the Christian religions”, tasks Hume was not well suited to perform.² Even some of Hume’s friends, such as Francis Hutcheson, stood against him. It would have been a little hypocritical on Hume’s part for him to accept the position. On another occasion he wished to be a Hypocrite in this particular: “The common duties of society usually require it”.³

²Rasmussen (2017, 28).

³David Hume to James Edmonstone, April 1764, in NHL, 83. See Shklar and Cowles (1984, 72).

Subsequently, Hume worked as preceptor to the Marquis of Annandale (1745–1746) and lived in Saint Alban’s, near London. The Marquis of Annandale was declared legally insane a few years after Hume left his employ. Hume took part in a minor military expedition to the western coast of France as a secretary to a distant relation of his, Lieutenant-General James St. Clair. From then on, Hume’s fame of living far from the ivory tower—a world of business, military expeditions, international diplomacy and Parisian ladies—spread.⁴

He was secretary to General St. Clair (1746–1748), whom he accompanied on a diplomatic mission. In 1751, Hume settled in Edinburgh. Endeavouring to replace the third book of his *Treatise*, he finally published *An Enquiry Concerning Human Understanding* (1748), which together with an *Enquiry Concerning the Principle of Morals* (1751) were to constitute his most popular work. It is a better written work in which some of its previous arguments are emphasized. He was pleased with the result, judging that “by shortening & simplifying the Questions, I really render them much more complete”.⁵ He also wrote in that period his *Three Essays, Moral and Political*, never published, which completed the former edition in two volumes of the 26 essay of *Essays, Moral and Political*, published in 1748. In 1752 the *Political Discourses* appeared. As we have said, it was probably in that year that he met Adam Smith.⁶

As Rasmussen says, as he was completing these works Hume was called away from his literary pursuits once again to serve a second stint as St. Clair’s secretary, this time on a military mission to Vienna and Turin.⁷ The pensions that he received from these secretarial appointments left him financially secure. Between 1749 and 1759 he composed a draft of the *Dialogues Concerning Natural Religion*, published the *Enquiry Concerning the Principles of Morals*, a volume of *Political*

⁴Mazza (2012).

⁵David Hume to Gilbert Elliot of Minto, March/April 1751, in JL, I, 158.

⁶Ross (2007).

⁷Rasmussen (2017, 34).

Discourse, a collection of essays that included the *Natural History of Religion*, and the first four volumes of the *History of England*. This would also be the first decade of his friendship with Smith.

Hume was then nominated for a chair at Glasgow University, which he did not win. But almost immediately after this missed opportunity, another prospect opened up for Hume. In February 1752 he was appointed keeper of the Advocates' Library in Edinburgh, a post that brought him a modest salary but also access to one of the best libraries in Britain. He worked at the library for five years, resigning in January 1757 for unknown reasons in favour of Adam Ferguson, his common friend with Adam Smith. The exceptionally well-stocked library helped the investigations of his *History of England*. The six volumes of the *History of England* appeared between 1754 and 1762.

Some were quite ill-received by the liberal bourgeoisie. In his autobiography, Hume says that he was disappointed "assailed by one cry of reproach, disapprobation, and even detestation; English, Scotch, and Irish, Whig and Tory, churchman and sectary, freethinker and religionist, patriot and courtier, united in their rage against the man, who had presumed to shed a generous tear for the fate of Charles I and the Earl of Strafford".⁸ Hume "had dared" to distance himself from power and the authority of the moment narrating in an objective way the episode of the death of Charles I of England, decapitated in London on January 30, 1649 and that ended with the fall of the royal party until the restoration of the monarchy in 1660. Actually, Hume considered that the division of parties of his time was one between the party of the court and the party of the people. Hume was not an enthusiastic enough Whig, as he thought that England was abused by the violence of both Parties. If there is a central guiding theme in his work as a whole, it is the blessings of civilization. Hume discusses the British parties in several of his essays, for example, "Of Parties in General", "Of the parties in Great Britain", "Of passive obedience", "Of the coalition of parties" and "Of the protestant succession".

⁸Hume (1980 [1776], 614).

The same division into party of the court and party of the people was made by Bolingbroke, defender of the Tory party in parliament and Secretary of State from 1710 to 1714, who went into exile in 1715 after the accession to the throne of George I, which led to a period of Whig domination from 1714 to 1760 (Bolingbroke defended James III, the other pretender to the throne).⁹ After returning to London in 1725, Bolingbroke contributed in the following decade to *The Craftsman*, a newspaper that opposed the Whig government when Walpole was there. The *Dissertation Upon Parties* by Bolingbroke, which appeared in *The Craftsman* in 1733, is a vehement attack on Walpole. Bolingbroke argued that the basis of the old division between Tories and Whigs no longer existed. Both now form a constitutional party, which seeks to preserve the British constitution through the independence of parliaments against the new influence of the Crown. The anti-constitutional party of Walpole, or court party, however, tried to extend the power of the crown and reduce parliaments to absolute dependence. This was then the context in which Hume published his *History of England*.

In 1756 Hume prepared some essays. One was the controversial “The Natural History of Religion”, and “Of the Passions” (a revised summary of Book Two of the *Treatise*), “Of Tragedy”, “Of Standard of taste”, “On suicide” and “On the immortality of the soul”. But these last two texts were the object of a judicial threat on the part of the Rev. William Warburton and were only published anonymously one year after the death of Hume in Edinburgh. The other four essays appeared as “Four Dissertations” in 1757.

The essay “On Tragedy” was included afterwards as the 25th essay in *Essays Moral, Political and Literary*, Part 1 (1758). In it, Hume discusses the psychological basis for pleasure when we observe theatrical representations of tragic events. For Hume, what gives value to the representation is the admiration of the author’s mastery. This essay marked a milestone in the history of eighteenth-century aesthetics.

⁹Bolingbroke (1735).

Although “On suicide” and “On the Immortality of the Soul” were probably written in 1755, and they were intended to be printed in “Five dissertations”, as we have said the prospect of ecclesiastical condemnation and possible prosecution led Hume and his editor Andrew Millar to withdraw them from publication. They were replaced by “Of the Standard of Taste” and the essay book appeared in 1757 under the title “Four Dissertations”. There were rumours for years about the two essays withdrawn, and clandestine copies appeared in French (1770) and English (1777). This posthumous publication of 1777 was anonymous and was published under the title of two essays. In 1783, both essays were published with Hume’s name. In any case, he did not authorize any of the editions. With the two essays, the anonymous publisher of 1783 included his own critical notes against the idea of suicide and in favour of the immortality of the soul, in addition to excerpts from Rousseau’s “La Nouvelle Heloise” about suicide, opposing Hume’s ideas. There is a copy of the two original essays of “Five Dissertations” in the National Library of Scotland. The copy contains 19 handwritten corrections by Hume, and it is the revision of Hume himself. However, these corrections did not appear in the 1783 edition.

In 1763, Hume accepted the invitation of Lord Hertford to join the embassy in Paris, the city where he lived until 1766. He met the encyclopaedists, and, in Parisian literary circles, he initiated a close friendship with Jean Jacques Rousseau. Hume returned to England accompanied by Rousseau, but a confrontation broke out between them that ended with public denunciations by both.¹⁰ He was also a close friend of the literati d’Alembert and Lawrence Sterne, with whom he had stormy relationships.

Between 1767 and 1768, Hume acted as an Undersecretary of State. There was no salary for that, but the Under-Secretaries and the chief clerks divided among themselves, in an unknown proportion, certain fees, gratuities and post-office rights. The reward was perhaps sufficient, as the duties were hardly arduous.¹¹ However, in 1769 he left the administrative career to retire to Edinburgh with the purpose

¹⁰Rasmussen (2017, 244).

¹¹Mossner (1980, 533).

of enjoying the fortune he had received from both his positions and, finally, with his works. After a painful illness undergone with great fortitude of mind, Hume died in Edinburgh, the same city where he was born, on August 25, 1776, at the age of 65. In 1777, his Autobiography appeared posthumously, as well as the two essays on *Immortality* and *Suicide*, which religious bigotry had prevented him from publishing in 1757. The *Dialogues Concerning Natural Religion*, although written in 1750, were also published posthumously, in 1779.

3.2 Scepticism

3.2.1 Epistemological Scepticism

It is impossible to understand Hume's theory without reviewing, very briefly, his philosophy. Many scholars have recently put his most purely sceptical ideas into parenthesis. They have called him an epistemological naturalist.¹² This belies the interpretation of Bermudo, who said that Hume was a clear sceptic, "the philosopher who dares to be left without World, without God and without himself, like a strange wild monster".¹³ But Bermudo coincides with many interpreters of Hume's philosophy who have understood him as a sceptic, from Thomas Reid to Beattie and Green. In *An Inquiry into the Human Mind: On the Principles of Common Sense* (1764), Thomas Reid claimed that Hume's philosophy was one of implacable scepticism.¹⁴ His theory, he said, is the logical result of the philosophical position that Descartes had with his *Discourse on Method* of 1637 and that Reid calls the "theory of ideas". According to this theory, we do not perceive external objects directly, but rather we experience perceptual images—"ideas"—of external objects. The sceptical consequence is that we must question the existence of everything, except for these perceptual images. A famous

¹²Smith (1941).

¹³Bermudo (1983, 82, 264).

¹⁴Reid (1970).

and influential introduction by Green to Hume's complete works endorsed this reading of Hume's works.¹⁵ Many writers perpetuated this interpretation of Hume, as is the case with George L. Scott, Richard Price and Joseph Highmore. The Scottish philosophers were especially interested in responding to Hume. But Balfour and James Oswald, and especially James Beattie, accepted the vision of his philosophy as a sceptic. Beattie devoted much of the work *Essay on the Nature and Immutability of Truth* to refute many of Hume's philosophical ideas.¹⁶ Although these philosophers usually directed their criticisms at the *Enquiry*, some also pointed to the *Treatise*.

The question is that David Hume plays by dropping arguments through the Discourse through characters that hide and do not allow the author's true ideas to be grasped. Not in vain is the dialogical method used as a method of discovery that, since the dialogues of Plato, sought to place a mirror in which to reflect ourselves. And, in the case of David Hume, it was the method used to make room for his own self-justification.¹⁷

The essay on the Sceptics appeared in ninth place in *Essays Moral and Political* (1742, Vol. 2). In it, Hume expresses the sceptical view that there are no objects in themselves desirable or odious, valuable or despicable, but that they acquire these qualities by the character and constitution of the mind that observes them. For instance, calm passions can be more intense for the Sceptic, as they do not depend on the object that produces them, but on the quality of the passion and the disorder of the mind when he feels them. Actually, mental strength consists of a prevalence of calm passions. Hume seems to be the sceptic, as there is a great similarity between Hume's theory and how he describes the Sceptic in the essays as regards the consideration of happiness as the prevalence of calmed passions. But in this there is some controversy also: Kemp Smith says that Hume may be identified with the character of Philo. But Bricke argues that none of the characters in the Dialogues can be identified with Hume.¹⁸

¹⁵Hume (1964a).

¹⁶Beattie (1770).

¹⁷Norton (1982).

¹⁸Smith (1941) and Bricke (1975). See Coleman (1989).

In the final analysis, we cannot absolve Hume of scepticism in his epistemological theory. However, we will absolve Hume from the charge of moral scepticism. Hume keeps to Locke's two characteristic positions, that we can only know the world of ideas; and that thought cannot originate ideas. Every idea must be sketched from a perception. Hume distinguishes between perceptions that are "impressions" and those that are "ideas", some originally produced in the feelings, and others reproduced by memory and imagination. The difference between impressions and ideas is in the degree of liveliness or strength with which they strike our mind. Ideas are less strong impressions. Another division of perceptions is between simple and complex; the latter can be divided into parts and they arise from a relation between simple ideas. The last division is between impressions of sensation and impressions of reflection. The first type arises from the mind originally, from unknown causes. The second is derived largely from our ideas. An impression first impacts the senses, and makes us perceive heat or cold, thirst or hunger, pleasure or pain or some kind of sensation or other. From this impression there is a copy taken by the mind that remains after the cessation of the impression; and we call this the idea. This idea of pleasure or pain, when it returns to the mind, produces the new impressions of desire and aversion, hope and pain, which properly should be called impressions of reflection, because they are derived from it. Depending on the greater or lesser degree of secondary liveliness, the ideas are classified as "ideas of memory" or "ideas of imagination". Ideas of imagination have a less comparative sharpness than ideas of memory and they can be reproduced in a different order than that in which the corresponding ideas are originally presented.

The key to Hume's philosophy is his treatment of the "association of ideas" as a process of spontaneous generation, by which impressions of sensation give rise to impressions of reflection in the form of habitual propensities. The qualities from which the associations of ideas arise are those of similarity, continuity in time and place, and cause and effect. The reason for this attraction of ideas is unknown. Regarding the ideas of relation, Hume distinguishes between "philosophical relation" and "natural relation". There are seven philosophical relations: similarity, identity, relations of time and place, quantity and number, degrees in

quality, contrariety and causation. Hume deals more extensively with the relations of identity and causation. For him, they are the result of certain impressions of reflection called “propensities to ascribe simplicity and identity to the different perception” that result in natural relations and ideas—the qualities by which one idea usually introduces another.¹⁹

Hume does not identify, like Locke, our first consciousness with a gross physical theory in which the inside–outside is assumed a priori. When we speak of an impression, it does not mean that the feeling is determined by reference to something other than itself. The senses are unable to give rise to the notion of a continued existence of objects, after they no longer appear to the senses. It is “habit” that makes us expect a train of events for the future like that of the past. That is to say, the order of nature depends on the strength of expectation.

Besides, the idea of time is not derived from a distinguishable impression but arises from the way the impressions appear in the mind. The concept of time responds to different ideas or impressions and objects arranged in a certain way, i.e., happening in succession. But the infinite divisibility of space implies that of time, as evidenced from the nature of motion. If the latter, therefore, be impossible, the former must be equally so.²⁰ Time does not exist in the present, but it is only the warning that the mind takes off the way in which impressions appear in it.

Likewise, when we examine any particular object that we assume to be related as cause and effect, such as the sight of a flame and the feeling of heat, we only find its constant union in experience, and union is equivalent to “contiguity in time and place”, a natural relationship that acts as a principle of union between ideas. Because the impression of a flame has always been found, followed by that of heat, the idea of flame suggests that of heat. It is only habit that determines the transition from one to the other.

¹⁹Hume (1964a), *Treatise*: Section VI.

²⁰Hume (1964a), *Treatise*: 1: 11: 11: 338.

Because of his doctrine, Hume obtains two definitions of the cause and effect relationship. First, he considers it as a philosophical relation or comparison of two ideas, the cause being an object present and contiguous to another.²¹ Hume does not, however, make the difference between cause and chance very clear. All our arguments about causes and effects consist on the one hand in an impression of memory or senses, and on the other in the idea which produces the object of the impression or is produced by it. It is only habit that determines the transition from one to the other. But, according to the distinction inherited from Locke, as the cause or effect does not consist in a comparison of the related ideas, any inference is only a probability. If there has been no exception to the habit, it is safe and a test. When there have been exceptions, it creates an imperfect experience—there is a weaker likelihood due to “contrary causes”. Therefore, any inference is just a probability that depends on the number of experiments in which “a” follows “b” and those that do not follow that path. In a way, this assumes that the law of causation is objective and universal and there is a notion of continued existence distinct from our perceptions.²² Hume ends up accepting the cause–effect relationship as an objective reality, with a definition of it as a philosophical relation.

3.2.2 Moral Naturalism

Hume says that mankind “are nothing but a bundle or collection of different perceptions, which succeed each other with an inconceivable rapidity, and are in a perpetual flux and movement... There is properly no simplicity in it at one time, nor identity in different”.²³ There, he displays his epistemological scepticism, as there is no self to acquire knowledge. He does not recognize an intellectual or sensitive

²¹Hume (1964a), *Treatise*: 1: 111: XIV: 464.

²²Hume (1964a), *Treatise*: 1: 111: XII: 436.

²³Hume (1964a), *Treatise*: 1: IV: VI: 54.

synthesis of successive feelings. But, appealing to habit, Hume makes “impressions of memory” lead him to the conception of a real system of thought since together with a system of perceptions there is another connected by habit.²⁴ In the last analysis, Hume could not fully demonstrate the non-existence of innate ideas: we must assume some innate ideas to affirm the existence of memory, habit and custom—and of a “natural law” based on it.

Hume justifies that our imagination conceives the idea of the self by assuming that each of the parts, the successive sensations, refers to each other by a combination made to achieve a common purpose, survival. The human species would not be alive if nature had not inspired in us an aversion towards annihilation. And in this sense our identity based on the imagination, in making our distant perceptions influence each other, gives us a present concern for our past and future pleasures and pains. Scepticism is not a philosophy of action, and, for Hume, only the doctrine of utility can be a philosophy of the action of the sceptical man.

In theological reasoning, the objects we are dealing with are too broad to encompass. He puts in the voice of Demea, Philo and Cleantes, in his *Dialogues Concerning Natural Religion*, the idea that the a priori arguments for the existence of God are not valid, but neither are they a posteriori. To affirm that something begins to exist without cause is not to affirm that it is its own cause, but that all external causes are excluded.²⁵ We do not need a final cause or a necessary and eternal being. In fact, Hume accepted the possible

mortality of this fabric of the world, and its passage, by corruption or dissolution, from one state or order to another. It must therefore, as well as each individual form which it contains, have its infancy, youth, manhood, and old age; and it is probable that, in all these variations, man, equally with every animal and vegetable, will partake.²⁶

²⁴Hume (1964a), Treatise: 1: 1 11: IX: 407–408.

²⁵Hume (1964a), Treatise: 1: III: III: 382.

²⁶Hume (1964c), Of the Populousness of Ancient Nations: XI: 381.

Hume then comes back to the idea of the eternal return, accepted by Plato and Aristotle in a weakened form, also more firmly proposed by the Stoics, the Pythagorean circles and the cosmic cycle of Empedocles.²⁷

Instead of supposing matter infinite, as EPICURUS did; let us suppose it finite. A finite number of particles is only susceptible of finite transpositions: and it must happen, in an eternal duration, that every possible order or position must be tried an infinite number of times.²⁸

In any case, as Cleantes says, even if a man renounced all belief and opinion, it would be impossible for him to persevere in this total scepticism, nor apply it to his behaviour even for a few hours: “When he awakes from his dream, he will be the first to join in the laugh against himself, and to confess, that all his objections are mere amusement, and can have no other tendency than to show the whimsical condition of mankind, who must act and reason and believe”.²⁹ “Whether your scepticism is as absolute and sincere as you claim is something we shall learn later on, when we end this little meeting: we’ll see then whether you leave the room through the door or the window; and whether you really doubt that your body has gravity and can be injured by its fall—which is what people in general think on the basis of their fallacious senses and more fallacious experience”.³⁰

Hume’s scepticism about reason is however consistent with his naturalism.³¹ The distinction between good and evil cannot be based on reasoning. Morality is a feeling. But the feeling that Hume discovers when trying to escape from rationalism is, paradoxically, also rationalist.³² For Hume, reason is not something distinguishable from feeling, but

²⁷Barnes (1992, 590).

²⁸Hume (1964d), *Dialogues*: VIII: 426.

²⁹Hume (1964d), *Academical or Sceptical Philosophy*: 11: 131.

³⁰Hume (1964d), *Dialogues*: 1: 382.

³¹Sturgeon (2001).

³²See Radcliffe (1997) and Millgram (1995).

feeling is constructed through the relations of ideas with impressions, and the memory of material impulses of pleasure and pain that struggle to survive.³³

Hume's contemporaries attacked his position because he opened the doors to relativism, which they considered the inevitable consequence of basing morality on individual sentiment. Yet, Hume exerted great influence on the French and German illuminists. It is enough to remember the debt that Kant says he contracted with Hume's scepticism, in which he identified the famous "awakening of the dogmatic dream". His influence, however, decreased, at least on the European continent, because of the criticisms of alleged superficiality that romantic philosophy made against empiricism. But it remained very much alive in England and exercised great influence in the United States. Hume's true historical acceptance began at the end of the nineteenth century, with the revalorization of the *Treatise*, whose theses have directly influenced neopositivism.

Finally, as we have indicated, Hume says that the greatest detractors of Pyrrhonism and scepticism are the action and occupations of common life. Despite introducing sceptical doubt on the first level of discourse, the absence of foundation or the emptiness of life transgresses the same scepticism on the second level of discourse. In it, Hume envisions a new path for philosophy, a path that is based on the celebration of philosophical defeat.³⁴ In his *Dialogues*, he cites the pessimistic view of men: "what leads him to seek protection from God, the being on whom he and all nature depend, is not any reasoning but rather his consciousness of his own weakness and misery".³⁵ On the one hand, contempt for philosophy causes man to fall into taught theology, but, on the other, philosophy itself can lead to extravagant new doctrines, which rely too much on reason. For Hume, the attributes of God that we preach are the product of piety, of the institutions that fill the divine being with all the perfections of which we have an idea.³⁶

³³See Trincado (2004).

³⁴Trabal (1995).

³⁵Hume (1964d), *Dialogues*: X: 434.

³⁶Hume (1964d), *Of a Particular Providence and of a Future State*: 113.

As a minor evil, Hume says that it would be preferable if the fiction of God and that of general utility were not contradictory. But it is politics, real and earthly punishments, what he considers the more useful to direct human behaviour. The principle of action of religion works only at intervals on the temperament.³⁷ He concludes with a resigned and conservative pessimism: A superior penetration of judgement; a more delicate taste for beauty; greater sensitivity for benevolence and friendship would make man a better person, a “gentleman”. But this would upset the order of nature and exalt our being to a higher rank, which can be very inconvenient, since often man is too passionate about his superior ideals. Thus, religion must be replaced by public utility (politics).

In fact, although on his philosophical path, Hume started from scepticism, he finally developed a constructive philosophy and, although sometimes anti-rationalist, not at all irrational.³⁸ Wright says that Hume was not a sceptic, but a sceptical “realist”.³⁹ Hume’s moral theory has a more systematic and unitary character than what the interpretations that have accused it of naive scepticism have attempted. Hume wanted to build a science of man based on experience and the inductive method and he simply recognized that science could not surpass what is known. Cognitive abuse characterizes metaphysics and religion, which end up becoming a chimerical and fictitious knowledge. In this sense, two major contributions are that of García Roca, who has tried to clean up Hume’s epistemology of his sceptical interpretations; and Tasset, who did the same with his moral and political philosophy.⁴⁰

However, nothing is clear about natural religion, and Philo replies that “The most careless, the most stupid, thinker sees everywhere a purpose, an intention, a design”.⁴¹ “But what, I ask you, is the aim of all the intricately designed machinery that nature has displayed in all animals? Here is my answer to that. The aim is simply the preservation

³⁷Hume (1964d), *Dialogues*: XII: 462–463.

³⁸Tasset (1999).

³⁹Wright (1983). For pro and cons, see Read and Richman (2000).

⁴⁰García Roca (1981) and Tasset (1999).

⁴¹Hume (1964d), *Dialogues*: XI I: 455.

of individuals, and the continuance of the species”.⁴² Philo subsequently sharpens the pessimistic view. Man is dissatisfied and distrustful, but we do not dissolve society for fear of death:

‘But if they were really as unhappy as they claim,’ says my antagonist, ‘why do they stay alive?’ ‘Not satisfied with life, afraid of death’.⁴³ This is the secret chain that holds us, I reply. We are terrified, not bribed, into continuing our existence.⁴⁴

After Hume quotes an odd phrase of Lord Bacon’s: “That a little philosophy, replied Cleanthes, makes a man an atheist: a great deal converts him to religion”.⁴⁵

Possibly defending scepticism was not among Hume’s intentions. Hume did not consider himself a sceptic.⁴⁶ N. Kemp Smith, in several pioneering works, succeeded in establishing a reading that emphasized the naturalistic and moderately sceptical character of Humean intentions.⁴⁷ It was a reading established later by other interpreters, such as B. Stroud and D. F. Norton.⁴⁸ According to Passmore,⁴⁹ with his epistemological theory, Hume sought to establish a logic of probability intended to act as a method of reasoning and inference in the field of the science of human nature. We can only know with certainty the propositions of mathematics ($2 + 2 = 4$) and pure logic (all bachelors are unmarried). But this does not suggest that we should live in perpetual doubt. Utility recommends the oblivion of scepticism and the nonsense of life.

The “naturalistic fallacy”, which denies the derivation of ethical conclusions (should be) from factual conclusions (being), is the fruit of the naturalist interpretation of Hume’s philosophy by Norman Kemp Smith

⁴²Hume (1964d), *Dialogues*: X: 440.

⁴³Milton, *Paradise Lost* 11.

⁴⁴Hume (1964d), *Dialogues*: X: 438.

⁴⁵Hume (1964d), *Dialogues*: 1: 338.

⁴⁶De Salas Urtueña (1967, 18).

⁴⁷Smith (1941).

⁴⁸The study of the different interpretations of Hume’s intentions is in Dow (2002).

⁴⁹Passmore (1980, 6).

and of the sceptic-naturalism of Penelhum.⁵⁰ However, as Tasset says, Hume did not really defend the idea that it is not possible to extract the “ought” from the “is”.⁵¹ Macintyre also says that it is not true that Hume with his passage of “is” and “ought” wanted to show that ethical or natural cognitivism is not possible.⁵² Rather, he would defend a “Factualist Fallacy” or “Value Fallacy”, because the naturalistic fallacy is a problem of definition of terms that are identified with physical phenomena. This idea is formulated by Moore and, according to it, Hume could be a critic of the Naturalistic Fallacy.⁵³ Norton defends Hume from the accusations of subjectivism regarding the objects of approval.⁵⁴ Indeed, the assessment mechanism of Hume’s ethical theory seems to imply ethical objectivity and cognitivism.⁵⁵ Moreover, Hume compares physical vision with moral reality. According to Hume, we tend to project feelings into moral actions, so we think that these actions have objectively moral characters.⁵⁶

At the time, since the 1730s with the works of Bernoulli, the theory of probability was known; it affirms that preferences about different states of nature depend on the opinions of the individual about how likely they are. And, indeed, it is not that Hume thought (as traditionally said) that propositions in fact, such as that the sun will rise tomorrow, have no certainty—in terms of opinion—, but that their negation implies no logical contradiction, although it has a high probability of being fulfilled. As we have said, we can only know impressions as they are given by experience. The underlying object is unknowable, then it cannot lead us to have useful inferences for the scientific domain.

In his dialogue with himself, Hume wants to get rid of all the false arguments: so, there is no doubt that he “believed” in the truth he sought. However, in his theory, truth is not a natural aim and there is

⁵⁰Penelhum (1975).

⁵¹Tasset (1997). See Hudson (1964), Hunter (1962), and Falk (1976).

⁵²Macintyre (1959).

⁵³Soghoian (1979).

⁵⁴Norton (1982). See also Kail (2007).

⁵⁵See Tasset (1999, 74–86), Mackie (1980), and Norton (1982).

⁵⁶See Tasset (1999, 84) and Mackie (1980).

no natural motive for honest action. In it, it is very difficult to determine what action an honest person would be moved to do (what her duty is). “Since it is not a form of greed or self-interest (or concern for others, for that matter), it can offer motivational resistance in the face of the temptation to violate the rules for one’s own profit or even for society’s good”.⁵⁷

But Hume’s philosophy sought, without a doubt, to remove the terrors of death and he thought some type of scepticism was the way out of terror. This fear of death was for him the main cause of distress for humankind. For Hume, too much time invested in thinking about death ruins moral character. In his *Dialogues*, he says

Hence the reason of that vulgar observation, that the highest zeal in religion and the deepest hypocrisy, so far from being inconsistent, are often or commonly united in the same individual character (...) The steady attention alone to so important an interest as that of eternal salvation is apt to extinguish the benevolent affections, and beget a narrow, contracted selfishness.⁵⁸

Hume used the arguments of Epicurus: “the most frightful of all evils, death, is nothing to us because, as long as we live, death does not exist, and when death exists, we are no longer there. Therefore, death does not exist neither for the living nor for the dead because for some it does not exist, and the others are no longer there”.⁵⁹ Finally, in his removal of the fear of death, he had a Lucretian air. Lucretius said:

No matter how much we lengthen our life
 some time we steal to death;
 their victims will be without remedy;
 if the revolution of many centuries

⁵⁷Cohon (1997, 107).

⁵⁸Hume (1964d), *Dialogues* XII: 462–463.

⁵⁹Letter to Meneceo, Herder (1982, 93–97).

it was possible to see, eternal death
 not for that reason to stop waiting for us;
 and the one who has just covered the earth
 will not be dead for less time
 than the other who died a thousand years before.⁶⁰

3.3 Conservatism

Therefore, we may conclude that, although Hume's intentions could be others, his philosophy did generate scepticism. And indeed, Hume's first scepticism affected all his theory. He himself entered, during his philosophical work, into some destructive psychological processes that led him to later reject his metaphysics.

For my part, when I enter most intimately into what I call myself, I always stumble on some particular perception or other, of heat or cold, light or shade, love or hatred, pain or pleasure. I never can catch myself at any time without a perception, and never can observe any thing but the perception... If any one, upon serious and unprejudiced reflection thinks he has a different notion of himself, I must confess I call reason no longer with him... He may, perhaps, perceive something simple and continued, which he calls himself; though I am certain there is no such principle in me.⁶¹

The possibility of transgressing the rules of memory created in Hume a great anxiety. In fact, his tendency to conservatism was a way of soothing that anxiety. We may think that a sense of unreality would lead to anarchism, given that we cannot ensure that anything exists beyond the present impression of a man. However, unrealism, being psychologically untenable, in the end falls in the defence of tradition, from where the relations of ideas within language are supposed to arise.

⁶⁰Lucretio (1990, 233).

⁶¹Hume (1964a), Treatise: 1: IV: VI: 534.

The intense view of these manifold contradictions and imperfections in human reason has so wrought upon me, and heated my brain, that I am ready to reject all belief and reasoning, and can look upon no opinion even as more probable or likely than another. Where am I, or what? From what causes do I derive my existence, and to what condition shall I return? Whose favour shall I court, and whose anger must I dread? What beings surround me? and on whom have, I any influence, or who have any influence on me? I am confounded with all these questions, and begin to fancy myself in the most deplorable condition imaginable, environed with the deepest darkness, and utterly deprived of the use of every member and faculty.⁶²

Hume wanted to impart “a lesson of moderation in all our political controversies”.⁶³ While scepticism is often associated with nihilism and paralysis, Hume suggests that it tends to lead to inner tranquillity, intellectual humility and a passion for ever-further inquiry. Regarding political issues, “factions subvert government, render laws impotent and beget the fiercest animosities among men of the same nation, who ought to give mutual assistance and protections to each other”.

But Hume’s “conservatism” has also been the subject of heated discussions. In this sense, one of the best-founded interpretations is the one sponsored by D. Miller who, in his reconstruction of Hume’s political thought, accepts the validity of describing the Scottish philosopher as “conservative”.⁶⁴ This author points out that the original Humean conservatism offers as its main features a cautious and moderate approach to politics that, in any case, does not exclude the progressive change, provided it is gradual, supported by a sceptical attitude towards all grandiose projects erected on rationalist foundations for social or political reconstruction. It is not that Hume simply dismisses any attempt at political reform, but that every attempt in that direction must take into account the need to maintain the necessary conditions

⁶²Hume (1964a), *Treatise*: 1: IV: VII: 548, ed. Green and Grose.

⁶³ENPL, 55, 53, cited in Rasmussen (2017, 26).

⁶⁴Miller (1981, 5).

for civilized coexistence. For example, as regards the artificial rules of justice, it is necessary to avoid falling into the temptation of sacrificing political stability in order to fulfil impossible, utopian dreams of social renewal.⁶⁵

In “From the Original Contract” the quintessence of the conservative approach of Hume is presented:

Some innovations must necessarily have place in every human institution; and it is happy where the enlightened genius of the age give these a direction to the side of reason, liberty, and justice: but violent innovations no individual is entitled to make: they are even dangerous to be attempted by the legislature: more ill than good is ever to be expected from them: and if history affords examples to the contrary, they are not to be drawn into precedent, and are only to be regarded as proofs, that the science of politics affords few rules, which will not admit of some exception, and which may not sometimes be controlled by fortune and accidents.⁶⁶

Fear of historical change is part of Hume’s theory. In this regard, authors who point out that tradition is a moderator of the possibilities of reason, a means of institutional learning based on an evolutionary epistemology, can be considered followers of Hume.⁶⁷ As in the later theory of Charles Darwin, evolution does not imply the presumption of progress towards better, only the awareness that the survivors, within their mutual dependence, will be the most suitable for adaptation to the environment and the capacity for procreation.⁶⁸

According to Hume, institutions must be evaluated for their survival: we are facing the so-called institutional Darwinism, in which we stick to the constructions of the past because we sense in them an implicit wisdom that human reason is not always able to distinguish. Therefore,

⁶⁵See Gill (2000).

⁶⁶Hume (1758), “From the Original Contract”, in *Political Essays*, 107.

⁶⁷Hayek (1988) and Gauthier (1979).

⁶⁸Schwartz (1987).

in Hume's attempt to build a science of complete human behaviour, the *History of England*, apparently a work exclusively of historical interest, is also part of the system.⁶⁹

In another essay Hume advises women to study history:

THERE is nothing which I would recommend more earnestly to my female readers than the study of history, as an occupation, of all others, the best suited both to their sex and education, much more instructive than their ordinary books of amusement, and more entertaining than those serious compositions, which are usually to be found in their closets.⁷⁰

As we have said, the imagination moves harder in time than in space so, if the distance in time is greater, the imagination is reinforced by the effort. In this way, we respect the past, more so when it is distant and historical.

Miller's interpretative reading was challenged several years later by another scholar, J. B. Stewart.⁷¹ In his second major study of Humean political philosophy, Stewart recalls that while Hume himself dismissed numerous verbal disputes as futile around such notions as "conservative" or "liberal", yet it is possible to defend (against Miller) that Hume as an author was rather inclined towards a liberal vision of morality and political reform.⁷² Thus, we could accommodate Hume's reading as a conservative philosopher to Hume's explicit interest in progress and social reform.

As Rosales says, really it is difficult to classify Hume definitively in one or another enlightened side, the "conservative" or the "liberal".⁷³ What needs to be recognized is that Hume's moral and political philosophy, imbued as it is in the sceptical-moderate assumptions of his epistemological theory, and like several of his fellow circle historians of

⁶⁹Norton (1965).

⁷⁰Hume (1964d), *Of the Study of History*: VI: 388.

⁷¹Stewart (1963, 145).

⁷²Stewart (1992, 4).

⁷³Rosales Rodríguez (2005).

Scottish *literati*, does not convert the idea of progress into something unquestionable.⁷⁴ Hume had a certain idea of definite progress, with N. Rotenstreich, as “A cumulative advance through history towards a universal normal”.⁷⁵ He believed in human perfectibility but did not accept a determinism or historical providentialism guarantor, until the end of time, of its flowering in society.

Hume’s perspective on progress can be assigned within what may be called a “critical philosophy of history”. On the one hand, he looks for the historically fixed or invariable psychological foundations of human nature, so that his concept of historical evolution could not be “progressive” but static. But the verification of uniformity is a condition for talking about progress in human affairs.⁷⁶ Humean philosophy emerges, as Phillipson says, from the concern of the Scottish philosophers to politically and socially consolidate a high “civic morality”.⁷⁷ The final moral perspective of Hume contained in his second *Enquiry* is the indissoluble relationship between conduct or moral habit and political security that somehow guarantees the supremacy of social virtues.⁷⁸ It could be said that social progress is capable of being “measured” based on the degree of benevolence and sympathy that a society is capable of generating—or that it could be strengthened, since there is of course a “natural feeling of benevolence” among people—in the middle of the circumstances that tend to favour the private interest and to socialize people, facilitating the educated exchange of ideas and softening the inter-individual interplay. But, although the previous idea expresses certain optimism about the possibilities of progress, it does not mean for Hume that we must renounce the belief in the rather contingent character of the human efforts of association and political coexistence (“From the origin of the government”). Because, although the habit created by relations of command and obedience seems to determine a “certain and inevitable” course of social relations, as

⁷⁴See Harrison (1976).

⁷⁵Rotenstreich (1971, 197).

⁷⁶Rosales Rodríguez (2005).

⁷⁷Phillipson (1979, 140).

⁷⁸See also Norton (1993).

R. McRae has explained, Humean institutions “are products of human invention, not super or sub-human forces gradually unfolding their effects on history”.⁷⁹ The development of better political devices represents an enlightened task that can only be assumed from a strictly human and secular perspective. For all this, Hume shows his dissatisfaction with the over-optimistic, in his opinion, *Essay on History and Civil Society* by Ferguson.⁸⁰ In any case, and as C. J. Berry has emphasized, Hume was not alone on the question of progress: his views were shared, with variations, by many other *literati* of the time.⁸¹ And in the essay “Of the Dignity or Meanness of Human Nature” Hume says that we are more inclined towards morality if we maintain an optimistic view of human nature than a pessimistic one.

In “Of Superstition and Enthusiasm”, published in 1741 in the first volume of the *Essays*, Hume criticizes what he considers sources of false belief regarding politics that separate us from moderate freedom. Fanaticism breeds an inordinate love for freedom, and superstition a predisposition to slavery. The cause of these real dangers is the excessive conviction with respect to undemonstrated and unprovable principles. In Hume there is a very close relationship between his criticism of political conceptions and his philosophy. His philosophical method aims to replace both superstition and philosophical abstraction by an empirical and methodologically systematic research method. Thus, he dismisses philosophical–political abstractions derived from an inappropriate method (fanaticism) as political principles derived purely from religious superstition.⁸²

Hume recommends political moderation and the establishment of governments of laws, not of men. These are fairer and maintain a more lasting peace. In his *Essay* “That Politics May Be Reduced to a Science” of *Essays Moral and Political*,⁸³ Hume argues that the best government is “a hereditary prince, a nobility without vassals, and a people voting by

⁷⁹McRae (1991, 31).

⁸⁰Mossner (1980, 543).

⁸¹Berry (1997, 70–71).

⁸²See Cuaqui (1988).

⁸³Hume (1985, Vol. 1).

their representatives form the best monarchy, aristocracy, and democracy".⁸⁴ He preferred the monarchy of a hereditary prince because, if the legislative power rests on the people, that is, a collective body, it will vote for popularity and that will lead to anarchy and despotic power. Hume advocated civil liberty against authoritarian government, the only way for the country to flourish and trade. Monarchies, he thought, had demonstrated in their time their capacity for order, method and constancy that could achieve the commented objective of being a government of laws, not of men.

With governments, says Hume, it does not happen as with machines, in which an old one could be replaced by a new one for possible improvements. Antiquity is a value in the social order and experiments in society cannot be carried out by alleged rational arguments and philosophy. Although some improvements can be made for the public good, a wise magistrate should only make gentle innovations within the old constitution and its pillars.⁸⁵

Hume's legal system is based on the fear of the disappearance of society in the event of transgressing it: there is nothing more important in a state than the preservation of the old government, especially when it is free.⁸⁶ The legitimacy of government power does not arise from an act of the will, but from an involuntary habit of submission to current leaders.⁸⁷ However, long possession does not justify injustice nor is it the origin of justice: time must refine it to perfection and the setbacks that arise must give rise to the possibility of correcting errors into which you inevitably fall in the first tests and experiments (see *On the Rise and Progress of the Arts and Sciences*). As we see, Hume evaluates freedom for its utilitarian consequences and for its political advantages.

But once the power is delegated, the problem will be how to control it and when the rebellion will be lawful. Undoubtedly, the best control

⁸⁴Hume (1985, 342).

⁸⁵Hume (1964c), *Idea of a Perfect Commonwealth*: XVI: 481.

⁸⁶Hume (1964d), *Liberty of Press*: II, Foot: 97.

⁸⁷Haakonssen (1996, 112–113).

of power is the fear of rebellion itself, which makes the government less strict. “Tyrants, we know, produce rebels; and all history informs us that rebels, when they prevail, are apt to become tyrants in their turn”.⁸⁸ For instance, in essay 5 “Of the First Principles of Government” of *Essays Moral and Political* (1742, Vol. 2), Hume asserts that the arts and sciences only arise in free governments. Once established, a republic is more favourable to science and a civilized monarchy is more favourable to the arts. When the arts and sciences decline in a country, they rarely revive in that same country. In another essay 15 of *Essays Moral and Political* (1741, Vol. 1), which appeared under the title “Of Liberty and Despotism”, Hume says that arts and sciences flourish more under absolute governments and trade with free governments. Education and knowledge extend thanks to international trade. People in monarchies tend to be more refined than in other forms of government. Free governments tend to degenerate due to excess debts and taxes.

As one of the multiple contradictions of Hume, in “Idea of a perfect commonwealth” (published posthumously in 1777), Hume asserted that the perfect government is a representative democracy of owners with division of powers and a federal structure. In this essay, Hume is closer to the idea of artificial identification of interests, instead of natural identification. Precisely, with this objective of establishing a constitution that would make it the private interest of the ruler to pursue the public good, the *Philosophical Radicals* and designed utilitarian constitutions (as is the case with Jeremy Bentham [1830]).

3.4 Doctrine of Utility

3.4.1 Morality

Therefore, in Hume’s thought, morality, politics, history and philosophy cannot be dissociated. Hume tries to create a complete science of human behaviour, embryonic in his time, which would explain what

⁸⁸Hume (1964d), Of Love and Marriage: V: 385.

man is versus what he “ought to be”. That is, he will create a positive, not normative, science, critical of the scholastic or the preceding Greek theories. In particular, the principles of the human mind, although intimately present in us, are practically unknown to man himself: “and the more obvious this science may appear (and it is by no means obvious) the more contemptible still must the ignorance of it be esteemed, in all pretenders to learning and philosophy”.⁸⁹ Morality, though, sometimes tries to solve problems that are beyond human understanding, but:

The only method of freeing learning, at once, from these abstruse questions, is to enquire seriously into the nature of human understanding, and show, from an exact analysis of its powers and capacity, that it is by no means fitted for such remote and abstruse subjects. We must submit to this fatigue, to live at ease ever after: And must cultivate true metaphysics with some care, to destroy the false and adulterate.⁹⁰

Hume wrote his *Treatise* after a period in which many writings on ethical issues had been published, in a dispute between Clarke, Shaftesbury, Butler and Hutcheson. The controversy touched two points:

- a. The distinction between interested and disinterested affections.
- b. The origin and nature of the law that constitutes virtuous or vicious action.

Faced with the inconsistencies of previous authors, Hume creates a relatively coherent system. He joined Hutcheson’s criticism of ethical rationalism, especially Clarke and William Wollaston, omitting professor Hutcheson’s⁹¹ explicit attack on the egoistic theory expounded in 1714 by Mandeville,⁹² whose anti-ethical theory Hume thought to be surpassed.

⁸⁹Hume (1964d), *Enquiry*: 1: 9–10.

⁹⁰Hume (1964d), *Enquiry*: 1: 9–10.

⁹¹Hutcheson (1742).

⁹²Mandeville (1988).

According to Hume, reason never moves desire or will. The mind, by an instinct, tends to go to the good—pleasure—and avoid the evil—pain. In principle, Hume rejects any notion of non-egoistic affections other than pleasure. Only the vision of the tendencies to produce pleasure can excite the pleasure of virtue. The originality of Hume, in contrast to Locke, who does not abandon the semi-platonic vision of quasi-mathematical moral concepts, was his effort to look for objects of desire other than pleasure and pain immediately coming from sensory experience, which results in a modification of primary feelings by “associated ideas”. In his *Principles of Morals*, especially in Appendix II (“On Self-Love”), Hume identifies Locke and Hobbes as modern proponents of the “moral system of selfishness”, assuming that his moral theory was not based on selfishness.

According to Hume, as impressions precede their corresponding ideas, there must be some impressions that appear in the mind without antecedents. Pains and bodily pleasures are the source of ideas but arise directly in the mind or body without any thought or previous perception, by operations that Hume does not intend to explain. These depend on natural and physical causes, and the secondary impressions must appear from the idea of self, although in Hume it is not clear. It is the custom of the self that makes man reflect on himself.

The passions are for Hume the “impressions of reflection”, appetites, desires and emotions. There are direct passions, which arise immediately from pleasure or bodily pain, and indirect passions, which arise from the same principle but by a conjunction of other qualities, such as pride, humility, ambition, envy, generosity. Penelhum considers that direct passions are those in which the productive principle of passion is identified—in which we distinguish the quality that acts and the subject that has the quality—and in which we know the object or idea produced by the passion.⁹³ In the indirect passions, the cause and the object are different, because they are not born only out of the perception of something but require my consciousness of the person with whom it relates: in the case of pride and humility, it is concerned with the self, in love and hatred with another person. The direct passions are

⁹³Penelhum (1975, 98).

desire and aversion, sorrow and joy, hope and fear, which arise from good and evil—pleasure or pain—directly. The pleasure produced by the imagination or observation of pleasure is joy—its opposite is sorrow; when it is uncertain, it gives rise to hope—its opposite is fear. The direct passions different from desire/aversion are pure emotions which do not immediately excite the action. In the case of certainty, they produce joy or sadness, it gives rise to fear or hope in the case of uncertainty.

The passions of pride and humility are simple impressions and, according to Hume, you cannot give a fair definition of them. They have the same object: the self, or the succession of ideas or impressions of which we have an intimate memory or consciousness. We consider any object, Hume says, with respect to ourselves and, if we did not, they would never excite the passions of pride and humility. The idea of the self is the object, but not the cause, of these passions, since the cause is the object itself. As Tasset says, the idea of the self is the origin and the consequence of the passion.⁹⁴ All qualities of mind and body can be causes of pride and humility. A person is proud or humiliated because of his/her beauty, strength, intelligence, knowledge, because he/she considers that they belong to his/her self. Although the qualities that operate in pride or humility give a sensation of pleasure and pain (the beauty of a person gives pleasure, his or her deformity, pain or humility), the beauty itself, if it is not placed on something that belongs to the self, does not produce pride.

Hume says that if nature had not given the mind some original qualities, it could not have any secondary qualities, because it would have no basis for action or they would not begin to be exercised. The object of pride and humility is determined by a natural and original instinct of property, and it is impossible by the primary constitution of the mind that these passions look beyond the self, or the individual person, who is intimately aware of those actions and feelings. This implies a contradiction with the principle of Hume's theory that there are no ideas or

⁹⁴Tasset (1999, 56).

qualities innate to the mind. As Clotet says, it is curious that Hume, a philosopher of ethics, on the one hand denied the idea of the self (the identity that is ascribed to the human mind is fictitious); and at the same time, he asserts that “the impression of the self is always intimately present to us”.⁹⁵ The need of the self for ethics made him accept the a-philosophical “propensity to assume” that he criticized. To save his philosophical theory from these ideas, Hume says that this reference to the idea of self must arise from an original quality or primary impulse.

However, Hume concludes, again contradicting himself:

This reflection is that the persons who are proudest, and who in the eye of the world have most reason for their pride, are not always the happiest; nor the most humble always the most miserable, as may at first sight be imagined from this system.⁹⁶

Hume does not explain why this happens. Garrett claims that Hume is not contradictory in this,⁹⁷ but that he was aware of the contradiction.⁹⁸ The object that arouses pride must be closely related to the self and must be peculiar to him or a few people: “everything, which is often presented and to which we have been long accustomed, loses its value in our eyes, and is in a little time despised and neglected. We likewise judge of objects more from comparison than from their real and intrinsic merit”.⁹⁹ For the feeling to occur, the constancy of the object that is the cause of pride is also necessary. What is casual and inconstant gives us little joy and less pride. We anticipate its change with the imagination, we compare it with us whose existence is more durable, and it seems ridiculous to infer an excellence in us for an object of such short duration. Therefore, general rules have more influence on pride and humility.

⁹⁵Clotet (1994, 17–28).

⁹⁶Hume (1964b), Treatise: II: 1: VI: 91–92.

⁹⁷Garrett (1997).

⁹⁸Botros (2006).

⁹⁹Hume (1964b), Treatise: II: I: VI: 89.

Pride and humility operate by a double relationship of ideas with the self that produces pleasure. For example, Hume tells us, an old man will feel humiliated when he is sick. Although a young man does not care so much about this,

no topic is so proper to mortify human pride and make us entertain a mean opinion of our nature, than this, that we are every moment of our lives subject to such infirmities. This sufficiently proves that bodily pain and sickness are in themselves proper causes of humility.¹⁰⁰

In fact, a very strong component of the fear of death is shame. Hume says:

We are ashamed of such maladies as affect others, and are either dangerous or disagreeable to them. Of the epilepsy; because it gives a horror to every one present: Of the itch; because it is infectious: Of the king's-evil; because it commonly goes to posterity.¹⁰¹

Vice or virtue are also related with pride or humility. The approval or disapproval arises from the fact that each passion tends to our advantage or prejudice and produces comfort or discomfort. If all morality is based on pain or pleasure that may result from our own character or that of others, all the effects of morality must be derived from pain or pleasure and, among the rest, of the passions of pride and humility. The origin of moral rights and obligations arises from the fact that our primary constitution makes certain characters and passions produce pain or pleasure by their mere contemplation.¹⁰² The observation of virtue produces pleasure and the observation of vice produces pain. Pride, therefore, is the pleasant impression that comes from the mind when the vision of virtue, beauty or wealth makes us satisfied, and humility is the opposite.¹⁰³

¹⁰⁰Hume (1964b), Treatise: II: I: VIII: 99.

¹⁰¹Hume (1964b), Treatise: II: I: VIII: 99.

¹⁰²See McIntyre (1990).

¹⁰³An explanation of the sense of duty in Hume is in Radcliffe (1996).

If pride necessarily is the consequence of something external that, when relating to the self, produces pleasure, virtue depends on some external beauty of an image, that is to say, it depends on utility, which motivates externally and whose impulse lashes us.

To this method of thinking I so far agree, that I own the mind to be insufficient, of itself, to its own entertainment, and that it naturally seeks after foreign objects, which may produce a lively sensation, and agitate the spirits. On the appearance of such an object it awakes, as it were, from a dream.¹⁰⁴

One difficulty of considering passion, like Hume, as a unique impression is how it is possible that one passion or another is more or less intense, more or less pleasant. To solve this, Hume says that a passion is not a simple emotion but composed of many weaker passions derived from the vision of each part of the object. If not, passion could not increase with the increase of its parts.

Bergson was later to criticize Hume, saying that the existence of different intensities of the phenomenon sensation is very doubtful.¹⁰⁵ If its quantity can increase and decrease, is it not therefore divisible and extensive? Is it not contradictory to speak of an un-extensive quantity? If a desire has been gradually transformed into a deep passion, the initial weak intensity of this desire is due to the fact that it seemed isolated and strange to all the rest of our inner life. When we say that an object occupies a great place in the soul, Bergson says, it must be understood that its memory has modified the nuance of a thousand perceptions or memories, and that it penetrates them without being seen there. Little by little it affects more psychic elements and the point of view about all things seems to have changed.

Hume was aware of the difficulty of proving that weaker passions can be added one to the other. In fact, he talks contemptuously about moral systems in which pleasures and pains are added and compared. Hume did not value highly philosophers who reduced pleasures and pains to

¹⁰⁴Hume (1964b), *Treatise*: II: II: IV: 141.

¹⁰⁵Bergson (1963).

numbers, and who even dared to make interpersonal comparisons of utility, such as Helvetius.¹⁰⁶ He feared the French philosophers who made drawings of a perfect world and tried to impose them on a world of true human beings. Not even a man can compare his pleasures at different moments of time, because these are much more a function of custom than of a rationalistic utility. The comparison is made through a process of trial and error in which reason is built, a weak impression recorded in the memory and by which we can perceive the relationship between means and ends more clearly, and thus, flee from a present good to achieve a greater future good. As Hume says in the essay “The Epicurean”, a pleasure cannot be provided or perceived from the outside, since happiness is ungraspable and individually perceived.

3.4.2 Utility

However, according to Hume, utility is “a foundation of the chief part of morals”.¹⁰⁷ Hume was not a radical utilitarian, but he was a consequentialist of thought. For him the admirable mind is one whose results consistently yield useful consequences, and these are only admirable because they make him peek at an orderly and kindly mind. The element worthy of praise, therefore, is the utilitarian virtue of the mind, not the actual utility created.

Against the rationalist or hedonist tradition, there is in Hume’s theory a primacy of instinct. Direct passions often arise from an unknown impulse or instinct. These are direct attractions to objects. And, impelled by instinct, man can adopt a course of action detrimental to himself on many occasions. These passions produce good or evil, they do not come from them like the other affections. The punishment of an adversary, that is to say, gratifying revenge, is good; the illness of a friend, by affecting friendship, is bad. But this passion is not an appetite (hunger) or an emotion (pride), it is a desire whose gratification is a pleasure, but cannot be a desire for pleasure. This is a contradiction in

¹⁰⁶Helvétius (1759).

¹⁰⁷EPM 5.44.45.

terms, which Hume does not resolve. In any case, although the psychology of instinct has given more importance to the conditioning influence of social forces, this emphasis of the irrational elements (not oriented to pleasure) in human behaviour makes Hume's more modern than the utilitarian school that would become mainstream later in British economic thinking (benthamism). Utility is not attached to pleasure but it is an illusion created to make men be distracted by an achievement of desires.

The enjoyment will be given by the surprise of moving from indolence to the movement that causes attention to resurface from its numbness. Human life is so tiresome a scene, and men generally are of such indolent dispositions, that whatever amuses them, though by a passion mixt with pain, does in the main give them a sensible pleasure.¹⁰⁸

Besides, there is some type of relation between morality and the arts. In Hume, the concept of utility can be included within his aesthetic theory. As utility is a type of beauty and beauty is defined as a taste or sensation, it is nothing else but a shape or image that produces pleasure, and deformity, pain. Taste, according to Hume, is the source of our judgements on natural and moral beauty. We rely on taste, and not on reason, to judge the beauty of works of art or the virtue of an action.

According to Stroud, Hume's theory is absent of any adequate notion of objective judgement, or assertion, or putting something forward as true.¹⁰⁹ With no account of judgement, it would be hard to find a place for preaching. Hume's notion of beauty is based on the motivations of habit and fashion. We build notions of beauty through instinctive attractions which produce a sensation of accustomed pleasure. The idea of beauty is communicated by sympathy: for example, an asymmetric figure is unpleasant, because it communicates the ideas of its fall, of pain. Personal beauty is due largely to the aspect of health and vigour, and to a constitution of the members that promises strength and

¹⁰⁸Hume (1964b), *Treatise*: II: III: X: 226–227.

¹⁰⁹Stroud (1993, 268).

activity. Strength is beautiful because it is useful, but also because it evokes power that is considered as a lower kind of ambition. In fact, much of the beauty we admire in animals or other objects derives from the idea of their convenience and usefulness.

It is evident that Hume's definition of passions is not at all reductionist.¹¹⁰ Hume's position is contrary to Epicureans' claim. For Hume, the main failure of the Epicureans is that they believed that what is not natural is arbitrary, ignoring that humanity is creative and can be based on many different life forms, which can provide natural pleasure.¹¹¹ The Epicurean does not move in short-term hedonism. He learns that pleasure is moderation, in social life and in love. Much of what the Epicurean says is compatible with Hume's own ideas. In his epistemology, for example, Hume emphasizes that nature controls what we believe. The tone of "The Epicurean" is like the last pages of Book I of the *Treatise* in which, finally, human nature is reaffirmed. For Hume, the anxiety that produces desire, fruit of uncertainty, never compensates for the pleasure. However, absolute apathy, says Hume, is not the basis for the truth happiness of the wise person, since human happiness consists of three ingredients: action, pleasure and indolence (see "Of the Refinement of Arts"). The wise man feels the charm of social affections and laments the miseries of humanity. He sympathizes and suffers observing the evils of the world, and, as Hume says in "The Stoic", while breathing the stern air, he looks with pleasure, united with compassion, the errors of mortals, who blindly seek wealth, nobility, honour or power as if it were genuine happiness.

Admitting your position, replied PHILO, which yet is extremely doubtful, you must at the same time allow, that if pain be less frequent than pleasure, it is infinitely more violent and durable. One hour of it is often able to outweigh a day, a week, a month of our common insipid enjoyments; and how many days, weeks, and months, are passed by several in the most acute torments? Pleasure, scarcely in one instance, is ever able to

¹¹⁰See Árdal (1966).

¹¹¹See Immerwahr (1989).

reach ecstasy and rapture; and in no one instance can it continue for any time at its highest pitch and altitude.¹¹²

The only genuine pleasures are those of pride, for example, action and work. In the *Treatise* Hume says that “when you loosen all the holds, which he [the man] has of external objects, he immediately drops down into the deepest melancholy and despair”.¹¹³ Hume repeats this in several other places.

In *Treatise*, although the causes of passions are considered natural, they are not original. In the essay “The Epicurean”, Hume uses the words “natural” and “original” indifferently. Hume distinguishes natural and artificial virtue: benevolence is an example of the first, justice of the second.¹¹⁴ Artificial virtues depend indirectly on the usefulness of their rules—the pleasure or pain caused by them—and the approval of the artificial virtue depends on sympathy with the happiness of society. Every virtue is related to the beneficial effects in the form of pleasure–pain felt by individuals and society.¹¹⁵ In fact, Hume distinguishes three levels of natural or original, and artificial. Our feelings and passions are original in the sense that they do not depend on civilization or education, but they would exist even in the state of nature. Other qualities such as justice are artificial in the sense that they are learned in a social context, but they are natural in a loose sense since they are obvious and necessary for the human condition.¹¹⁶ The third category would not be artificial, but arbitrary. For example, monastic virtues such as mortification can be inculcated, but they are not natural, and for Hume we could say that they are vices.

Despite the melancholic philosophy of Hume, some authors have seen a parallelism of his empiricist philosophy with the art of hunting, or with gambling, which Hume cites on some occasions. For instance, the life of knowledge may be understood as an adventure, as a game

¹¹²Hume (1964d), *Dialogues*: 442.

¹¹³Hume (1964b), *Treatise II: II: IV*: 141.

¹¹⁴See Gauthier (1992).

¹¹⁵See Harrison (1981).

¹¹⁶Taylor (1998, 2002).

whose justification is given by the pleasure it produces. The important thing is not to reach the goal, but to devote one's time to the quest for it. The lover of truth is not the one who possesses it, but the one who pursues it as his "prey". This assessment of the process before the product implies an appeal to think for oneself, a rejection of the simple acceptance of the thought of others. The works of the philosophers, then, are possible paths to follow but only insofar as that the follower manages to appropriate the pleasure of the journey.¹¹⁷ However, we must recognize that for the theory of impressions it would be the same if pleasure was real or imagined by the mind, since pleasure is an image, like perception itself, and the idea of truth is not absolute. The man who remains static imagining, or one who is introduced to images through technical means, should feel the same pleasure as an active man: he is a spectator of the image.¹¹⁸

3.4.3 Sympathy

There is a certain "anomaly" in Hume's theory of the search for utility that is related to the sociability on which the Scottish Enlightenment is based.¹¹⁹

In all creatures, that prey not upon others, and are not agitated with violent passions, there appears a remarkable desire of company, which associates them together, without any advantages they can ever propose to reap from their union... We can form no wish, which has not a reference to society. A perfect solitude is, perhaps, the greatest punishment we can suffer... Let all the powers and elements of nature conspire to serve and obey one man: Let the sun rise and set at his command: The sea and rivers roll as he pleases, and the earth furnish spontaneously whatever may be useful or agreeable to him: He will still be miserable, till you give him

¹¹⁷Bermudo (1983, 27–39) and Tasset (1999, 38).

¹¹⁸Cohon (2008).

¹¹⁹Trincado (2004).

some one person at least, with whom he may share his happiness, and whose esteem and friendship he may enjoy.¹²⁰

Hume understood social unions in terms of “sympatheia”, like the Stoic doctrine—Marcus Aurelius, Epictetus and Cicero—who linked man’s moral duties with his legal obligations as a citizen.¹²¹ Hume followed Hutcheson by claiming that benevolence is a natural motive of the man who is seeking approval.¹²² But he does not accept that benevolence is the sole motive for virtuous action or that moral approval is a basic innate feeling. The spectator feels pleasure of sympathy with the consequences of actions, and benevolence produces naturally that pleasure.

In the case of Hutcheson, who accepted that benevolence is a natural motive of man (an innate sense), it is coherent to appeal to generalized benevolence. But, since Hume rejected innate ideas, the fact that generalized sympathetic behaviours exist is difficult to understand and it would only be statistically justified. Hume did believe in the existence of a natural benevolence for which I love my friend, independent of the pleasure that I experience in observing his pleasure, something intrinsic to the constitution of the mind related to man’s sociability and natural sympathy.¹²³

There are no phenomena that indicate any such kind affection towards men simply as men, independently of their merit and every other detailed fact about them. We love company in general, but that’s like our love for any other way of passing the time. In Italy an Englishman is a friend; in China a European is a friend; and it may be that if we were on the moon and encountered a human being there, we would love him just as a human being. But this comes only from the person’s relation to ourselves, which in these cases gathers force by being confined to a few persons.¹²⁴

¹²⁰Hume (1964b), Treatise: 11: 11: V: 150.

¹²¹See Jones (1982).

¹²²Hutcheson (1725).

¹²³McGilvary (1903).

¹²⁴Hume (1964b), Treatise: II: II: 1: 256.

Natural sympathy is somehow an anomaly of Hume's theory as his concept of sympathy is that of emotional contagion, a pleasure that I obtain when observing the pleasure of another person. Then, Hume's interpretation is closer to the idea that sympathy exists because only civilizations that have sympathized with their peers have managed to survive.

In Hume's definition, animals could feel the same sympathy as men. Fear and anger are communicated from one animal to the other. The crying of a dog leads the others to mourn. It is the contemplation of pleasure or pain which produces the feeling of sympathy. Men enjoy when they see, by external indicators, other people enjoying; and they suffer when they see others suffering. A jovial face instils a complacency and serenity in my mind; an angry or distressed person suddenly discourages me from feeling with the other person. Sympathy arises from the imagination and when an emotion is infected by sympathy it is only known by the spectator by its effects, which give him an idea of the internal sensation felt by the other person. This is an impression and acquires strength to become a passion and produce an emotion.

The case, therefore, must be the same with happiness and misery. The direct survey of another's pleasure naturally gives us pleasure, and therefore produces pain when compar'd with our own. His pain, consider'd in itself, is painful to us, but augments the idea of our own happiness, and gives us pleasure.¹²⁵

The reference to the self leads Hume to affirm that I feel happy by comparison, and so with other people's lack of happiness. "The misery of another gives us a more lively idea of our happiness, and his happiness of our misery. The former, therefore, produces delight; and the latter uneasiness".¹²⁶ The greater the disproportion, the greater the discomfort. "Now I assert, that when a sympathy with uneasiness is weak, it produces hatred or contempt by the former cause; when strong, it produces love or tenderness by the latter... Nor have we only our reason to trust to for this principle, but also experience.

¹²⁵Hume (1964b), Treatise: II: II: VIII: 160–161.

¹²⁶Hume (1964b), Treatise: II: II: VIII: 160–161.

A certain degree of poverty produces contempt; but a degree beyond causes compassion and good-will".¹²⁷ The one who becomes useful to us and intends to achieve that goal is sure to achieve our affection. A good act is a test of the goodness and esteem of the person who performs it, and it produces vanity in the spectator. If there is no intention, we will not feel vanity and this causes a considerable decrease in the passions of love or hatred. However, if the quality is constant or inherent to the person or character, it causes love or hatred regardless of the intention. Someone unpleasant due to his deformity, Hume says, is the object of our aversion, although it was not part of his intentions to develop these qualities.

The causes of love according to Hume are external qualities of the person, such as virtue, knowledge, good humour, beauty or strength. The object of our esteem is an intelligent being that, by its relation to us, produces love in the case of pride, a pleasant sensation; and hatred in the case of contempt, an unpleasant sensation, as this person does not possess the external qualities that our pattern of individual or social beauty has predetermined. People, therefore, produce in us the same feelings as those produced by things that we possess.

These passions of love and hatred are followed by benevolence and rage. Pride and humility, as above mentioned, are pure emotions of the mind, and do not excite actions immediately. But love or hatred do not stop in themselves. Love is followed by a desire for happiness of the beloved person and an aversion to his misery; hatred produces a desire for misery and an aversion to the happiness of the hated person. But, according to Hume, the opposite can happen: as love only subsists insofar as the object of this feeling and its qualities are related to the self, we may want the evil of the loved person when it implies not losing the relationship of the loved person to the self, and the good of the hated one when the opposite is true. Love is craving for possession and the fear of loss of the loved person can transform it into hatred.¹²⁸

Envy arises from the present enjoyment of another person who, by comparison, reduces our own enjoyment—it is normally accompanied

¹²⁷Hume (1964b), *Treatise*: II: 11: IX: 169–171.

¹²⁸See Korsgaard (1999).

by fury; Malice is a desire to produce evil to another person and to end his pleasure. Malice is a pleasure and mercy a pain. We will flee from mercy; we will be attracted by malice. Hume says that sometimes love and tenderness are accompanied by piety, and hatred or anger by malice.

Besides, we will have more sympathy for people from our own country, or our own social class, race, etc., who are like us. We are used to those external signs, with which we identify. Only these evoke in us the idea of a relationship with our self. But the differences may also be due to natural causes, which leads Hume to defend racist arguments in the essay *On National Characters*. This essay first appeared as essay 24 in *Essays Moral and Political* (1748). In it, Hume argues that the character of the people depends mainly on “moral reasons”, such as governments, and rarely on “physical reasons” such as food or climate. Hume, by putting the principles of analysis of the different “national characters” in a diachronic perspective of historical development, states that the environmental, material or historical circumstances are different in the later stages of progress, but homogeneous and uniform in the former.¹²⁹ Therefore, for Hume, sympathy will only come with the pleasure of people who relate to ourselves; if it is from a stranger, it produces envy; if we sympathize with pain, it produces mercy, which is a form of pain. In the 1753 edition, Hume included a controversial note arguing that he is “apt to suspect the negroes to be naturally inferior to the whites. There scarcely ever was a civilized nation of that complexion, nor even any individual eminent in either action or speculation”.¹³⁰

In brief, “sympathy” for Hume is a self-referential feeling.

3.4.4 Suicide

But then, what happens with the self-elimination? Can there be any beauty and approval derived from the self that eventually denies its

¹²⁹See Hudson (1996).

¹³⁰Hume (1758, Vol. 1, 125n).

own existence? In a controversial essay, Hume talks about suicide and he takes for granted the Stoic idea. Hume quotes Pliny when he said that men overreached God as they could commit suicide. “Deus non sibi potest mortem consciscere, si velit, quod homini dedit optimum in tantis vitae poenis”.¹³¹ For Hume, authority over the self is authority over the body (to commit suicide or maiming oneself) and this authority is an object of pride.

Resignation to providence is indeed recommended in scripture; but that implies only submission to ills that are unavoidable, not to such as may be remedied by prudence or courage. Thou shalt not kill is evidently meant to exclude only the killing of others, over whose life we have no authority.¹³²

A contradiction is that here is no other self to have authority or control over passions than passions themselves. We cannot avoid being slaves of our passions. The self is led by passions. Hume could not prove human freedom philosophically.¹³³ In the *Treatise* he says that the operations of the external bodies are necessary, and each object is determined by a destiny. The actions of matter should be considered as necessary. But, are the actions of the mind necessary? The mental need arises from the usual connection, not from the real cause–effect, although if the objects did not have a uniform conjunction, we would never arrive at an idea of cause–effect. For Hume, the observation of the constant union of cause and effect only allows us to obtain an inference by the effect of habit. In addition, the creative power of the mind comes to nothing more than the ability to compose, change order, increase or decrease the materials that have been provided by feelings and experience. But, according to Hume, moral necessity is required to define justice and morality. Only a necessary act, whose cause comes from the character and disposition of the person, and not

¹³¹Plinio, *Natural History*, 2.5.27.

¹³²Hume (1964d), *Of Suicide*, Note.

¹³³Persson (1997).

from chance, can be considered honourable or good.¹³⁴ In this sense, Hume is contradicting his idea that suicide will set man free.

Hume's theory of suicide is in the last analysis based on stoicism. Stoics thought that God is the Divine logos and that suicide is no more than an open door to coming back to it. Hume sometimes understands suicide within the utility of the social whole. As Aranguren argues, Stoic morality is that of a defensive man who retreats on himself and that, as he has lost confidence in the world, is inserted in the broader framework of a social ethic with a communitarian accent.¹³⁵ Stoics thought that we are a dream of a God who is pleased to play with us. It gives us the life to "enjoy" it, and when we stop enjoying, we have the right to leave the game. Even the rule of the gods makes it appropriate to abandon it. If in the situation of the wise man there are more circumstances that are natural objects of rejection than of choice, the whole situation becomes an object of repudiation, and the rule of gods is to leave it as quickly as its specific circumstances advise.

3.4.5 Justice

Hume says in his essays that political principles can be deduced a priori, i.e., from general reasoning about our ideas or concepts and without reference to particular examples. But he is contradictory as, for Hume, justice depends conceptually on sympathy, which is not an a priori principle.¹³⁶

For instance, Hume considers that institutions are a human invention deriving from our notions of utility. Justice is the feeling of an a posteriori utility of the existence of society without which man would disappear. All citizens are interested in the creation of a power that maintains these rules of justice or that makes their maintenance the interest of the people. The narrow-mindedness of man, who prefers the

¹³⁴Hume (1964b), *Treatise*: II: III: I: 185.

¹³⁵Aranguren (1993).

¹³⁶Bagolini (1966).

contiguous to the remote, leads him to transgress the rules on which his future pleasures are based only to obtain an immediate pleasure.

Hume says that if there were no scarcity or the human mind was endowed with absolute benevolence and love for their fellowmen, justice would not be necessary: therefore, it is utility that recommends it and not public benevolence. Thus, justice is not created by reason or a discovery of certain connections or relations eternal, immutable and universally compulsory, but by the concern for our own interest. Justice and moral approval are not subjective for Hume: but they do not exist beyond intersubjectivity and its cultural result.¹³⁷

Justice, therefore, is not a natural virtue *a priori*. The sense of justice derives from the individual reflection on the tendency produced by rules.¹³⁸ But, although self-interest is the original motive for the establishment of justice, the sympathy with the public interest is the source of the moral approval that follows the virtue of justice. Justice as a moral value is a pleasure felt for the observance of actions and laws that tend to the peace of society. This sense of morality is artificially reinforced through education.

When saying that justice is not natural, Hume was only contrasting the word to artificial. But this does not mean that it is arbitrary. It could be said to arise from the Laws of Nature if by nature we understand what is common to the species.¹³⁹ In fact, Buckle considers that Hume, in his solution to problems of the natural legal theory, is part of the *ius-naturalist* tradition.¹⁴⁰ The main disturbances in society arise from the scarce fixity of the goods that we call external. The remedy for this evil is to leave these goods in the same place as the constant and fixed advantages of the mind and body through a convention established by all members of society. Property does not derive from a utility or advantage that a private person or the public can obtain from the enjoyment of goods but seeks to settle all occasions of discord

¹³⁷Haakonssen (1981, 7).

¹³⁸Hume (1964d), *Of Justice*: III: I: 179.

¹³⁹Forbes (1975, 59–90).

¹⁴⁰Buckle (1991).

and achieve social peace with general rules valid for the whole of society and as inflexible when they favour as when they harm us.¹⁴¹ One exception: Hume accepts the scholasticism assumption of extreme necessity.¹⁴² Although in his theory a person cannot appeal to the original promise when he falls into a state of extreme misery, for Hume the laws of property are useless in the case of extreme need and the search for self-preservation forces the laws to be suspended. In any case, Hume's utilitarianism remains intact even in this example when property has no sense "because it is useless".

In this way, Hume contrasts with the anti-historical abstractism of his contemporaries. This feature was among the most relevant aspects of the Enlightenment. For example, Hume gives a meaning to the term legal "convention" that implies that justice is not produced by a concrete act; its realization is immanent to history, and man acts in its course even without giving rise to an express manifestation of his motivation. Hume exemplifies this with his metaphor of two men who manoeuvre the oars of a boat: they do it by agreement or convention, although no reciprocal promise has been made, something that implies time and gradualness.¹⁴³ The distinction between the asocial moment of the condition of man and the social moment that is the origin of the convention of justice is, in short, a distinction of psychological, not chronological, order.¹⁴⁴ As Garret states, the motive for justice is

a disposition grounded in a desire to regulate one's actions by the rules of justice. Because it refers to conventional rules, it is a "new motive" not original in human nature; it is instead produced by self-interest, which is the original motive in human nature that satisfies Hume's Undoubted Maxim.¹⁴⁵

¹⁴¹Tasset (1999, 209) and Magri (1996).

¹⁴²San Emeterio (2001, 288).

¹⁴³Tasset (1999, 203–205) and Jensen (1977).

¹⁴⁴Fassó (1982, 217).

¹⁴⁵Garret (2007, 276).

David Miller considers that the bases for government and authority in Hume are purely imaginative, not based on utility.¹⁴⁶ However, of the five rules of access to authority that Hume enunciates (prolonged possession, current possession, conquest, succession and positive laws), the first four possess an associative-imaginative character; but the fifth gives primacy to utility and rationality.¹⁴⁷ For Hume, property is based on occupation, prescription, accession and succession, which arises from the imagination and relations of contiguity, similarity and cause and effect. These rules are taken from Roman Law¹⁴⁸ and are different than the Lockean concept of a right to own the products of one's own work¹⁴⁹ (the labour theory of property presented in the *Second Treatise on Government*¹⁵⁰).

Thus, Hume looked for fixed rules in the construction of his legal system based on three fundamental laws: the stability of propriety, the freedom of voluntary transference and the fulfilment of contracts that, by not privileging anybody, will ensure the permanence of civil society. Haakonssen says that the theory appeals to “the utility of the means” against the “utility of ends” of Bentham.¹⁵¹ However, he does not clarify if Hume realized this difference.

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¹⁴⁶Miller (1981).

¹⁴⁷Tasset (1999, 236).

¹⁴⁸See DesJardins (1967) and Jones (1982).

¹⁴⁹Against what Schlatter says.

¹⁵⁰Locke (1690).

¹⁵¹Haakonssen (1981, 41).

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